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Women's Rights and Voice in the Ready-Made Garments Sector of Bangladesh: Evidence from Theory and Practice

Chowdhury Dilruba Shoma¹

Abstract

Since the 1980s, the ready-made garments (RMG) sector has opened up the door that allowed poor people, particularly women, to potentially lead a better life in Bangladesh. Economic globalisation has led to the growth of more employment opportunities for those women who are from the most disadvantaged sector of the society and the greatest beneficiaries of employment in the RMG sector as they have gained the power to earn. However, these women workers are also the most vulnerable to the weak legal provisions and compliance enforcement of this sector. Given the situation, the intention of the study is to highlight a bridge between group theories and institutional models through an advanced policy model-process to uphold the rights and enhance empowerment of women labourers in the RMG sector of Bangladesh. Using group theories, the study shows that decision making in the RMG sector has given high concentration to a few policy actors who are economic elites, such as entrepreneurs, and has given highest priority to achieving monetary returns. Evidence from research proves that the trade unions are virtually absent and therefore, women workers' collective bargaining activities for addressing their grievances is limited (Mahmud & Kabeer, 2003, p.33). Moreover, literature suggests that the factory owners are vigilant to the threat of stakeholders like unions or employees' associations and are largely responsible for causing unhealthy management-labour relations in RMG (Afsar, 2004, p. 142; Khan, 2004, p. 173). This has led to the violation of Bangladeshi women workers' basic rights, including equal pay, job security and trade unionism, and labour standards such as health and safety issues. The study argues that, inadequate legislative enforcement, 'for ensuring labour rights as well as codes of conduct' largely ignore women workers' voice and rights in the elite-led RMG sector of Bangladesh.

Key words: Ready-made garments, Group theory, Institutional model, New-policy model process, Bangladesh.

Introduction

Since the 1980s, the rise of the ready-made garments (RMG) sector has opened up the door that made it possible for poor people, particularly women, to potentially lead a better life in Bangladesh (Kabeer, n. d, para. 31; Kabeer & Mahmud, 2004, p. 95; Kibria, 2004, p. 61; Feldman,

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2009, p. 270). The RMG sector has created a remarkable employment scope for Bangladesh. In fact, women from the most disadvantaged sector of the society are the greatest beneficiaries of employment in the RMG sector as they have gained the power to earn and have more voice at home (Rahman, 2013, p. 9). Over the past decades, these women RMG workers have been significantly contributing to the industrialisation of Bangladesh (Kibria, 2004, p. 62). It is estimated that exports by the RMG sector, the single most significant sector in the economy of Bangladesh, rose from US\$0.03 billion to US\$24.49 billion between FY(financial year) 1984 and FY2014. Over the period, the industry's contribution to the country's exports has grown from 3.89 percent to 81.20 percent (Bangladesh Bank, 2014, p. 89; ADB, 2016, p. 112; BGMEA, 2015). Further, this fastest growing manufacturing industry has made a significant contribution of foreign exchange earnings and, after remittances; the sector is the second largest source of foreign currency in Bangladesh (Muhammad, 2011, p. 23).

The share of RMG exports has played a vital role in enhancing the Gross Domestic Product (GDP) of Bangladesh (Kabeer & Mahmud, 2004, p. 138). The Export Promotion Bureau in Bangladesh estimated that the RMG exports rose from 0.54 percent of GDP in the FY1985 to 19 percent in FY2010, while at the same time, the total exports to GDP increased from 6 percent to 20 percent. Moreover, during the last five years this export oriented industry have been contributing 30 percent of the country's industrial growth (Rahman, 2013, p. 6, 8). In 2006, the World Bank reported that roughly 10 million workers directly or indirectly maintained their livelihood on RMG, and the sector, by itself, accounts for about 40 percent of the industrial employment in Bangladesh (Kabeer, n. d, p. 31; Morshed, 2007, p. 27). The RMG industry has not only created a proficient sector, but also gradually relieved the country from the unemployment burden by creating a huge source of employment in Bangladesh (Rahman, 2013).

However, these female workers of the RMG sector are the most vulnerable to its weak legal provisions and compliance enforcement (Ahmed, 2004, p. 38; IFC, 2011, p. 3). This might be because the absence of trade unions, poor working conditions, low-skill, low-wage segment of production, limited child care facilities, inadequate health services, informal recruiting and irregular payments, job insecurity and sudden termination, wage discrimination, low level of education, long working hours, overtime without payment, violent behavior and sexual harassment worsen the vulnerability of the female workforce and that undermines their rights, benefits and opportunities in the RMG sector of Bangladesh (Ahmed, 2004, p. 40; Khan, 2004, p. 169; Rahman, 2013, p. 18). For instance, employees in the RMG sector of Bangladesh receive an average of US\$69 per month, which is US\$ 0.24 per hour. This "malnutrition" wage of RMG workers is the lowest in the world. Meanwhile, Bangladesh has grown to be the second leading global RMG exporter after China with an increase in market share from 2.6 percent in 2000 to 4.3 percent in 2009 (IFC, 2011, p. 12; Muhammad, 2011, p. 24; Ahamed, 2012, p. 7).

