

Chapter 2

Sweatshop Labour as Global Structural Exploitation

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The global garment industry is almost synonymous with exploitation in the contemporary world.¹ ‘Sweatshop labour’ – the production of cheap clothes under poor working conditions, including arbitrary discipline and restrictions on collective organizing, for extremely low wages – seems intuitively to be wrongfully exploitative.² However, not everyone agrees. Some libertarian philosophers and economists persuasively defend sweatshop labour, arguing that workers actively seek and benefit from sweatshop jobs.

The recent philosophical literature has attempted to rebut the libertarian case by applying theories of ‘transactional exploitation’ (unfair transactions between two individuals) to sweatshop labour. I argue, however, that these transactional accounts fail on their own terms. Moreover, these accounts do not consider why the sweatshop labour force is predominantly made up of Third World and racialized women and why that is problematic.³ I argue that sweatshop labour is an example of structural exploitation, by drawing on, but significantly reformulating, Marxist insights. Recent political theory has abandoned the Marxist view of exploitation as essentially structural. For Marxists, exploitation is embedded in the capitalist economy and it is a forced transfer of surplus value from the proletariat to the capitalist class. However, both transactional and Marxist accounts fail to acknowledge that women make up 70–90% of the sweatshop workforce, a fact that points to the structural *and* group-based nature of exploitation in sweatshops.⁴

Structural exploitation, in my view, is the *forced transfer of the productive powers of groups positioned as socially inferior to the advantage of groups positioned as socially superior*.⁵ This is an *intersectional* definition of exploitation: it recognises the class basis of structural exploitation, but also that certain social groups are structurally exploited, in this case along the axes of gender and ‘race’. It puts *force* at the centre of the definition, recognizing

the background conditions that generate the eagerness for sweatshop jobs. It claims that what is lost through exploitation are the *productive powers* of exploited groups. This definition derives from Iris Marion Young's early thoughts on exploitation, but where Young focused on the domestic context, arguably sweatshop labour is an example of structural exploitation on a global scale.⁶ Following Young, I argue that sweatshop labour is unjust because structural exploitation is a form of oppression, and it enables domination.⁷ The oppression and domination involved in sweatshop labour can be mitigated to some extent by gender-based union organization.

THE LIBERTARIAN CASE FOR SWEATSHOPS

Defenders of sweatshops argue that sweatshops bring jobs, prosperity, and growth to developing countries.⁸ Sweatshop labour is often highly paid in comparison to available alternatives and workers eagerly compete for these jobs. A sophisticated libertarian analysis uses these empirical facts to claim that there is nothing wrong with sweatshop labour; in fact, it is a good thing.

Matt Zwolinski's defence of sweatshop labour hinges on the fact that individuals *choose* to work in sweatshops. Their choice to do so is morally relevant because it is either an exercise of their autonomy or expresses their preferences.⁹ The choice to work in a sweatshop is an exercise of an individual's autonomy because it involves furthering one's own personal projects, including survival, parental or spousal obligations. As such, it is worthy of respect. Passing laws that prevent individuals entering into employment contracts with sweatshops would violate their autonomy. Even if the individual chooses this job under conditions of coercion, where there are few options, it is still an expression of their preferences. Preventing the individual from taking the job would be to deny their preference satisfaction and thus would be an instance of harm.

Furthermore, sweatshop labour is 'mutually beneficial'. If we consider harm to occur when one's interests are set back, then no harm occurs in sweatshop labour; both parties gain something.¹⁰ Workers gain employment and owners gain financially. So, Zwolinski asks, in what way can a transaction be mutually beneficial and wrongfully exploitative? He suggests this could occur when the social surplus generated by the transaction is unfairly divided between the two parties, so it is not as beneficial to workers as it ought to be. However, corporations make workers better off than they used to be. Why is this wrong when an alternative is for corporations not to provide any jobs at all? If multinational or transnational corporations (hereafter TNCs) did not establish sweatshops in developing countries, then the workers would acquire no benefits: 'How, then, can it be permissible to *neglect* workers in the developing

world, but impermissible to *exploit* them, when exploitation is better for both parties ... ?'¹¹ This is the 'non-worseness claim' – if a transaction does not make either party worse off, it is preferable to no transaction at all.

Sweatshop labour only becomes wrongfully exploitative, in Zwolinski's view, when the workers experience psychological or physical abuse. Wrongful exploitation occurs when rights violations occur.¹² Where there are no rights violations, there is no wrongful exploitation. However, laws exist in all countries to protect workers *qua* workers, or simply as individuals, from human rights violations. The disagreement between libertarians and those on the left hinges on whether sweatshop labour is wrongfully exploitative when there are no human rights violations. Is there anything wrong with sweatshop labour minus human rights violations, where only the lesser evils of long hours, poor wages, arbitrary discipline, and restrictions on organizing are involved?

TRANSACTIONAL ACCOUNTS

There has been resistance to the libertarian case for sweatshops from transactional accounts of exploitation. There are two main transactional accounts in the contemporary literature: either exploitation involves one agent unfairly taking advantage of another agent, or exploitation involves one agent taking advantage of another agent in a degrading way (using a person as a means to an end).¹³ In this section, I address the transactional accounts of Chris Meyers (who takes the first view) and Jeremy Snyder (who takes the second view) and argue that they do not successfully rebut the libertarian case.

Meyers argues that the libertarian case rests on three related claims.¹⁴ First, it is never wrong to benefit someone (unless they are legally entitled to more). Second, an individual cannot be wronged if they have consented to the treatment with a reasonable amount of information and are not coerced. Third, it is not wrong to provide an extra option to an individual, provided one has not limited her options or is responsible for the overall option set. Meyers seeks to show that a transaction can be (a) mutually beneficial, (b) consensual, and (c) fulfils the preferences of the exploited, and still count as wrongful. He calls such transactions 'wrongful beneficence'.

Meyers posits a counter-example to disprove the libertarian case: 'The Desert Exploiter'.¹⁵ Carole has been stranded in the desert for two days after her car broke down. She has not seen another car the whole time and is running out of water. Then Jason drives down the road. He offers to drive her to the next town on the condition that Carole give him her entire net worth, the title to her house and car, and half her earnings for the next ten years.¹⁶ Meyers argues that in making this offer Jason does not force or manipulate

her, he has only added to her options, and Carole is grateful for being driven to town. According to Meyers, this example proves that a transaction can meet the three libertarian conditions and still be wrongful.

