

— ***International Trade and Labor Standards: A Proposal for Linkage***, Christian Barry and Sanjay G. Reddy (New York: Columbia University Press, 2008), 207 pp., \$35 cloth.

In this new collaboration, Christian Barry and Sanjay Reddy challenge us to free our “practical imagination” (p. xiii) and envision a world where the use of child or forced labor is not necessary to compete in the global market, where workers everywhere can make a living wage in safe conditions, and where globalization does not drive us to

compete in a desperate “race to the bottom.” The authors then present a proposal for global trade reforms as one way in which we might work toward such a world.

The central contribution of this book is that it develops an inventive model for solving collective action problems that will transfer well to other pressing moral issues

requiring a global, cooperative solution. Barry and Reddy argue for the creation of an international institution that can promote global economic prosperity through trade while at the same time encouraging societies to improve labor standards. This institution, dubbed the “Agency for Trade and Labor Standards” (ATLAS), would be jointly administered by a (somewhat reformed) World Trade Organization (WTO) and International Labor Organization (ILO). ATLAS would be responsible for maintaining a system of “rights linkage” in which the rights of member countries to trade are made conditional upon the promotion of specific labor standards (p. 7). This system would arise out of a process of fair negotiation; be “*unimposed, transparent, and rule-based; involve adequate burden sharing; incorporate measures that ensure appropriate account is taken of viewpoints within states; and [be] applied in a context-sensitive manner*” (p. 79, italics in original).

In other words, ATLAS is designed to provide incentives rather than to threaten member countries with sanctions. It would provide members from the South with increasingly liberalized access to Northern markets in exchange for improvements in domestic labor standards. At a minimum, all member countries would be required to implement a few essential standards, such as forbidding slave labor and child prostitution by law (p. 61). ATLAS would offer additional incentives and support to encourage members to raise core labor standards to a minimally adequate level, although they would remain free to choose the level they deem appropriate to their stage of development (p. 4). Such support could take the form of technical assistance and resource transfers to developing countries that would help reduce the cost of promoting higher labor standards (p. 62);

indeed, one of the most attractive features of Barry and Reddy’s proposal is that it requires Northern and Southern members to *share* the cost of improving global labor standards. This means that countries where goods are produced and countries where firms are owned and managed would both be required to take positive actions to establish and maintain good labor practices. Importantly, this can be achieved through the improvement of established enterprises in the developing world, in which proprietors and workers alike already have a stake. As such, the reforms the authors suggest have the potential to be genuinely transformative at the local level.

ATLAS would perform two key functions: it would “help countries identify and execute measures that promote adherence to labor standards,” and it would “determine whether serious neglect of labor standards has occurred” (p. 81). Four separate instruments would carry out these tasks: (1) A Secretariat would manage a “multi-lateral burden-sharing fund” (p. 82), and would be a source of expertise and advice to member countries attempting to implement reforms. It would also collect progress reports on members’ current labor practices, and make these available to the public. (2) A Peer-and-Partner Review Committee would be responsible for evaluating each country’s progress and, if necessary, reporting its concerns. (3) An Advocate’s Office would investigate reports of serious instances of noncompliance and submit official complaints when this is warranted. This office would also assist outside complainants who wish to submit a grievance for adjudication. (4) Finally, an Adjudicative Tribunal would decide whether a complaint has merit and what ought to be done about it. As a last resort (and only then), the tribunal could

recommend that member countries withdraw their trade preferences and other support for the offending member (p. 85).

Clearly, this book will be of interest to anyone working on interdisciplinary problems of global justice. In particular, the authors' methodology provides a model for future work in this field. They begin by identifying an injustice (low wages and unsafe or exploitative labor practices), and point out that an alternative institutional arrangement that could eliminate or mitigate this injustice would generally be regarded as morally superior to the status quo. Then they propose such an alternative (rights linkage). Next, they lay out what they take to be the key empirical, moral, and theoretical objections to their proposal and answer each one in turn (p. 79). Having completed this process—which they call “the constructive procedure”—they provide a brief sketch of what an institution would look like that could stand up to the standard objections (p. 79).

This method has much to recommend it, not least because it can address objections from a variety of disciplines simultaneously. It moves old debates forward by providing the required empirical or moral arguments whose absence would normally shut down discussion within a single discipline. For instance, the authors provide economic analysis that indicates there is room to at least triple the real wages of workers in Southern manufacturing enterprises without eliminating the competitive advantage of those companies vis-à-vis their Northern competitors (pp. 89–99). Thus, they allow political theorists who are concerned about improving the lot of less-advantaged people to move beyond the empirical objection that to implement justice-driven reforms would imperil overall economic growth and so be self-defeating.

Barry and Reddy also make innovative moral arguments that subvert standard economic assumptions. For instance, they reject the claims that “all harms suffered can be compensated ex-post” (p. 58) and that “development” just means expanding a country's economy. By contrast, they argue that labor standards are “a good worthy in themselves of being promoted,” and that “the attainment of at least some basic labor standards must be understood as constitutive of development” (pp. 58, 62). Highlighting the intrinsic significance of basic labor standards (such as nondiscrimination, the right to freedom of association, the right to collective bargaining, and the elimination of forced labor) allows them to demonstrate that there are ways to make less-advantaged people better off that are distinct from the promotion of overall economic growth.

Finally, their proposal is noteworthy because it suggests a potentially successful mechanism for creating “self-enforcing” international agreements (p. 52). They argue that agreements that link multiple issues “enable a superior allocation of enforcement powers across issue areas by permitting unused enforcement power to be redistributed from one issue area to another” (p. 52). Thus, their proposal for rights linkage illustrates one way in which the thorny problem of securing and sustaining compliance in the international arena might be overcome. Their attention to institutional design is a significant contribution to the field of global justice as a whole, given that—no matter what its content—every proposal for cooperation at the global level will need to solve the problem of enforcement.

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