In the study, section I discusses the theoretical construction focusing on the 'group' and 'institution' model to address the aforementioned challenges and obstacles faced by the women's workforce. Section II explores the feminisation of the RMG labour market in light of global trade integration. Section III evaluates the current situation of Bangladeshi women workers concentrating on their grievances relating to labour rights and the sub-section of the study deals with the effects of the limited activities of trade unions on female labourers' voice and security in RMG. Section IV offers some recommendations by providing a new policy model-process rooted in both the group and institutional models and thereby, highlighting women workers' improved productivity and quality through supporting compliance with the laws to uphold their rights and voice and enhance empowerment in the RMG sector of Bangladesh. Section V concludes.

Theoretical Framework

The study will argue that the following two theories and models are often used in policy science to explain the nature of policy making and to communicate policy outcomes (Krafts & Furlong, 2010, p. 67). In the institutional model, both government and entrepreneurs work in a partnership in which the government provides adequate legal power, rules for decision making, financial and human resources support (Krafts & Furlong, 2010, p. 68). However, one limitation of this model is that often the government may transfer the managerial responsibilities to entrepreneurs without giving adequate financial and technical assistance (Devas, 2005, p. 5). On the other hand, in group theories, policy interventions are aimed at supporting the trade union groups, NGOs, donors, business groups and public officials that could provide countervailing powers to others (Krafts & Furlong, 2010, p. 68). This balance is important because no single interest group can influence the policy making process. However, in this model often one organised group can undermine the leadership of bureaucrats to implement policies of their own choice (Krafts & Furlong, 2010, p. 68).

In Bangladesh, decision making in the RMG sector, following the institutional model, has been concentrated in the hands of a few policy actors who are economic elites, for instance, entrepreneurs, and are focused purely on profit (Krafts & Furlong, 2010, p. 70; Morshed, 2007, p. 156). These RMG entrepreneurs, who are vigilant to the threat of other stakeholders such as unions or employees association, advocated for policy choices from their available options which ignored the values and rights of female labourers (Afsar, 2004, p. 142). Furthermore, there is no bureaucratic institutional legislation to regulate the framework of RMG enterprises (Ahamed, 2012, p. 2-3). The rationale behind this, close alignment of politicians and the factory owners has developed 'the selfish concentration' that undermined the leadership of public officials (Manzer, 1984, p. 582; Krafts & Furlong, 2010, p. 69). This has reduced the capacity of public officials to make the factory owners accept unionisation. Hence, strengthening the hand of the entrepreneurs hand is responsible for the lack of healthy management-labour relations in RMG (Khan, 2004, p. 173). Additionally, workers in RMG have been unable to cultivate a collective bargaining culture (Ahmed, 2004, p. 39). In this way, the limited activities of trade unions has restricted the potential for women labourers' collective bargaining activities in addressing their grievances in RMG. This is why the involvement of women labourers has been less influential in making their demands heard and achieving better deals in RMG (Wagle, 2000, p. 208; Afsar, 2004, p. 142).

Globalisation: Feminisation of Labour Market

Economic globalisation has opened up opportunities for setting up new industries, harmonisation of remittances and employment generation, as well as had a potential positive impact on wages to ensure productive values in the poor developing countries (Kabeer, n.d, para. 4; Roderick, 1999, p. 708; Rama 2002, p. 162; Morshed, 2007, p. 129). Thus, integration between global and local markets has been boosted. Furthermore, globalisation has been beneficial, in particular, for those small countries which have given high emphasis on comparative advantage and are endowed with only a small scale domestic market. This specialisation regarding technological advancement and attraction of foreign direct investment linkages has been gained through participating in globalisation. Particularly, the impact of trade openness had positively been noticed by the growing movement of foreign capital because costs of production in developed industrialised nations have been raised (Kabeer, 2004, p. 5; Morshed, 2007, p. 22). Industrialised nations' capital flows had caused delocalisation of labour-intensive production to the low cost

developing countries into different sectors such as food processing, textile or garment industries (Kabeer, 2004, p. 5; Rama, 2002, p. 148; Morshed, 2007, p. 11). Moreover, these capital flows in developing countries have increased their productivity at domestic level. This has also raised the demand for their labour force and thereby has created greater opportunity to; generate employment and increase the earnings of the labourers (Rama, 2002, p. 148).

