The Right to Work in Dignity: Human Rights and Economic Rights

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“Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.”

“Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.”

Universal Declaration of Human Rights 1948 Article 23: 1,3

Workers Rights as Human Rights

The 1911 Triangle Fire and its aftermath are part of the long struggle for human beings to achieve economic rights including the right to live and work in dignity. This history is part of the movement to transform the ideals of international human rights into reality for people in their everyday lives. In many respects, human rights run counter to the grain of history in which power and privilege have been based on birth, class, race, property, gender and other markers. The United States and Great Britain as the centers of capitalist development and industrialization have been major sites of strikes, unrest, labor organizing and a series of work accidents and killings in which workers lost their lives. Hence, workers who organized for fair wages and decent working conditions and those who gave up their lives, including victims of the Triangle Fire, are part of the movement to resist injustice and oppression and work toward human solidarity and economic rights.

Figure 1 A Labor Union mourns the loss of 146 employees of the Triangle Shirtwaist Co. who were locked in and perished in a factory fire. (Source: http://jvoices.com/wp-content/mourning.jpg)
Part of the history of workers’ oppression has been a range of violations of “bodily integrity.” Lack of decent working conditions resulted in serious health issues such as tuberculosis, asbestosis and increased mortality rates. Long hours of work under hazardous conditions led to workers living with debilitating and painful health conditions world-wide. The repercussions of such exploitation have long-lasting physical and mental effects on people’s lives and those of their families and communities.

The concept of economic rights like political, social and cultural has deep roots in history; but the articulation of these demands as rights is primarily a modern phenomenon. Rebellions, riots and other actions by various workers as individuals or in groups against exploitation, taxation and other forms of oppression as well as during famines and political crises are part of global history. At times, specific groups emphasized their entitlement to work. For example, the right to subsistence emerged as a concept particularly with crafts and trades in late medieval Christian thought. A series of working class movements were organized in the nineteenth century against the terrible conditions brought about during the Industrial Revolution. The growth of trade unions in industrialized countries and increased power of communist parties and successful 1917 revolution in Russia reflected the internationalization of the struggle for workers’ rights in both capitalist and communist states.

Figure 2 International Workers of the World (IWW or the Wobblies), a famous union, demonstrates in New York, 1914. (Source: http://de.academic.ru/pictures/dewiki/73/IWW_demonstration_NY_1914.jpg)
The Role of the International Labour Organization

Following the devastation of World War One, a number of international organizations such as the League of Nations and the Hague Peace Palace were founded to work toward peace and to prevent conflicts. The importance of providing economic justice was understood as a crucial part of this international movement to secure peace and stability. Article 23 of the League of Nations Covenant included the "fair and humane conditions of labour for men, women, and children" and envisioned the establishment of international organizations to realize this objective. This goal was the focus of the International Labour Organization (ILO) established in 1919 in Paris to promote fair and humane conditions for workers through legal mechanisms and monitoring procedures.

The ILO’s vision was emerged from “the premise that universal, lasting peace can be established only if it is based upon decent treatment of working people” (www.ilo.org/global/). The ILO charter of general legal principles included rights of association and collective bargaining, equal rights for women, abolition of child labor and limits on working hours. Some historians maintain that the ILO was founded as a way to co-opt more radical parties influenced by the communist movement whose goal was to destroy capitalism and create radical economic change. However, the ILO proved to be an important permanent advocacy organization on behalf of universal labor and worked to repair the terrible economic damage in war-torn states after World War I and later conflicts.

The modern human rights revolution is largely a post-World War Two development and the right to work and organize was included early on in the United Nations and its agencies. In 1946, the ILO became the first specialized agency within the United Nations; and continued advocating for labor and human rights world-wide. As a tripartite agency, the ILO brings together representatives of states, employers and workers to negotiate, draft and implement labor standards. As an inter-governmental organization, the ILO is an international broker attempting to promote and protect workers’ rights and “fair globalization.” In important aspects, ILO monitoring procedures begun in 1926 have been a model for other international human rights systems of reporting. The ILO Committee of Experts issues reports on labor conditions, reviews state reports submitted on implementation of ratified conventions, and has created a series of mechanisms to monitor and pressure state policies toward
labor related issues. For example, the ILO committee may issue a direct report to states for further information or for changes in policy. Over a thousand such requests have resulted in significant changes in national policies in recent decades (Donnelly 2007). The ILO has taken a leadership position in sponsoring cooperative resolution of problems before they reach international monitoring bodies (ibid).

