

Global Workplace Law & Policy

Constitutionalizing Labour Rights: Informal Homeworkers in Global Value Chains

Marlese von Broembsen (Women in Informal Employment Globalizing and Organizing) · Monday, August 27th, 2018

Please find below the journal abstract of “Constitutionalizing Labour Rights: Informal Homeworkers in Global Value Chains” by Marlese von Broembsen, published in *International Journal of Comparative Labour Law and Industrial Relations*, Issue 3, Volume 34, 2018 edited by Guy Davidov.

This article analyses, from a constitutionalism perspective, the ubiquitous ‘due-diligence human rights framework’ that aims to hold multi-national corporations accountable for the decent work deficits in their supply chains. The analysis draws on the theories of three scholars: Gunther Teubner, Ruth Dukes and Nancy Fraser. The article’s objectives are three-fold. First, the analysis illustrates the value of Dukes’ idea of a global labour law constitution, augmented by Fraser’s theory of justice, as an analytic to identify who is excluded from participating, and the implications of their exclusion. Second, the article makes a theoretical contribution to debates on constitutionalizing labour rights in a post Wesphalian world, using outworkers/homeworkers to ground the discussion. Finally, it is hoped that the article will contribute to the social, and ultimately the legal recognition of homework as legitimate work.

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