In most cases, developed nations' industrial relocation had brought benefit to Bangladesh to enjoy quota-free status in the North American market and duty free and quota-free access to the European Union market (Morshed, 2007, p. 29). Accordingly, these efforts have led to the cultivation of efficient management of industrialisation and brought together a favourable atmosphere for the growth and advancement of RMG in Bangladesh (Morshed, 2007, p. 22; Rahman, 2008, p. 25). In addition, in the early 1990s, the government of Bangladesh initiated a comprehensive trade reform policy that included a substantial reduction on tariff barriers, removal of quantitative restrictions on imports and the opening of a floating exchange rate system to encourage the external feasibility of RMG exports so as to promote this important sector of the economy (Morshed, 2007, p. 47; Ara & Rahman, 2008, p. 3; Rahman, 2008, p. 29).

Additionally, the increasing investment in RMG created an opportunity for mostly young, less educated and unskilled women who had few options for employment and were prepared to work for low wages. The increased participation of young female workers ultimately produced the feminised pattern of the labour force (Kabeer & Mahmud, 2004, p. 148; Hossain et. al., 2013, p. 198). The Bangladesh Garment Manufacturer and Exporters Association (BGMEA) in 2013 estimated that between FY1984 and FY2013 the number of RMG enterprises had been increased from 134 to 5876. The labour force survey in 2002-2003 and 2005-2006 reported that the participation of women in Bangladesh in the organised labour market grew sharply from 5.4 million to 12.1 million in the ten years between 1996 and 2006 (BBS, 2008, p.58). In this regard, the RMG sector has made a significant achievement in enhancing Bangladeshi women's participation in the labour market from 7.9 percent to 16.8 percent in 2000-2013 (ADB, 2016, p. 112), as Kholsa (2009, p. 294) noted this growth in participation is "a pointer to the social changes taking place". In FY2013 the sector by itself has employed four million workers compared to 0.04 million in FY1984. Of these RMG workers, 85 percent (3.40 million) are women, the highest share of employment in the formal manufacturing industry of Bangladesh (Islam & Zahid, 2012, p. 82; BGMEA, 2014).

Bangladeshi women labourers' access to the RMG sector is facilitated by their 'soft and nimble fingers' and their historical participation in 'dress making and sewing' at home (IFC, 2011, p. 11; Hossain et al., 2013, p. 202). Kabeer (1991) categorised the primary motives of women labourers on the basis of pull (positive) and push (negative) factors behind joining the RMG markets in Bangladesh. Kabeer has given emphasis on one hand to pull factors, primarily economic incentives, and on the other hand, to push factors such as the loss of a male guardian as the reason for women moving towards employment. On the whole, women are encouraged by better wage prospects for getting married and bearing and rearing of their children (Absar, 2001, p. 7; Kholsa, 2009, p. 293; Souplet-Wilson, 2014, p. 21). A study by Khan (1993, p.116) added that in Bangladesh women have to balance three roles: manage households, work to get wages and take responsibilities for child bearing and rearing. It is already well established that women's income contributes about 90 percent to the family's health, nutrition and children's education as against only 38 percent by men (IFC, 2011, p. 19).

Evidence from research showed that economic development has also stimulated cultural developments that are changing the society and transforming the position of women into one of

equality rather than subordination (Inglehart et al., 2004, p. 5). The increased participation of women workers in the RMG market has allowed them to create a bargaining tool inside the household because they have already established their importance and are now perceived as valued members in family decisions, due to the greater role they play in family earnings. Accordingly, they are increasingly allowed to; take decisions about family planning and postpone early marriage, challenge the dowry practice, increase their purchasing power (Kabeer, n. d, para. 40), help aging parents after they get married, access bank account, send their daughters to school and participate in health and education development (Kabeer, n. d, para. 41; Kabeer & Mahmud, 2004, p. 152; Morshed, 2007, p. 64; Khosla, 2009, p. 293; Feldman, 2009, p. 280; Souplet -Wilson, 2014, p. 22). Moreover, remittances have raised the purchasing power of household recipients of RMG migrant workers. For instance, the joint study of Pakistan Institute of Labour Education and Research and South Asia Alliance for Poverty Eradication (2009) found that migrants' household income increased from 22 percent to 43 percent after sending remittances to their village homes (IFC, 2011, p. 19). There is no denial that access to a relatively well-paid job in the RMG sector has given Bangladeshi women the possibility of making strategic life choices compared to other occupations such as domestic work (Morshed, 2007, p. 142; Souplet-Wilson, 2014, p. 14).