Meyers' counter-example, however, does not prove this, because the example of Jason and Carole does not involve a consensual transaction. It is wrong to argue that Carole consents because her consent is coerced. Meyers anticipates this objection and considers whether his example is analogous to an armed robber giving the choice between 'your money or your life!'¹⁷ He dismisses the analogy, however, on the basis that the robber takes away an option, but Jason adds an option rather than taking away any previously existing options. However, adding an option does not render the exchange non-coercive. According to Joel Feinberg, when a person coerces someone they give the person the option of X or Y, but remove the option of the conjunction of X and Y.¹⁸ Carole can choose either to give all her money to Jason and not die, or to not give her money to Jason and die, but she cannot choose to *not* give her money to Jason and *not die*. Meyers has therefore not shown that the libertarian case is mistaken by way of a counter-example: Carole might have benefitted and preferred giving up her wealth to death, but she did not consent, she was coerced.¹⁹

Jeremy Snyder suggests a different approach. He accepts that workers in Third World countries are often eager for sweatshop jobs, but argues that the libertarian focus on the benefits of having a job gives 'insufficient weight to the moral importance of the dehumanizing form that these jobs can take'.²⁰ Unlike Meyers' fairness approach to exploitation, Snyder takes a Kantian approach, locating the problem with exploitation in its disrespect for persons. From a Kantian perspective, Snyder argues that individuals have an imperfect duty of beneficence to meet others' basic needs, as well as duties of non-interference. When we enter into specific relationships with others, however, this imperfect duty becomes a perfect duty. The length and intimacy of the relationship will determine the strength of the duty, so that personal relationships with spouses or children will generate greater demands to meet the needs of the other, compared to the lighter demands of an employer-employee relationship. In an employment relationship: 'employers are required to cede as much of their benefit from the interaction to their employees as is *reasonably possible* toward the end of the employees achieving a decent minimum standard of living'.²¹

What counts as 'reasonably possible' depends on the nature of the relationship and to what extent B is dependent on A to have a particular need met.²² It also depends on ensuring that A does not cede benefits to B that sink A below the threshold for well-being required for flourishing; rather A only has to cede benefits that can be considered as 'luxury' or 'excess' and B only has to be brought up to a level of sufficiency for minimal flourishing. If A is

living a life of luxury while B is experiencing basic needs deprivation, then A is engaging in 'needs exploitation'.

This Kantian approach responds to the libertarians' 'non-worseness claim', the idea that a mutually beneficial transaction cannot be morally worse than no transaction at all. This is a consequentialist argument, which is rebutted by the Kantian claim that certain duties are incurred by entering into particular relationships with others.²³ There is something particularly wrong in using someone with whom you are in a relationship as a means to an end. In the case of needs exploitation, this is using a person as a means to your end of living in luxury while they cannot meet their basic needs.

A problem for this account is that large garment TNCs are far removed from the workers in sweatshops. The manufacture of these products is outsourced to independent factories. Sometimes there is no meaningful interaction between the TNCs and their subcontractors. Moreover, not everyone working in these supply chains is living in luxury; many employees in TNCs live at the level of a flourishing life, not a luxurious life, as do many of the staff more closely connected to sweatshop labourers, such as factory managers.

Snyder acknowledges these two problems. In response to the problem that a lot of the people involved live flourishing lives, not luxurious lives, meaning that they are not engaged in needs exploitation, he argues that they have a different kind of responsibility to the sweatshop workers, such as a forward-looking 'political responsibility' as advocated by Young.²⁴ This is a more general responsibility that individuals connected to structural injustice have to work collectively to overcome the injustice. This is an unsatisfactory response, however. If we argue that most members of TNCs merely bear political responsibility for sweatshop labour, it is not clear what role the stronger conception of a duty of beneficence plays in the argument. Why is it not enough to say, with Young, that all agents connected to structural injustice share political responsibility to change it?

Snyder argues that the people really engaged in needs exploitation are the agents with the most influence over the company's policies, such as the largest shareholders and board members of TNCs. The more powerful members of these companies benefit to the point of luxury, so 'the demands of beneficence may be greater for those individuals'.²⁵ However, while these members may profit the most from the exploitation of sweatshop workers, they are also the most far removed from the workers. They will never meet the workers, know their names, or engage in any kind of interaction with them. These agents may have the deepest pockets, but their relationship with the workers is not long lasting or intimate, which on Snyder's account are the factors that determine the strength of the duty of beneficence. The fact that these agents have deep pockets is not the determining factor for needs exploitation; it is the depth of the relationship that matters.

Moreover, it is not entirely clear who the beneficiaries of the duty of beneficence are. If the depth of the relationship determines the strength of the duty, so that spouses have a perfect duty of beneficence to meet the basic needs of each other, but the employer-employee relationship is less demanding, Snyder surmises, 'In turn, part-time employment will tend to create lighter demands than full-time work in which all the employees' basic needs are expected to be met through the relationship'.²⁶ When we consider, however, that many sweatshop employees are on temporary or flexible contracts, then these employees will be entitled to have their needs met less than full-time employees, when arguably they are in a worse-off position.²⁷ Many female workers are 'home-workers'; that is, work is contracted out by factories or jobbers to women at home on a casual, non-committal basis.²⁸ So these women are in an even less strong relationship with the factory and would seem to be excluded almost completely from this approach.

The 'needs exploitation' account does not include the most vulnerable employees in the sweatshop supply chain; it only benefits those who are in a relatively better-off position – individuals with full-time, long-term contracts. It follows that the 'needs exploitation' approach creates the perverse incentive of increasing the number of part-time, casual, or home-based labourers in order to avoid incurring any duties towards the workers. It could theoretically lead to more exploitation of workers, not less.

These are only two accounts in the contemporary literature regarding the wrongfulness of sweatshop labour, yet they are indicative in that they both claim that exploitation is transactional and involves 'taking advantage' of another agent. For Meyers, exploitation involves unfairness and for Snyder it involves degradation. I have focused on why these accounts fail on their own terms. The more pressing issue with these transactional accounts, however, is that a focus on whether transactions between two individuals constitutes taking unfair advantage, or whether it degrades the other person, does not bring us any closer to understanding what is wrong with sweatshop labour. Sweatshop labour involves transfers between *groups*. Moreover, certain social groups are specifically targeted: Third World and racialized women. Understanding the exploitative nature of sweatshop labour requires taking a structural perspective. What is wrong with sweatshop labour is not the particular transactions between particular employees and employers, but the structures that force particular social groups into these jobs in the first place.

STRUCTURAL ACCOUNTS

Zwolinski agrees that sweatshop labour is a structural phenomenon. He argues that structural exploitation is the fault of states.²⁹ In the case of

sweatshop labour, a TNC might engage in ‘rent-seeking’ by agreeing to open factories in a state, but only if the state will suppress trade unions. This would be a case of structural exploitation. Another would be if the state suppresses trade unions in anticipation of TNCs taking advantage of this situation. The problem with this sort of behaviour is that it is *unfair*.³⁰ This account of structural exploitation, however, is lacking. Zwolinski argues that what generates the unfairness is an agreement between the state and a particular corporation, or that a state creates conditions that entice corporations to operate there. I would argue, however, that in these cases it is not the structure that is at fault, but the actions of specific agents, that is, particular states or corporations. When we talk about structural injustice, the issue is the background conditions, not the actions of particular agents. Structural injustice is the accumulated outcome of the actions of multiple agents acting independently of each other, and not with the intention of creating the particular injustice. The idea that the exploitation becomes structural when it is sanctioned by the state fails to capture what we mean by structural injustice, because this is a case of a state actively designing an injustice. Young argues that ‘structural injustice is a kind of moral wrong distinct from the wrongful action of an individual agent or the repressive policies of a state ... [it] occurs as a consequence of many individuals and institutions acting to pursue their particular goals and interests, for the most part acting within the limits of accepted rules and norms’.³¹