The ILO has been critical of the way states treat their citizens. For example, in 1964 the ILO adopted the Declaration against Apartheid in South Africa. The Pretoria government withdrew from the organization in protest. The United States withdrew from the ILO in 1977-1980 because the organization was critical of the US failure to ratify treaties concerning economic rights and of US trade policies and their affect on workers. ILO activities work to strengthen the struggles of new and more established unions world-wide through both political and moral pressure.

Along with unions and non-governmental organizations, the ILO addresses themes central to international labor including: child labor, decent work, economic and social development, employment promotion, employment security, equality and discrimination, forced labor, freedom of association and the right to collective bargaining, HIV/AIDS, labor migration, safety and health at work, and social security. The ILO insists that the “main route out of poverty is work.”

Economic Rights and the Modern Human Rights Movement

The right to work and other economic rights were recognized in both the Universal Declaration of Human Rights (1948) and the International Covenant of Economic, Social and Cultural Rights (ICESCR; adopted 1966; ratified 1976), two of the three norms of the International Bill of Human Rights. The ICESCR states:

“The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.”

Art. 6: 2

The Covenant includes sections recognizing the “rights of everyone to the enjoyment of just and favourable conditions of work” with regard to fair wages and “equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.” (Art. 7)

The disproportionate number of children exploited is addressed in Article 10:

“Special measures of protection assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and
...social exploitation... States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.”

Figure 4 Sweatshop in New York. "Children hired in violation of child labor laws were helped to hide in large boxes of cloth on the rare occasion when inspectors arrived.”

Over half a century after the Triangle Fire, the ICESR sections focusing on the particular rights of children and women laborers reflect the ongoing exploitation of these vulnerable populations. The rights of free association, to organize and join trade unions and to strike are also emphasized.

During the Cold War, the US and the West prioritized civil and political rights while the Eastern bloc promoted economic rights. The US government is one of the few nations in the world that still has not ratified either the ICESCR or the Convention on the Rights of the Child. With the end of the Cold War, there has been much less debate about which rights count more—political and civil or economic, social and cultural—and in principal most governments have acknowledged the interdependence and indivisibility of rights. Hence, through a series of laws, the ILO and UN, trade unions and non-governmental organizations including a growing number of grass roots organizations, the rights associated with labor and just economic conditions are an integral and increasingly recognized part of the human rights movement.

**Continuing Struggle to Realize Worker and other Economic Rights**

An impressive array of laws on both the national, regional and international level have been drafted and passed to protect workers that articulate a range of rights from
free association, the right to strike to healthy work conditions. Yet, the struggle to concretely realize these rights goes on.

Poverty continues to be widespread, and there are an estimated two billion people today living on the equivalent of less than two US dollars. Effective monitoring and implementation is an enormous challenge as seen in the increase in global human trafficking estimated at 27 million people today (Bales 2007). Bales points out that while modern slavery, including debt bondage as the most common form of modern slavery, and human trafficking are outlawed in most countries, the practices continue to exist, and the largest numbers of people in forced labor today live in Asia. He points to how human trafficking today consists of “disposable people” who are part of a global network of cheap laborers. The debate continues over whether globalization increases exploitation by heightened competition, lowering wages and forced migration or produces more opportunities for workers short or long range.

Recent initiatives to recognize the right to development, the right to food, and to a healthy environment underline the importance of addressing not only the symptoms of hunger, poor health and unemployment but their underlying causes and the crucial place of economic rights. Internal migration and forced displacement as well as movements across borders are also ongoing challenges. Hence, human rights agencies and advocates recognize that labor and other economic rights remain a crucial goal for achieving a more equitable, just society and the fulfillment of the promise of the modern human rights revolution.
References:


[www.ilo.org](http://www.ilo.org) International Labor Organization web-site includes history, laws, and advocacy on a number of labor related issues from migrant laborers to health and education.