Nevertheless, female RMG labourers do not always have access to the appropriate living-wage standards according to International Labour Organisation (ILO) convention (IFC, 2011, p.12). In fact, due to widespread illiteracy, lack of consciousness regarding legal rights and lack of valid appointment letters, millions of women RMG labourers are now vulnerable to being sacked at a moment's notice without receiving any benefits (Khan, 2004, p. 186; Morshed, 2007, p. 101). For example, in the mid-1990s only 15 percent of labourers in developing countries were privileged to enter the job market with formal wage contracts (Kabeer, n. d, para. 90). In addition, female RMG workforce has not been actively involved in trade unions with respect to labour rights (Hossain et al., 2013, p. 208). Therefore, they cannot unionise their demand even for improving the national minimum wage.

Current Situation of Women RMG Workers

Bangladesh is already a signatory to the ILO convention and has adopted a 'code of conduct'² (Ahamed, 2012, p. 13). The Government of Bangladesh is, in principle, responsible to provide adequate support to the RMG sector in Bangladesh under the Labour Act of 2006 (IFC, 2011, p. 11). There is some legislation concerning the rights of women workers in the RMG sector of Bangladesh. However, most of this legislation has not been observed in practice (Kabeer, n. d, para. 58). The reason behind this is that, there has not been any compliance certification system that could work as a 'bargaining tool' to the factory owners in complying with the codes of conduct (Rahman, 2013, p. 25). According to the labour law of 2006³, a woman worker is entitled to maternity leave and child care facilities (IFC, 2011, p. 13). Nonetheless, the enforcement of the

² The fundamental principles of Code of Conducts (COC) have been adopted from the principles of international human rights norm as outlined in International Labour Organisation (ILO) Convention such as Article 87 'Freedom of Association and Protection of the Rights to organise', Article 98 'Right to Organise and Collective Bargaining', Article 100 'Equal Remuneration', Article 105 'Abolition of Forced Labour', Article 111 'Non-discrimination (Employment and Occupation)', Article 138 'Minimum age convention', Article 142 'health and safety compensation', Article 154 '8 hours working hour' (ILO 2000).

³Section 46 'Maternity leave of 16 weeks with pay after being served for minimum period of 6 months'. Section 94 'one "children room" is required for every 40 female workers with children below 6 years of age.' Section 123(1) workers must be paid within 7 working days (Labour Law 2006).

legal provisions is frequently violated by RMG owners (Ahamed, 2012, p. 9). In most cases, factory owners approve leave without pay or pay less to female workers rather than allow women to enjoy and use the fully paid maternity leave which is their right. Therefore, female labourers often fail to benefit from their rights in the RMG sector because of the weak implementation process of this legislation (IFC, 2011, p. 12). The argument here is that, the factory owners have overlooked the rights of the women because of compliance, low levels of education, powerlessness and marginalisation of the women labourers in the RMG sector of Bangladesh (Wagle, 2000, p. 218; Afsar, 2004, p. 142).

When the RMG sector was being opened up, women labourers were favoured for their socio economic vulnerabilities and because of the perceived sincerity and law abiding nature of women and the abundant supply of female labourers (Morshed, 2007, p. 34). Furthermore, the RMG factory owners preferred women workers as trustworthy, obedient, less confrontational and susceptible to anti-management propaganda from outsiders (Khan, 2004, p. 169; Feldman, 2009, p. 284). Additionally, the reason for choosing women was their compliance to accept lower wages than men (Rama, 2002, p. 164; Morshed, 2007, p. 34; Hossain et al., 2013, p. 203).

A study of international finance corporations in 2007 found that female RMG labourers earned 15.9 percent less than that of their male co-workers. A recent report of the United Nations on millennium development goals (MDGs) estimates that globally women earn 24 percent below their men counterparts. These wage gaps holds women workers back from enjoying the real value of their economic participation. Lyons and Smith (2008, p. 4, 15), in a study of Australia, found that although men and women had similar education and years of working experience, a majority of women workers were receiving a lower remuneration rate compared to male counterparts, while performing the same jobs. Since 1975, international agreements on economic, social and cultural rights (ICESCR) for ensuring equal rights of wages, have been aimed at equivalent jobs to maintain a better living standard together with safety and good quality working conditions for both male and female workers (Sawer et al., 2009, p. 74). On the basis of ICESCR convention, several countries have already taken positive measures for implementing gender wage equality by overcoming the gaps in the existing pay structure.