Robert Mayer distinguishes between ‘discretionary’ and ‘structural’ exploitation. The Jason and Carole example is a clear case of discretionary exploitation; Jason can choose not to exploit Carole and has a *prima facie* obligation not to do so, considering that in this situation he has a positive duty to rescue her.³² Structural exploitation is different. In these cases, the exploiters have no choice but to exploit. In competitive global markets, corporations are forced to play by the rules of the game in order to stay competitive and to continue competing for business. If corporations refuse to do this, they will go bust, which is bad for them and the workers. This leads Mayer to argue that corporations in the capitalist economy are in ‘a kind of dirty-hands dilemma’.³³ They face ‘the structural imperative of “exploit or fail”’.³⁴

Mayer’s analysis brings us closer to understanding what is wrong with sweatshop labour; however, it is still problematic. Corporations are constrained by the rules of the capitalist game. Large TNCs, however, do have significant room to manoeuvre. The structure of global supply chains gives corporations at the top significant leeway; manufacture of products is broken down into component parts and subcontracted to various factories.³⁵ Large TNCs can choose which locations and factories they subcontract their work to, meaning that they can choose factories with better or worse conditions. What is needed to encourage TNCs not to go straight for the cheapest supply

of labour are industry-wide regulations to guarantee the wages and working conditions of sweatshop workers globally.

Zwolinski rejects industry-wide regulations, however, on the grounds that it could crowd out businesses that cannot meet these standards but still provide jobs.³⁶ Arguably, however, regulation is not as risky as Zwolinski would have us believe. An example is the Bangladesh Fire and Building Safety Accord adopted in 2013 after the Rana Plaza factory collapse, which killed over 1,100 people. This is a five-year legally binding accord, which commits TNCs to contributing to a fund for factory inspection and repair.³⁷ It is overseen by a steering committee made up of retailers and trade unions, and is chaired by an independent representative from the International Labour Organisation (ILO).³⁸ There has been resistance to the initiative. Some corporations – notably Walmart and Gap – refused to sign the Accord on the grounds that it will make them liable for human rights violations on foreign soil, and established a competing Alliance for Bangladesh Worker Safety, which is not legally binding and has no union involvement.³⁹ Notably, however, 190 brands operating in Bangladesh have signed the Accord, suggesting that tightening regulations on factory conditions will not necessarily lead to corporations jumping ship.

Government legislation also does not necessarily lead to capital flight. In their study of the Indonesian Textile, Footwear and Apparel industry from 1990 to 1996, Ann Harrison and Jason Scorse found that due to the combined efforts of minimum wage legislation and anti-sweatshop activism, real wages rose by 50%.⁴⁰ However, this did not lead to a reduction in employment. In fact, exporting and foreign-owned plants ‘experienced very large increases in employment’.⁴¹

There may be empirical evidence to support the hypothesis of capital flight and job losses if stronger industry-wide regulations or government legislation are enforced on sweatshops. But there is also empirical evidence to the contrary. It is not sufficient, therefore, to ground philosophical arguments on the premise that if higher standards are enforced, then sweatshops will close and the workers harmed. This might happen in some cases, but not in others. There is more room to manoeuvre in terms of improving wages and working conditions, rather than simply eliminating human rights violations, than Mayer suggests.

Both of these structural accounts, then, are lacking. Zwolinski’s position turns out not to be structural in the sense that it involves state or corporate agency in making deliberate decisions to foster sweatshops. Mayer’s position overstates the extent to which large corporations are bound by structural constraints. Neither position gets at the underlying structure that causes sweatshop labour and tells us what is wrong with it. Furthermore, neither account has acknowledged the group-based character of exploitation in sweatshops and the role of gender and ‘race’.

SWEATSHOP LABOUR AS GLOBAL STRUCTURAL EXPLOITATION

I want to suggest a different approach to thinking about sweatshop labour. Sweatshop labour is a form of *global structural exploitation*. This represents a shift in thinking about the concept of exploitation, from individual transactions to socio-economic structures, and emphasizes the significance of *who* is exploited, specific gendered and racialized social groups.

What does it mean to say that exploitation is structural? On the orthodox Marxist position, exploitation is built-in to the capitalist economy. Capitalist exploitation functions as follows: capitalists own the means of production; workers are forced to sell their labour power to capitalists in order to earn sufficient money to meet their subsistence needs, but this only takes up part of the working day, the rest of the working day is spent doing surplus labour, which is extracted by the capitalist class making them profits. Exploitation refers to the appropriation of the surplus labour of the proletariat by capitalists. When reading Marx it is unclear whether exploitation is necessarily wrongful; it is simply a necessary feature of the capitalist economy.

The orthodox Marxist definition of structural exploitation has been critiqued from a variety of angles. Analytical Marxists questioned its reliance on the controversial labour theory of value.⁴² Marxist feminists argue that it only theorises the exploitation of 'productive' labour (wage-labour) and ignores the reproductive labour of women in the home.⁴³ Critical race theorists have argued that it ignores the question of why certain groups of people are exploited in certain kinds of jobs.⁴⁴ Post-Fordist theorists argue that it cannot account for newer forms of labour including immaterial labour (the manipulation of information or emotions).⁴⁵

Out of these critiques have emerged intersectional accounts of exploitation. Drawing on Young's work in particular, I argue that an intersectional account of structural exploitation involves *the forced transfer of the productive powers of groups positioned as socially inferior to the advantage of groups positioned as socially superior*.⁴⁶ This definition incorporates the concerns of feminist, critical race and post-Fordist theorists, and reveals a new way of thinking about why sweatshop labour is exploitative.

The first aspect of structural exploitation is that it refers to a *forced transfer between groups*. In the Jason and Carole example, we saw an instance of force between two individuals. Jason, the coercer, tells Carole, the exploitee, that she can either give up her wealth to him or face death by dehydration and starvation in the desert. Jason determines the options available to Carole.

Part of Marx's project was to show how force operates in capitalism in a structural way.⁴⁷ In sweatshop labour, it is not the case that a particular factory owner says to a particular worker, you must work here or face the alternatives

of subsistence farming, domestic service, scavenging, sex work, or starvation.⁴⁸ Rather, the worker is in a social position whereby these are the only available options. The individual worker's decision to work in a sweatshop appears to be a free choice, but when we look at the class of labourers we see that they are forced either to sell their labour power to factory owners in order to earn money to survive, or to take up an even less attractive occupation.

