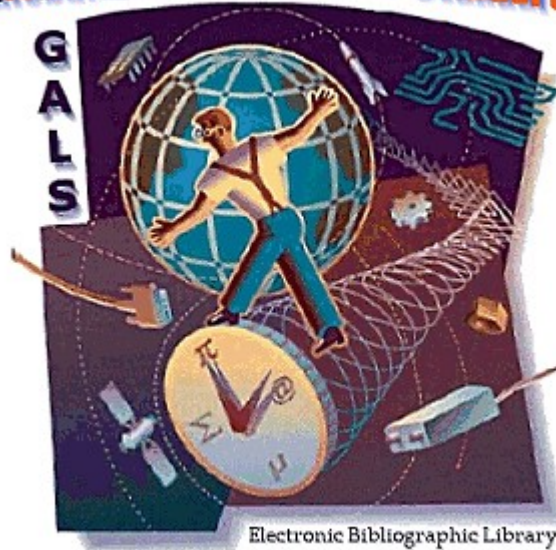


Globalization and Labor Standards



GALS Newsletter

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Country-Specific Case Studies

Kelley, Thomas, "Unintended Consequences of Legal Westernization in Niger: Harming Contemporary Slaves by Reconceptualizing Property", *American Journal of Comparative Law* v. 56 (2008) p. 999-1034

Abstract:

This article describes how, in response to pressure from donor countries and international development experts, the Republic of Niger has adopted an aggressive program of legal "westernization" aimed at codifying and clarifying private property rights and how, in turn, these reforms have dramatically altered customary land tenure practices and undermined the ability of hereditary slaves to gain access to

agricultural land. As it developed over the course of European colonization and formal decolonization in the 19th and 20th Centuries, slavery in Niger involved a complex set of mutual obligations between slaves and slaveholders, including providing slaves with limited access to agricultural land thereby allowing them to provide for their own livelihoods, so long as they paid annual tribute to their masters. Even as the government of Niger has adopted constitutional reforms formally abolishing slavery, the slaveholding practices have largely continued in Niger because of the inability of the central government to rule without the tacit support of noble landholding families in the countryside. With the introduction of western legal concepts, including private ownership in land, the government of Niger has sided with traditional nobles, including slaveholders, in determining that they, rather than the slaves occupying farm land, are the rightful "owners." The author argues that western legal reforms, including concepts of private property, should not be forced on developing countries without regard to actual local customs and practices on the target countries without producing unintended and often counterproductive results.

Subjects: [Comparative Labor Law](#), [Country-Specific Case Studies](#), [Forced Labor](#)

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

Workplace Discrimination

Waddington, Lisa, "When is it Reasonable for Europeans to be Confused: Understanding When a Disability Accommodation is 'Reasonable' from a Comparative Perspective", *Comparative Labor Law & Policy Journal* v. 29 no3

Abstract:

This article surveys how different member states of the European Union responded to the challenge of the Employment Equality Directive of 2000. Article 5 of this legislation mandated "reasonable accommodation" of disabled individuals in national legal systems across the EU. The author discusses the many different interpretations of the term "reasonable" and compares the different steps several nations have taken to codify the mandate into law. The article concludes with suggestions for how courts across the EU can clarify the meaning of the term "reasonable accommodation" and implement the directive.

Subjects: [Comparative Labor Law](#), [Employment Law](#), [European Union](#), [Workplace Discrimination](#)

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Books

Bercusson, Brian & Estlund, Cynthia. *Regulating Labour in the Wake of Globalisation: New Challenges, New Institutions*. Oxford and Portland, Oregon (Hart Publishing, 2008)

Abstract:

This edited volume comprises eleven substantive chapters and a short but richly detailed introductory chapter by labor relations scholars from Europe and North America. The Editors pose the overarching question of where regulatory efforts should be centered in an era in which capital, product and labor mobility mean that neither government regulation nor collective bargaining have the power they once did. Should the locus of regulation be downward to smaller units of governance or firms themselves, "upward" to transnational institutions, or even "outward" to NGOs? The articles, by leading experts such as Harry Arthurs, Simon Deakin, Keith Ewing, Bob Hepple, Katherine Stone, and others, describe different contemporary scenarios in corporate self-regulation, transnational labor monitoring, employment

contracts, privatization, transnational governance, and cross-border trade unions. Together they examine the efficacy and democratic legitimacy of different forms of regulation, the goals and values underlying regulatory approaches, and possibilities for new directions in regulatory reform. This book is an insightful, detailed, very well informed overview of what is at stake in, and what are the possibilities for, the immediate and long term future of labor regulation.

Subjects: [Country-Specific Case Studies](#), [Labor Mobility](#), [Collective Bargaining](#), [Employment Law](#), [Corporate Codes of Conduct](#), [Corporate Accountability](#), [Comparative Labor Law](#)

Links to Related Projects

The International Labour Organization's (ILO) Informal Economy Resource Database:

<http://www.ilo.org/dyn/infoecon/iebrowse.home>

The Informal Economy Resource Database contains a myriad of ILO activities, research or tools directly or indirectly related to the informal economy and decent work. This source is a "living" and dynamic inventory of information on labour issues relating to the informal economy, such as access to finance, data and statistics, employment, gender equality, policy, rights, social protection and working conditions. It is a valuable tool for anyone undertaking research or working on labour issues and the informal economy.

International Labour Organization's (ILO) Conditions of Work and Employment Laws

<http://www.ilo.org/travdatabase>

The Program maintains a Database of Conditions of Work and Employment Laws, which provides information on laws from around the world. The database covers measures on minimum wages, working hours and holidays, and maternity protection and provides information on around 130 countries from all regions.

Asian Law Center: <http://www.law.unimelb.edu.au/alc/bibliography/browse.asp?s=45>

The Asian Law Centre, an initiative of the University of Melbourne Law School, devoted to the development of understanding of Asian law, offers an extensive bibliography of Asian labor law articles and reports.

Centre for Employment and Labour Relations Law: <http://www.law.unimelb.edu.au/ceirl/>

Centre for Employment and Labour Relations Law is a research and teaching center devoted to the development of an understanding of labor law at the University of Melbourne. The Center's website describes the activities of the Center and contains links to several databases that are of interest to labor law scholars and practitioners. For example, the Center's Work Relations Law Project contains extensive information about Australian labor law that can be accessed directly at <http://www.austlii.edu.au/au/special/industrial/>.

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.

Globalization Bulletin: <http://www.rci.rutgers.edu/~dbensman/bulletin.html>

The Globalization Bulletin is a weekly e-newsletter providing linked access to the latest articles, research, and web resources on a range of global labor issues—ranging from union organizing and labor markets to immigrations and trade agreements. The Bulletin is produced by the Globalization Task Force of the New Jersey Division of the United Nations Association-USA and the Department of Labor Studies and Employment Relations School of Management and Labor Relations, Rutgers University. To subscribe, email David Bensman at dbensman@smlr.rutgers.edu.

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.

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.

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.

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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