Despite the law being passed, however, many employers ignore the principle of equal pay for equal work, and huge differences still exist in the overall earnings of males and females in RMG. In 2000, a study by Paul-Majumder and Begum concluded that compared to 15 percent of men counterparts, 73 percent of women RMG workers were receiving less than the minimum wage. This inherent gender wage differential has occurred as a result of the reproduction of traditional masculine practices that reflect the views of gender-segregated Bangladeshi society, where the male in employment is considered as the family bread winner and the women are given the responsibilities of care giving in the family (Morshed, 2007, p. 46; Hossain et al., 2013, p. 203). For that reason, women's work is considered less valuable and therefore women are paid less, as secondary earners. Furthermore, majority of the women are used as operators, the lowest segment of the workforce in RMG, which commands the least power in negotiating at the enterprise level to establish the gender based wage equality for women workers (Morshed, 2007, p. 46).

One statistics shows that unit labourer cost per hour is US\$ 0.25 in Bangladesh, compared to US\$ 0.35 in China, US\$ 0.40 in Pakistan, US\$ 0.40 in Vietnam and US\$ 0.60 in India (Hossain et al., 2012, p. 208). The low cost of wages has made the RMG workforce in Bangladesh the cheapest in the world. While the comparative advantage of cheap labour and low opportunity costs provided competitive strength to Bangladesh in the RMG sector (Morshed, 2007, p. 33), however,

women labourers are mainly concentrated in low-wage, low-efficiency and low-technology production (Rahman, 2013, p. 15; Khan, 2004, p. 170). This has resulted in women workers' low productivity in the RMG sector of Bangladesh (ILO, 2005; Ahamed, 2012, p. 10). A study by Siddiqui and Farah (2011, p. 4) also found that globally low skilled workers share the most unprotected, exploited labour force. In 1999, Rodrik established a strong correlation between wages and productivity in the manufacturing sector. Low wages may eventually increase RMG labourers' performance to low economic rate of return. As a result, this low-return activities result lower GDP growth rate, generate low level of government revenues and thereby, ultimately may hamper country's national economy in the long run.

These unjust labour practices have ultimately led to disorganised and spontaneous labour unrest in RMG. Nevertheless, the negligence of policy makers, therefore, is also responsible, because they failed to tackle the root causes behind the negative sentiments and anti-social behaviour of deprived workers. For instance, in 2010, dozens of factories were closed down by thousands of workers who were demanding an increasing the national minimum wage from US\$ 24 to US\$ 72 and safe working conditions in RMG (English, 2013, p. 77). Many RMG workers were killed and tortured in struggling to ensure legal rights and decent living standards. After months of clashes of more than 80 incidents of labour unrest and injuries of 988 workers, the national minimum wage board (NMWAB) and RMG owners determined a basic wage of US\$43 per month for RMG employees in November 2010. Further, a new minimum wage of \$68 per month was settled in December 2013, which is however still far behind, in comparison with the Asian Floor Wage Alliance's 2015 estimated living wage rate of \$295 per month. Thus, there is an enormous gap between women RMG workers' minimum wage and the estimated living wage. In effect, the minimum wage is in no way adequate to cover their basic needs of food, shelter and health at current prices.

In addition, labour unrest has occurred production disruption, which delayed product shipments and made a bad image for the RMG industry. Accordingly, some international buyers have cancelled their orders and moved to other markets. This decline in RMG exports may have a negative effect on export income, balance of payments, foreign exchange reserves and employment in Bangladesh, which may hinder the sector and the national economy, as well (Ara & Rahman, 2009, p. 3).

The Factory Rules of 1979 prescribed occupational safety and health standards for RMG workers in Bangladesh (Ahamed, 2012, p. 13). However, weak compliance enforcement in most of the RMG factories not only limits these legislative frameworks but also ignores international labour standards and codes of conducts (IFC, 2011, p. 12; ILO, 2004). Therefore, many female workers are vulnerable to poor working conditions in RMG. These vulnerabilities may have a negative effect on women RMG workers' health in terms of malnutrition, infectious diseases, pregnancy complications and reproductive health problems (Muhammad, 2011, p. 25; Ahamed, 2012, p. 12). Moreover, female RMG workers are not entitled to health insurance facilities (Afsar, 2004, p. 143).

Furthermore, because of poor construction legislation, fire and collapse of buildings is common in the RMG sector and compensation following such incidents is rare even in the case of death of the workers (Ahamed, 2012, p. 13). For instance, on 24 April 2013 the collapse of the Rana plaza building housing five garment factories in the capital city Dhaka caused the deaths of 1136 together with injuries of around 2500 RMG workers. This deadly example of factory fire has been recognised as one of the most serious shocks in the garment industry since the 1990s and

proved that the factory safety conditions still were lagging significantly behind basic standard requirements.