Reiman notes the similarities and differences between the transactional and structural accounts of force. First, in the transactional case, the options are either unacceptable or prohibitively costly.⁴⁹ In the case of structural force, an individual's social position determines a *range* of things they can do, 'with options outside this range unacceptable or prohibitively costly'⁵⁰: a sweatshop job or unpredictable and unreliable subsistence farming, begging, crime, sex work. Second, the transactional account involves an intentional exertion of force by one agent over another. Structural force is exerted by social structures, but these social structures are maintained through human behaviour. If all individuals involved became aware of their behaviour, they could alter the structures.⁵¹ Third, in the transactional case, the exploitee has 'no real choice'; but in structural force there is an element of choice, or what Reiman calls 'play'.⁵² Carole has no real choice but to submit to Jason's demands. The group of workers, by contrast, is constrained to a certain range of options. Workers can exercise choice among the options, but so long as the group members end up distributed in roles determined by the structure we can say they are 'forced into' these situations, 'even if they exercised some choice on the way'.⁵³ The choice to work in a sweatshop appears to be a rational choice, and indeed it probably is; but that is only because the range of options has been forced upon the workers and the sweatshop job appears to be the best of a bad bunch.

The journalist Jeremy Seabrook documents the journey of workers to Dhaka, Bangladesh, from the rural cities of Barisal and Murshidabad.⁵⁴ People migrate to Dhaka primarily because of landlessness. Land is taken from peasant farmers either through (ostensibly) natural causes – flooding – or through human behaviour – land-grabbing or corrupt deals with local officials. Without any land to work on, they are forced to move to the big city to work to provide for themselves and their families. Here we can see Reiman's point that human agency is involved. If land-grabbers stopped their behaviour, or the state dealt with corruption and built flood defences, these people would less likely be forced to move for sweatshop jobs.

However, the relationship is different to the Jason and Carole example or 'your money or your life'. These agents are not intentionally holding a gun to the head of the landless, nor offering a prohibitively costly option. The relationship is mediated and structural. Agents in higher social positions act in ways that are unavailable to the landless, and their actions further constrain the options of the landless. The result is that the landless

have fewer options for action. Human agency is involved, then, but it is (a) the behaviour of groups and (b) not intentional force. Also, the landless have some 'play' within their resulting option set. Nonetheless, we can still say they are *forced* to move to the city and seek sweatshop jobs, in Reiman's words, 'in order to get a crack at living at all'.⁵⁵

It might be objected that in this scenario we can *blame* the state, as Zwolinski would have it; but we would also have to blame the individuals and corporations who are land-grabbing. In any case, the fact that we might be able to blame particular agents for their behaviour does not speak to the fact that this is a structural relationship. The state and the land-grabbers are not directly interacting with the peasants; this is not a situation of intentional, transactional force. The relationship between the actions of agents in more advantaged social positions renders the more socially disadvantaged worse off with a smaller range of options. This is a structural, not an agential, relationship, and it affects social groups rather than individuals *qua* individuals. Transactional accounts of exploitation fail to appreciate what is exploitative about sweatshop labour, because they fail to recognise the structural force that underlies workers' decisions to pursue these jobs.⁵⁶ The wrongfulness of sweatshop labour cannot be explained by looking at transactions between particular factories and employees, but only by looking at the ways in which groups of labourers are forced to choose to work in these factories.

The second aspect of this definition of structural exploitation is that workers are forced to transfer their 'productive powers'. This refers to both an individual's labour power and developmental power.⁵⁷ Labour power is the ability to create use values, which can occur through traditional productive labour (the production of commodities in a factory, for example) or domestic labour (cleaning, preparing meals, etc.). Developmental power is the ability to pursue one's own projects in the pursuit of developing oneself as an autonomous agent. This distinction comes from C.B. MacPherson who argues that exploited workers are giving up more than their labour power when labouring for capitalists, because the amount of time and energy spent on their labour reduces the available time and energy for pursuing their own projects.⁵⁸ Capitalism extracts more than an individual's labour power; it takes away their developmental power.⁵⁹

Sweatshop labourers transfer their labour power and developmental power through the long hours of tedious, intensive labour, which allows capitalists to extract the surplus value they produce, and also diminishes the workers' capacities for self-development. Seabrook interviewed garment workers in Dhaka, Bangladesh. He asked Mostara what were the ambitions and dreams of the women working in the factories, to which she responded, 'What dreams? Their only dream is to go to their house, cook, eat and sleep. That is the dream of young women in Dhaka – they dream that their working day will at last end'.⁶⁰

It is not only the long and intensive labour that drains the developmental power of sweatshop workers, it is also damaging to health. Helen Wong, a Chinese immigrant garment worker in the United States, reported to Miriam Ching Yoon Louie that her friends experience sore hands, shoulder and back pains, haemorrhoids, allergies, and lung problems.⁶¹ Chronic lumbago is a problem for women in maquiladoras sitting on plastic folding chairs all day.⁶² Fatigue, headaches, kidney problems, and varicose veins are frequent health problems for garment workers.⁶³

The third aspect of structural exploitation (an aspect that is missing from the Marxist account) is that it affects some social groups and not others. From a libertarian perspective, it is irrelevant what kinds of people perform various kinds of jobs. But this masks a deeper reality. Across Asia, Latin America, Africa, and in the 'West', Third World women constitute the vast majority of the sweatshop labour force.⁶⁴ Why is that? Industrial manufacturing was confined almost exclusively to Western Europe, the United States, and Japan until the 1970s.⁶⁵ Production then relocated to Third World countries, for at least four reasons. The first is 'a practically inexhaustible reservoir of disposable labour',⁶⁶ which has arisen through 'several centuries of uneven capitalist development'.⁶⁷ With the shift in the nature of imperialism, a huge reservoir of labour, undereducated, unskilled, poor and willing to work for very low wages under poor conditions, emerged. Secondly, the process of production has become fragmented, so that the most basic processes require little skill.⁶⁸ Thirdly, the development of transport and communications has facilitated the globalization of production processes.⁶⁹ This facilitates 'subcontracting' of deskilled labour across various factories in dispersed geographical locations. Fourthly, there is a greater intensity of work among Third World workers because of few labour protections, enabling 'greater control over the performance of the labour force'.⁷⁰

This reservoir of cheap, low-skilled, disciplined labour explains why mass production, including garment work, moved to the Global South. But why is it mainly women who work in the garment sector? I suggest this is because within the global supply of cheap labour, women are the cheapest form of labour.⁷¹ The garment sector has relied on using the cheapest available labour since its inception. The development of the ready-made garment sector in the United States in the nineteenth century saw the employment of rural women, and when they became too expensive, of immigrant labour.⁷² In the 1970s, the cheapest labour source became Third World women.⁷³ Why are women a cheaper source of labour? One reason could be the gender pay gap. The ILO has found some evidence of this in the garment sector, but it is variable across countries.⁷⁴ A more compelling reason is that within the garment sector, women are clustered in the lowest ranking jobs.⁷⁵ Women are given the jobs that ostensibly require the least skill. However, as Elson and Pearson argue

this is, in fact, an illusion. The tasks of cutting and sewing are skilled labour; María Fernández-Kelly discovered this when she sought a maquiladora job as an undercover academic and was faced with a bewildering skills test of sewing pockets onto jeans – ‘the particulars of “unskilled” labour unfolded before my eyes’.⁷⁶ This work is labelled as ‘unskilled’ because women learn these skills at home from their mothers and female relatives; the acquiring of these skills is invisible and privatized.⁷⁷ Jobs that are seen as requiring technical knowledge or strength are generally considered as male jobs and are more highly remunerated.⁷⁸ Women are also deemed to require lower wages because they are not seen as breadwinners and thus do not need a ‘family-wage’.⁷⁹ In short, women’s ‘secondary status’ in the labour market explains their lower wages.⁸⁰