Further to this, the creation of the US\$19.4 million Rana Plaza trust fund is still shorter than the amount needed of US\$40.0 million, to compensate the victims and their families. This is a violation of rights on work place injuries mentioned in article 121 of ILO convention. In most of the cases, factory owners influenced the labour inspectors by giving them bribes, so that they would not have to abide by the rules and regulations (Kabeer & Mahmud 2004, p. 156; Morshed, 2007, p. 106). In 2005, a study conducted by Neilsen showed that shortage of manpower plus financial inadequacies is another limitation that lies behind the inadequate performance of monitoring the safety issues in RMG (p. 565). In 2006, the Daily Star reported that only 20 labour inspectors are now engaged in inspecting around 50,000 of registered factories in Bangladesh (Morshed, 2007, p. 108).

Another common issue is that RMG owners frequently violate the legal requirement to pay monthly wages within the first seven working days of any month (Kabeer, 2004, p. 16; Morshed, 2007, p. 103). Moreover, the workers face restriction on their freedom of mobility. The argument here is that the worker's leaving in the factory may mean that the owners will have to recruit a new worker with high wages, which the employers consider not reasonable on both monetary grounds and saving time in production (Hossain et al., 2013, p. 204). On the other hand, the buyers often make delays in payment to RMG entrepreneurs (Kabeer, n. d, para. 33), which is why some RMG owners also appear not to pay the wages at the due time.

Besides, in order to increase the margin of profit, as well as carry on competitiveness, such as meeting the tight delivery deadlines for RMG products, the factory owners exploit the female labourers (Kabeer & Mahmud, 2004, p. 146; Islam & Zahid, 2012, p. 84) by forcing them to work more than the normal time of 8 hours (Feldman, 2009, p. 282). Furthermore, women workers are more likely than men to be cheated of their overtime wages (Rahman, 2013, p. 18; Hossain et al., 2013, p. 208).

Regarding the aforesaid discussions, it can be said that women workers' lack of legal rights includes job security, representation in worker committees and supervisory roles, while in addition social factors incorporating low education and lack of skill development and physical, verbal and sexual abuse and physical harassment and even death often impact on female labourers. All of this can lead to adverse effects on the productivity of the RMG (IFC, 2011, p. 12; Morshed, 2007, p. 102; Muhammad, 2011, p. 25). In most cases, the women workers feel insecure because of being taught by traditional values and religious beliefs that their good reputation could be destroyed if they disclose about sexual violence and would also reduce the marriage prospects of unmarried women (Morshed, 2007, p. 74). Accordingly, women workers are virtually treated as the 'slaves' of the RMG owners in Bangladesh (Ahamed, 2012, p. 3).

Trade Union: 'Rights' versus 'Voice'

Both the laws and the constitution of the People's Republic of Bangladesh 1972 mandate the workers' right to join or form unions.⁴ However, evidence from research proved that trade unions are virtually absent from the RMG sector and therefore, women workers have low levels

⁴ The Industrial Relations Rules, 1977 [Section 5 (1)] and the Labour Law, 2006 [Section 176] for obtaining registration as a federation or trade union. Article 38 'Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interests of morality or public order' (The Constitution of Peoples Republic of Bangladesh 1972).

of unionisation for addressing their grievances (Mahmud & Kabeer, 2003, p. 33; Kabeer & Mahmud, 2004, p. 152). It is estimated that trade union members in Bangladesh account for less than 10 percent of the entire workforce in RMG (Kabeer & Mahmud, 2004, p. 152). The main reason for this is that women lack knowledge about how to be organised and express their own voice in order to engage in careful discussion and debate for advancing their conditions.

In addition, the imposed legal restrictions mean that women do not realise the importance of their collective bargaining participation (Souplet-Wilson, 2014, p. 17). For instance, for a union to be registered, 30 percent of the workers of an RMG enterprise need to be members, and membership below this level would dissolve the union (Morshed, 2007, p. 88). Evidence proves that only 25 registered trade unions of 200 do not face obstacles to being actively involved in the RMG sector of Bangladesh. Under these circumstances, lack of a representative voice creates an obstacle for female labourers to organise themselves as a group and ultimately they may have little power to challenge the RMG owners in order to secure their rights as workers (Manzer, 1984, p. 584; Khan, 2004, p. 192; Kabeer & Mahmud, 2004, p. 152).

As a result of party political character, the unions do not appear to protect the interests of the ordinary RMG labourers (Morshed, 2007, p. 179; Muhammad, 2011, p. 23). Further, a number of top leaders in the trade unions are driven by the motivation of individual benefit, such as making money (Kabeer & Mahmud, 2004, p. 146). Accordingly, corrupt practices have made a significant contribution to the decline in the strength and credibility of the unions. Besides, the male dominated unions' cultivation of a patriarchal outlook has meant that women are often considered less important than men and thus their problems have been overlooked (Kabeer & Mahmud, 2004, p. 153; Morshed, 2007, p. 77). Hence, the unions have ignored many intrinsic values such as the basic needs and wants of the RMG labourers—legally minimum wage, societal investment—education, housing, human health and social safety—maternal rights, toilets, child care and harassment (Kabeer & Mahmud, 2004, p. 153; Khan, 2004, p. 169; Hossain et al., 2013, p. 207; Souplet-Wilson 2014, p. 17). At times the non-cooperative attitude of male co-workers has been a hindrance to the women being effectively engaged in trade unionism. So, women workers have shown less interest to get involved with trade unions (Hossain et al., 2013, p. 206).