When asked why they prefer to employ women workers, however, factory bosses often refer to female attributes, rather than lower wages.⁸¹ Benería and Roldán asked employers ‘What advantages do you see in hiring women?’⁸² The answers in order of popularity were that women are more reliable, that is, they do not get drunk on the weekends like men and so are less likely to be absent on Mondays. Women do more careful manual work, having greater dexterity and patience in handling small parts. Women are more disciplined, able to sit for long periods of time without becoming restless. A small number said women are more productive. Finally, some mentioned that women are less troublesome and less likely to engage in trade union activities. As feminists have pointed out, these traits are learned through socialization into gender norms.⁸³ However, the outcome of these learned behaviours and stereotypes about women is that, as Benería and Roldán argue, ‘gender has an impact on the conditions under which workers are incorporated into the labour process and these conditions, in turn, have an impact on gender’.⁸⁴ Sweatshop labour preys upon gender stereotypes and constitutes them for new generations of women workers.

There is also a racialized component. The fact that the Third World labour reserve has become available to capital is due to a history of racist colonial subjugation. Al Szymanski argues that capitalism continues to propagate racism in order to create a ‘caste-like job reservation structure’ whereby ethnic differences are used to antagonize relations within the working class, creating disorganization.⁸⁵ While Szymanski was talking about this in the context of advanced capitalist societies, we can see this happening internationally, with Third World immigrants in developed countries, and the export of jobs to developing countries, portrayed as ‘them’ stealing ‘our’ jobs. Structural racism in the labour market also serves to ‘legitimate the usually degrading functions of a specific social group in the eyes of the hegemonic class’,⁸⁶ so that the outsourcing of sweatshop work is deemed applicable for certain kinds of workers over others.

We also need to think about the intersection of 'race' and gender, however. Elson and Pearson quoted from a Malaysian investment brochure in their oft-cited 1981 article 'Nimble Fingers': 'The manual dexterity of the oriental female is famous the world over. Her hands are small and she works fast with extreme care. Who, therefore, could be better qualified *by nature and inheritance* to contribute to the efficiency of a bench-assembly production line than the oriental girl (emphasis added)'.⁸⁷ Even though this is over three decades old, such racialized gender stereotypes continue to predominate in the industry. Chakravarty looks at how the idea of 'Oriental docility' is used in the Indian garment industry in explaining the submissiveness of female Indian garment workers. She found that the lack of union organizing among women is not due to this racist stereotype, but rather to strategic thinking: women were less likely to engage in trade unionism as 'a strategy in order to secure jobs in an otherwise man's world' and because unions were more likely to represent the interests of qualified men with technical jobs, rather than women on temporary contracts with 'unskilled' jobs.⁸⁸ Nevertheless, the result of the lack of organizing reinforces the stereotype.

A lot of the literature on why Third World women occupy labour-intensive manufacturing jobs dates back to the 1980s. However, there is reason to believe this is still an accurate picture of how the garment industry works, and in fact, that the situation may have deteriorated further. The debt crisis in the mid-1980s led to structural adjustment policies in many Third World countries, which saw cutbacks in the public sector, including health and education.⁸⁹ This has disproportionately affected women who have filled in the gaps. As Guy Standing argues, the reduction of state benefits has contributed to the increase of the 'black economy' and precarious jobs, and has reduced minimum wage restrictions. These changes have led employers to employ women over men, as women receive lower wages and have traditionally been employed in 'flexible' labour because of their socially constructed reproductive and caring responsibilities.⁹⁰ The nature of global supply chains has changed over this period, with more women workers working in locally owned factories or informal workshops, rather than TNC-owned factories in export-processing zones.⁹¹ The implications are that women's contributions to production have become invisible as part of the illegal economy. Women are employed informally through agents rather than by factories, making their situation more precarious. There are also increasing divisions within the sweatshop workforce along ethnic lines, with migrant workers within the Global South preferred employees, as they require even lower wages and have fewer protections.⁹²

In sum, the global garment labour force is predominantly made up of Third World women. These workers are positioned in the contemporary global economy through a history of colonial subjugation, more recent neoliberal

restructuring of financial and trade regimes with the concomitant informalization of jobs and undermining of the state, and racist and gendered stereotyping, to be forced to work in this sector. Sweatshop labour is a form of global structural exploitation because it involves the forced transfer of the productive powers of disadvantaged social groups (in this case Third World women) to advantaged social groups (better-off consumers, capitalists). The normative literature on sweatshop labour has failed to identify why it is exploitative by focusing on transactions between particular agents, thus not exposing the role of structural force (class), nor the role of gender and 'race' in shaping group-based practices of exploitation.

So far I have provided a descriptive account of global structural exploitation. What, if anything, is 'wrongful' about this situation? The aforementioned theories of exploitation place the emphasis on unfairness. It is the unfair distribution of the fruits of labour that is considered to be unjust. If we take the Marxist structural account, however, it is not the unfairness in the distributions of productive labour that is the source of normative concern. Nancy Holstrom argues that 'Marx thought exploitation an evil' because 'force, domination, unequal power and control are involved in exploitation both as preconditions and as consequences'.⁹³ Distributive interpretations are missing the point, according to Holstrom, because even if workers received more money for their labour, the fundamental relationship of the forced transfer of surplus labour to capitalists would remain.⁹⁴

My intersectional account of structural exploitation departs from the Marxist account in several ways, however. I have abandoned the use of surplus labour and focused instead on productive powers; I also highlight the ways in which certain social groups are exploited in certain occupations. On this intersectional view, sweatshop labour is exploitative and unjust. Young argues that injustice comes in two forms: oppression and domination.⁹⁵ Oppression is the systematic inhibition of self-development. In the case of sweatshop labour, the forced transfer of the productive powers of Third World women systematically prevents their self-development. Domination is the systematic inhibition of self-determination. Structural exploitation in sweatshops allows TNCs to dominate workers by inhibiting collective organizing. The workers are structurally positioned to have very few options for alternative employment and so are restricted in their ability to resist the dictates of TNCs. The structural inhibition of self-development and self-determination renders sweatshop labour a form of global structural injustice. As Young puts it, 'Structural injustice ... exists when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time that these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capacities available to them'.⁹⁶

Structural exploitation is not reducible to oppression or domination, however. As Holstrom argued, the forced transfer of productive labour (in the Marxist view), or productive powers (in my view), will remain as the basis of the capitalist economy; this is so even if reforms were to increase the scope for the self-development of workers, or if the ability of TNCs to dominate workers was reduced due to increased regulation. The forced transfer of the productive powers of groups positioned at the bottom of the social and economic hierarchy is what constitutes structural exploitation. However, this leaves an unanswered question: Is exploitation an injustice if there is no oppression and domination, or is it simply a technical term as some Marxists have argued? This is an important philosophical question and I would suggest the answer might lie in the concept of force: Could oppression be eliminated as long as the forced transfer of productive powers of socially disadvantaged groups remains? However, it is beyond the scope of this chapter to provide a satisfactory answer. I would suggest that in the contemporary global garment industry, there is significant oppression and domination with no sign of abating, and so for now the more pressing concern is not whether structural exploitation would be an injustice without oppression and domination (or if oppression cannot be eliminated, if it is reduced), but to show, the contra-libertarian position, why it is unjust now.

CONCLUSION

The philosophical literature on sweatshop labour is disappointing. The libertarian defence of sweatshops emphasizes the choice of individuals to take these jobs and the benefits to the individual. The transactional rebuttals focus on why these transactions between individual workers and employers can count as exploitative even when they are freely chosen. These approaches are individual, agential, and apolitical. On my reading, by contrast, exploitation in sweatshops is group-based, structural, and political, in the sense that it requires collective action to be overcome. I have argued that we need to focus on the fact that sweatshop jobs are predominantly occupied by *specific social groups*: Third World and racialized women. We also need to understand the *structural conditions* that force these social groups into these jobs: gendered, racialized, and class-based socio-economic hierarchies. Focusing on the choices of disembodied, anonymous individuals to take these jobs without an analysis of the background conditions, means we are failing to see the group-based and structural character of exploitation in sweatshops. We also fail to see the specific character of structural exploitation itself, that is, the forced transfer of the productive powers from socially disadvantaged to socially advantaged groups.

Socially disadvantaged groups will be different in different socio-historical contexts. A range of historical, political, economic, and social factors converge to position certain groups differently in the global economy and the outcomes are contingent.⁹⁷ It is undeniable, however, that at the present moment, Third World women have become constructed as the optimum labour force for the lowest-rung jobs in sweatshops both because they are the cheapest source of labour and because of stereotypes about their natural suitability for this work. It might be argued that I have portrayed these women as unqualified victims. This is not the case. In my interpretation of sweatshop labour, there are measures that can be taken to mitigate the injustice: grass roots union organizing can reduce the domination of workers by corporations and increase opportunities for self-development.

Garment workers repeatedly resist the domination of transnational capital. Ashok Kumar and Jack Mahoney document the success of worker agitation in Fruit of the Loom factories in Honduras in 2007. Union organisers travelled to the United States to negotiate with top executives directly, securing an average salary of US \$395 per month, compared to the Honduran minimum wage of US \$245 per month. They also get free lunches and transportation to and from work (expenses that used to cost 20% of their salary).⁹⁸ Their tactics of direct negotiation combined with student activism has been replicated with success by workers in a Honduran factory subcontracted by Nike in 2010 and a PT Kizone factory in Indonesia in 2013.⁹⁹ In 2014, an estimated 30,000 workers at Nike and Adidas factories in China went on strike, an increase of one-third in strike action in China on the previous two years.¹⁰⁰ Garment workers in Cambodia engaged in mass protest in January 2014. The government responded with a brutal crackdown and a ban on public gatherings of more than ten people.¹⁰¹ Cambodian workers responded with stay-at-home strikes.¹⁰² The restriction on collective organizing suggests that collective organizing was indeed having an effect on structural injustice.

It is important not to glorify trade unionism, however. As several feminists note, traditional trade unionism can be insensitive to gender differentiation. Chakravarty found that Indian garment unions were more focused on the working conditions of permanent male employees than women in lower grades.¹⁰³ Struggles that only deal with economic issues like pay and conditions will fail to address the particularities of women's exploitation.¹⁰⁴ As Mohanty argues, the sexism of trade unions has led women to form their own unions, which recognise their 'common interests' as 'the potential bases of cross-national solidarity'.¹⁰⁵

Collective organizing around gender and ethnicity enables self-development. Louie documents the collective organization of immigrant women workers in the United States, who have set up workers' centres, 'which enabled them both to resist the oppressions they face and to begin to fashion new ways to

work, live, think, and create'.¹⁰⁶ The workers' centres allow these women to gain skills otherwise unavailable to them including learning English and becoming enfranchised citizens.¹⁰⁷ Moreover, if workers are able to secure jobs through collective bargaining that provide living wages, decent working conditions and reasonable working hours, they will be able to pursue their own personal projects.

Union organizing and better labour laws and enforcement can mitigate the domination of workers by corporations and increase opportunities for self-development. From this intersectional-structural perspective, however, the relationship of the forced transfer of productive powers from socially disadvantaged groups to socially advantaged groups will remain. The conditions that force people to choose sweatshop jobs need to change: massive poverty and inequality, unemployment. Union organizing is not a panacea, and looking to global institutions that enable global capitalism, such as the WTO, or to TNCs themselves and their programmes of corporate social responsibility, will not solve this structural problem.

NOTES

1. Thanks to Monique Deveaux and Vida Panitch for their insightful comments in drafting this chapter, and to participants in the 'Ethics of Global Institutions' workshop at Manchester University on 25 May, 2016 for their comments on an earlier draft.

2. Taken from Tara J. Radin and Martin Calkins, 'The Struggle Against Sweatshops: Moving Toward Responsible Global Business', *Journal of Business Ethics* 66 (2006): 263.

3. I follow Chandra Talpade Mohanty in using the term 'Third World women' and, from this point on, use it refer to 'both women from the geographical Third World and immigrant and indigenous women of color in the United States and Western Europe'. See Mohanty, *Feminism without Borders: Decolonizing Theory, Practicing Solidarity* (USA: Duke University Press, 2003), 144. The term is not intended to be essentializing or to capture particular experiences, rather it captures the 'common interests' of workers similarly situated/marginalized in racialized and gendered labour markets.

4. Ruth Pearson, 'Women's Work, Nimble Fingers, and Women's Mobility in the Global Economy', in *The International Handbook of Gender and Poverty: Concepts, Research, Policy*, ed. Sylvia Chant (Cheltenham: Edward Elgar Publishing Ltd, 2012), 422.

5. I do not think this is the only possible conception of exploitation. In my view, exploitation is a 'family resemblance' concept. See Maeve McKeown, 'Global Structural Exploitation: Towards an Intersectional Definition', *Global Justice: Theory Practice Rhetoric* 9, no. 2 (2016).

6. Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), 48–53. In the Epilogue, she encourages us to think

about what the five faces of oppression (exploitation, marginalization, powerlessness, cultural imperialism and violence) would look like in other contexts, including the transnational context. She suggests that the concept of exploitation may be more or less the same as in the domestic context, which is an insight I draw on here.