Policy Recommendations

Despite the country's labour laws, the rights of women in the RMG sector are largely ignored (Ahmed, 2012, p. 14). This paper has found that, because of lack of concern about the needs and wants of this disadvantaged sector of the society, policy makers have overlooked the rights of women labourers while implementing policies (Waggle, 2000, p. 218). Accordingly, on one hand, their basic rights including equal pay, job security and trade unionism, and on the other hand, labour standards such as health and safety issues are being violated. Given the situation, a participatory group approach is needed through a 'coalition group' formed of trade unions, local and international NGOs, donors such as ILO, UNDP, state-owned regulatory bodies and RMG buyers that would negotiate with RMG factory owners concentrating on the welfare aspects of women RMG workers (Ahmed, 2004, p. 42).

In addition, integrating different actors, forums and institutions would bring an opportunity for sharing and contributing their knowledge in a wider platform. The reason behind is that involvement of multilevel participation in the policy process makes it easier in sharing and representing knowledge and responsiveness from a wider platform to achieve the best policy options. As Waggle (2000, p. 215) argued, participation of different interest groups in policy making

ensures communities are more aware about policy formulation together with its affect on them. He further added that when policies negatively affect certain groups of people, participation in policy making may give them an opportunity to modify those policies. In that regard, this paper offers a new policy model-process through integration between institutional and group theories, which might be helpful to uphold the rights and voices of women workers in the elite-controlled RMG sector of Bangladesh.

In particular, this new model process focuses on the Bangladesh government's increased attention for effective implementation of ILO codes of conduct (Ahamed, 2012, p. 21). It is proposed that, based on ILO convention, the Ministry of Law (MOL) should enact anti-discriminatory laws and enforce protective legislation for women RMG workers regarding wage payments, maternity leave, job security and health insurance facilities. Evidence also proves that better paid jobs and better working conditions enhance women's strength for improved productivity (Morshed, 2007, p. 150). In this respect, the Ministry of Labour (MLA) has to play a pivotal role in implementing basic labour rights such as 'formal appointment letters' and minimum wages based on 'equal pay for equal work' for women RMG labourers (IFC, 2011, p. 20). A similar view was proposed by Kabeer (n. d, para. 97-98) who argued that, transforming women workers 'inferior economic position and establishing their rights to earn with dignity rather than charity "has long been the objective of our welfare states"'.

Furthermore, the new model would also promote the involvement of different stakeholders such as the donors together with international NGOs in taking responsibility for providing financial incentives and technical assistance to the RMG owners for implementing safety standards, low cost housing, child care, health insurance facilities and on the job training for capacity building of women RMG workers (Khan, 2004, p. 214; IFC, 2011, p. 32; Ahamed, 2012, p. 16). However, in terms of designing and implementing the program, specifically regarding the utilisation of funds and resources, the responsibility should lie in the hands of a coalition group of different stakeholders of RMG. In that regards, adequate funds should be available for factory owners for mitigating the huge compliance costs.

Further, the government needs to play a significant role in creating an environment to improve RMG entrepreneurs' productivity and also their compliance with workplace health and safety standards by reducing a substantial amount of tariff or by reducing their tax burden (Ahmed, 2004, p. 42; Mintrom 2012, p. 32). In this way, the factory owners will be able to gain production efficiency and market competencies that may lead to benefit both entrepreneurs and their employees at least cost and contribute more to the high value added chain in RMG. Industrial development in RMG, in this way, might promote economic benefits and social benefits as well (Patton et al., 2013, p. 197).

It has already been established that the level of wage is largely determined by the skilled workforce, living standard, high technologies, innovation and improved productivity (Morshed, 2007, p. 154). In that case, local NGOs, trade union groups and BGMEA should play an effective role by facilitating and educating women workers to participate in basic skills training including legal literacy. This may increase women workers' bargaining with the RMG owners and assisting the workers in the changing pattern of both national and global trading activities (Kabeer & Mahmud, 2004, p. 157; Rahman, 2013, p. 24).

In addition, the coalition group need to identify innovative product design and support financial and technical capacities and provide managerial skills and training for RMG professionals through industrial-academic collaborations. As a consequence of this, increasing the level of skill of women workers together with other service providers would help to strengthen the

country's competitiveness for foreign investment in the RMG industry (IFC, 2011, p. 58). This will also increase labourers' productivity and the economic growth of the country.