7. Young, *Justice and the Politics of Difference*, 37.
8. Paul Krugman, 'In Praise of Cheap Labour', *Slate*, 21 March, 1997. Nick Kristof, 'Where Sweatshops are a Dream', *New York Times*, 14 January, 2009.
9. Matt Zwolinski, 'Sweatshops, Choice, and Exploitation', *Business Ethics Quarterly* 17, no. 4 (2007): 689.
10. Zwolinski, 'Sweatshops', 705.
11. Matt Zwolinski, 'Structural Exploitation', *Social Philosophy and Policy* 29, no. 1 (2012): 162.
12. Zwolinski, 'Sweatshops', 711.
13. For the first view see Alan Wertheimer, *Exploitation* (Princeton: Princeton University Press, 1996); Robert E. Goodin, 'Exploiting a Situation and Exploiting a Person', in *Modern Theories of Exploitation*, ed. Andrew Reeve (London: Sage Publications, 1987). For the second see Ruth Sample, *Exploitation: What It Is and Why It's Wrong* (Oxford: Rowman and Littlefield Publishers, 2003).
14. Chris Meyers, 'Wrongful Beneficence: Exploitation and Third World Sweatshops', *Journal of Social Philosophy* 35, no. 3 (2004): 323.
15. Chris Meyers, 'Wrongful Beneficence', 324–26. Meyers does not seek to make an analogy with sweatshop labour, rather his strategy is to show that the libertarian case rests on these three claims and prove them wrong through this counter example.
16. The better-known, but deeply problematic, version of the example is that Jason gives Carole the option of having anal sex with him, to which Carole 'consents'. There is no way in which Carole's consent to the sex act can be considered meaningful. She is experiencing extreme physical discomfort through dehydration and hunger in the desert, and she is experiencing psychological trauma – fear, anxiety, desperation – at the thought of her imminent death. She knows that her only alternative is death. This is an example of coercion because Jason denies Carole the conjunction of not having sex with him and not dying. I use the wealth example instead (which Meyers introduces in case the reader thinks the other example has too much 'shock value'), because I consider it to be a case of rape apologism and do not want to reproduce this kind of wilfully ignorant and insensitive discourse.
17. Meyers, 'Wrongful Beneficence', 325.
18. Joel Feinberg, 'Failures of Consent: Coercive Force', in *The Moral Limits of the Criminal Law* ed. Joel Feinberg (Oxford Scholarship Online: Oxford University Press, 1989), 192.
19. Alternatively, Alan Wertheimer argues that if A proposes to make B worse off compared to what B can expect from A (or A has a duty to do) then this counts as a coercive threat. Wertheimer, *Exploitation*, 110–11.
20. Jeremy C. Snyder, 'Needs Exploitation', *Ethical Theory and Moral Practice* 11 (2008): 390.
21. Snyder, 'Needs Exploitation', 396.
22. Ibid., 397.

23. Ibid., 403.
24. Iris Marion Young, 'Responsibility and Global Labour Justice', *The Journal of Political Philosophy* 12, no. 4 (2004); Iris Marion Young, 'Responsibility and Global Justice: A Social Connection Model', *Social Philosophy and Policy* 23, no. 1 (2006); Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press, 2011).
25. Snyder, 'Needs Exploitation', 400.
26. Ibid., 398.
27. Lourdes Benería and Martha Roldán, *The Crossroads of Class and Gender: Industrial Homework, Subcontracting, and Household Dynamics in Mexico City* (Chicago: University of Chicago Press, 1987); Guy Standing, 'Global Feminization Through Flexible Labour: A Theme Revisited', *World Development* 27, no. 3 (1999); Pearson, 'Women's Work'.
28. Benería and Roldán engaged in a seminal study of homework in Mexico City in the 1980s. Industrial homework work dissipated in Mexico in the 1990s as employing workers in factories become cheaper – see Laurie Nisonoff, Lynn Duggan, and Nan Wiegiersma, 'Introduction to Part Three', in *The Women, Gender and Development Reader*, ed. Nalini Visvanathan, et al. (London: Zed Books, 2011), 203. However, it is making a comeback in other parts of the world – see Ruth Pearson, 'Women's Work', 423. See also chapter. 4, Maria Mies, *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labour*, 3rd Edition ed. (London: Zed Books, 2014).
29. Zwolinski, 'Structural Exploitation', 175.
30. Ibid., 178.
31. Young, *Responsibility for Justice*, 52.
32. Robert Mayer, 'Sweatshops, Exploitation and Moral Responsibility', *Journal of Social Philosophy* 38, no. 4 (2007): 611.
33. Mayer, 'Sweatshops', 616.
34. Ibid., 611.
35. Benería and Roldán, *Crossroads*, 40.
36. Zwolinski, 'Sweatshops', 713.
37. 'Accord on Fire and Building Safety in Bangladesh', Bangladesh Accord Foundation, <http://bangladeshaccord.org/>.
38. Benjamin A. Evans, 'Accord on Fire and Building Safety in Bangladesh: An International Response to Bangladesh Labour Conditions', *NCJ Int'l L. & Com. Reg.* 40 (2014): 598.
39. As Evans points out, however, this is highly unlikely to happen in the United States, where the Supreme Court ruled that foreign cases must 'touch and concern the territory of the United States' with 'sufficient force'. Ibid., 617.
40. Ann Harrison and Jason Scorse, 'Improving the Conditions of Workers? Minimum Wage Legislation and Anti-Sweatshop Activism', *California Management Review* 48, no. 2 (2006): 155.
41. Harrison and Scorse qualify their findings in various ways, but this study is enough to cast suspicion on the claim that raising wages will necessarily lead to capital flight or businesses going bust.
42. G.A. Cohen, 'The Labour Theory of Value and the Concept of Exploitation', *Philosophy & Public Affairs* 8, no. 4 (1979).

43. Mariarosa Dalla Costa and Selma James, *The Power of Women and the Subversion of Community* (New York: Pétroleuse Press, 2010); Mies, *Patriarchy and Accumulation*; Silvia Federici, *Caliban and the Witch* (New York: Autonomedia, 2004).

44. Heidi Hartmann, 'The Unhappy Marriage of Marxism and Feminism: Towards a More Progressive Union', and Gloria Joseph, 'The Incompatible Menage A Trois: Marxism, Feminism, and Racism', both in *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism*, ed. Lydia Sargent (Boston: South End Press, 1981).

45. Michael Hardt, 'Affective Labour', *boundary 2* 26, no. 2 (1999).

46. For a full explanation as to how I reach this definition of structural exploitation, see McKeown, 'Global Structural Exploitation'. See Young, *Justice and the Politics of Difference*, Chapter 2.

47. Jeffrey Reiman, 'Exploitation, Force, and the Moral Assessment of Capitalism: Thoughts on Roemer and Cohen', *Philosophy & Public Affairs* 16, no. 1 (1987): 16.

48. These are some of the alternatives available to sweatshop workers in Bangladesh and Mexico, see Seabrook, *The Song of the Shirt*; María Patricia Fernández-Kelly, 'Maquiladoras: the View from the Inside', in *The Women, Gender and Development Reader*, ed. Nalini Visvanathan, et al. (London: Zed Books, 2011).

49. Reiman, 'Exploitation', 14.

50. Ibid.

51. Ibid.

52. Ibid.

53. Ibid., 15.

54. Seabrook, *The Song of the Shirt*.

55. Reiman, 'Exploitation', 12.

56. Transactional accounts do take coercion seriously. In the case of sweatshop labour, however, employers do not have an obligation to improve the workers' situation in general, so offering below-subsistence wages and poor working conditions will not be considered coercive on this view. Also, while transactional accounts discuss coercion between individuals, they do not discuss the role of social structures in determining options available to agents and how we can think of social structures as 'forcing' groups into particular roles.

57. Even though he uses these concepts slightly differently, I borrow this term from C.B. Macpherson, 'The Problems of a Non-Market Theory of Democracy', in *Democratic Theory: Essays in Retrieval*, ed. C.B. Macpherson (Oxford: Clarendon Press, 1973).

58. C.B. Macpherson, 'Problems', 67.

59. I prefer this more expansive interpretation of what is forcibly transferred in structural exploitation to the Marxist conception of surplus labour, because surplus labour relies on the concept of productive labour, which excludes unproductive labour (e.g. domestic labour and services) and immaterial labour (affective or emotional labour).

60. Seabrook, *The Song of the Shirt*, 45.

61. Miriam Ching Yoon Louie, *Sweatshop Warriors: Immigrant Women Workers Take on the Global Factory* (New York: South End Press, 2001), 36.

62. Fernández-Kelly, 'Maquiladoras', 228.
63. Diane Elson and Ruth Pearson, 'The Subordination of Women and the Internationalization of Factory Production', in *The Women, Gender and Development Reader*, ed. Nalini Visvanathan, et al. (London: Zed Books, 2011), 221.
64. Elson and Pearson, 'Subordination', 213; Fernández-Kelly, 'Maquiladoras', 225; Phu Huynh, 'Assessing the gender pay gap in Asia's garment sector', in *ILO Asia-Pacific Working Paper Series* (Bangkok: International Labour Organisation, 2016); Pearson, 'Women's Work', 422.
65. Folker Fröbel, Jürgen Heinrichs, and Otto Kreye, *The New International Division of Labour* (Cambridge: Cambridge University Press, 1980), 12.
66. Ibid., 13.
67. Ibid., 322.
68. Ibid., 13.
69. Ibid.
70. Elson and Pearson, 'Subordination', 212.
71. Helen I. Safa, 'Runaway Shops and Female Employment: The Search for Cheap Labour', *Signs* 7, no. 2 (1981): 419. An alternative proposition is that women are more productive than men. But as historically there have been so few men in the sector in factory-floor jobs, this has not been possible to measure (Elson and Pearson, 'Subordination', 213).
72. Nancy L. Green, 'Women and Immigrants in the Sweatshop: Categories of Labour Segmentation Revisited' *Society for Comparative Study of Society and History* 38, no. 03 (1996); Safa, 'Runaway Shops', 419–22.
73. Safa, 'Runaway Shops', 418. Of course, another source of cheap labour in the garment industry is children. I do not include child labour here because from the libertarian perspective it could be considered wrongful.
74. Huynh, 'Assessing'.
75. Benería and Roldán, *Crossroads*, 46; Deepita Chakravarty, "'Docile Oriental Women" and Organised Labour: A Case Study of the Indian Garment Manufacturing Industry', *Indian Journal of Gender Studies* 14, no. 3 (2007): 452.
76. Fernández-Kelly, 'Maquiladoras', 227.
77. Diane Elson and Ruth Pearson, "'Nimble Fingers Make Cheap Workers": An Analysis of Women's Employment in Third World Export Manufacturing', *Feminist Review* 7, no. 1 (1981): 93.
78. Benería and Roldán, *Crossroads*, 46.
79. Elson and Pearson, 'Nimble Fingers', 96.
80. Elson and Pearson, 'Subordination', 217.
81. Benería and Roldán, *Crossroads*, 47; Elson and Pearson, 'Nimble Fingers', 92.
82. Benería and Roldán, *Crossroads*, 47–49.
83. Ibid., 50, and Elson and Pearson, 'Nimble Fingers'.
84. Benería and Roldán, *Crossroads*, 52.
85. Al Szymanski, 'The Structure of Race', *Review of Radical Political Economics* 17, no. 4 (1985): 113.
86. Szymanski, 'Structure', 108.

87. Elson and Pearson, 'Nimble Fingers', 93.
88. Chakravarty, 'Docile', 458.
89. Nisonoff, Duggan, and Wiegersma, 'Introduction', 204.
90. Standing, 'Global Feminization', 584–85.
91. Pearson, 'Women's Work', 423.
92. Ibid., 423–24.
93. Nancy Holstrom, 'Exploitation', *Canadian Journal of Philosophy* 7, no. 2 (1977): 364.
94. Ibid., 362.
95. Young, *Justice and the Politics of Difference*, 33–38.
96. Young, *Responsibility for Justice*, 52.
97. Green, 'Women and Immigrants in the Sweatshop', 432.
98. Ashok Kumar and Jack Mahoney, 'Stitching Together: How Workers are Hemming Down Transnational Capital in the Hyper-Global Apparel Industry', *Working USA: The Journal of Labour & Society* 17 (2014).
99. Kumar and Mahoney, 'Stitching Together', 199.
100. Didi Tang, '30,000 Strike at Nike and Adidas in China', *The Scotsman*, 18 April, 2014.
101. Michelle Tolson, 'Fashion Backward: Cambodian Government Silences Garment Workers', *Inter Press Service*, 9 January, 2014.
102. Mech Dara, 'Predictions Mixed for Post-New Year Garment Strike', *The Cambodia Daily*, 17 April, 2014.
103. Chakravarty, 'Docile', 454.
104. Elson and Pearson, 'Subordination' 222.
105. Mohanty, *Feminism without Borders*, 143.
106. Louie, *Sweatshop Warriors*, 14.
107. Ibid., 14–15.

Chapter 3

False Parallels

Exploitation in Markets and 'Exploitation' in Social Relationships

Waheed Hussain

How should we think about the actions of someone who takes advantage of people who love and care for him? Imagine, for example, that my wife and I face a series of choices that involve trade-offs between our respective careers. In every case, I ask my wife to accept the choice that will advance my career at the expense of hers. Suppose that I do this knowing fully well that she loves me and will do as I ask. It seems clear that, under certain conditions, I act wrongly when I ask her to make these sacrifices. But do I *exploit* her? Does taking advantage of her affection and treating it as an opportunity for self-advancement constitute exploitation?

I argue that the answer is no. Under certain conditions, I act wrongly when I ask my wife to make the relevant sacrifices, but the actions in question are not properly understood as exploitation. This is because exploitation is a type of wrongful conduct that occurs in the special circumstances of a market (or some similar institution). In an institution such as the market, people have a special permission to take advantage of other people's vulnerabilities. Exploitation is a distinctive type of wrongful conduct that involves exceeding the boundaries of this special permission.

For the most part, however, people do not interact with one another in the special circumstances of a market. Outside of the market sphere, people may also act wrongly when they take advantage of others, but the wrongfulness of their conduct does not involve exceeding the boundaries of a special permission. Instead, the wrongfulness of their conduct involves violating moral principles that require them to treat other people's vulnerabilities with various forms of concern, prudence, support and reciprocity.

Let me stress at the outset that the issue here is not primarily about the proper use of the term 'exploitation'. Although I think that 'exploitation' is the correct term to use, you could use some other term to refer to the special