The right to form trade unions in every garment factory is inevitable to improve labour standards and the productivity outcomes of women workers in the RMG sector of Bangladesh (Khan, 2004, p. 213). In that case, initiatives by donors, civil society, concerned ministries and departments of the Bangladesh government are necessary to enforce or amend laws to ensure RMG workers' full freedom in participating to trade union activities. Furthermore, representatives of women workers will be incorporated in the collective bargaining practices so that they are able to raise their voice. One notable instance, in Durban of South Africa, is a trade union group named 'Self Employed Women's Union,' which has succeeded in negotiating with Durban Central Council to strengthen the bargaining capacity of the poor people to raise their income, alleviate poverty and generate employment, including gender rights (Skinner & Valodia, 2003, p. 432, 438).

The government, and all other stakeholders, have to accommodate new labour unions and have to make the existing organisations active, to concentrate more on avoidable matters such as labour unrest, which has a negative influence on productivity. Given this context, whole hearted support from public officials is essential to keep the unions out of partisan politics and to bring the union leaders and factory owners, who are involved in corruption and unlawful activities to justice (Caiden & Sundaram, 2004, p. 384).

Therefore, the proposed model highlights that vigorously participating in trade unions could help RMG workers to put forward their grievances in a more organised way to benefit both RMG owners and women workers. A good example is the case of Malaysia, where trade unions have significantly contributed to enhancing the workers' productivity together with narrowing their gender wage gap. Similarly, trade unions played a pivotal role to mediate between the textile workers and factory owners for settling disputes and pay fixation in Cambodia (Ahamed, 2012, p. 4).

Further, this model also acknowledges that the efforts to improve legislation will not be effective without monitoring. It has been emphasised that a compliance monitoring team (CMT) should be formed in collaboration with donors, trade unions, local NGOs, RMG owners, state-owned regulatory bodies and foreign buyers. For ensuring the occupational health safety act, code of conduct and the core labour standards, the ILO has to take a lead role to allocate different roles to different stakeholders (Ahamed, 2012, p. 18). Furthermore, for fruitful implementation, the performance of this collaboration project should be monitored on a regular basis. This would reduce the risks of project failures, together with compliance costs. In addition to this, MOL and MLA should take disciplinary action against their corrupt inspectors. Further, MOL and MLA, BGMEA and local NGOs need to work together to arrange extensive professional training for the inspectors to build their capacity and responsibility to attain better outcomes. This collective responsibility will make the CMT members accountable to improve the position of women labourers in RMG (Skinner & Valodia, 2003, p. 440).

Moreover, the powers of buyers will be integrated to create pressure on the RMG owners to comply with a code of conduct through initiating a certification system. In that case, exporters who continue fail to meet the compliance benchmarks, may have their license to participate in the RMG market withdrawn. Thus, the introduction of a compliance certification system through foreign buyers will work as a 'bargaining tool' to comply with these codes of conduct (Rahman, 2013, p. 25). It is possible that the successful US-Cambodia trade agreement 'Better factories program in Cambodia', which introduced an ILO supervisory and monitoring system, could be used as a role model for a viable RMG industry agreement in Bangladesh (Ahamed, 2012, p. 22).

Additionally, the trade union groups should be well informed about their role in monitoring compliance. They could be instrumental in the government of Bangladesh with feedback from women workers in RMG by organising seminars, workshops and round table discussions from time to time. In this way, involving different stakeholders in the participatory monitoring approaches would help to improve the status-quo of women RMG workers (IFC, 2011, p. 16).

Conclusions

Economic globalisation has enhanced trade liberalisation, which led to the growth of RMG industries and more employment opportunities for women labourers in Bangladesh (Ahmed, 2004, p. 43; Morshed, 2007, p. 148; Rahman, 2009, p. 23; Hossain et al., 2013, p. 198). However, according to the United Nations' MDG report in 2014, 5 percent of people live below US\$ 1.25 a day in Bangladesh. For that reason, jobs in the RMG sector are indispensable to enhance women worker's family income and their living standards. Jobs in the RMG sector have brought benefits to millions of poor women. Being productive economically has not only reshaped the traditional gender roles assigned to women from the patriarchal attitudes of the country, but involved broader social reform in Bangladesh (Morshed, 2007, p. 178). Nevertheless, these benefits have been accompanied by severe exploitation of women as virtual 'slaves' of the RMG industry.

Labour rights are human rights as acknowledged in articles 23(1), 23 (2), 23 (3), 23(4), 24, 25 (1) and 25 (2) of universal declaration of human rights (UDHR).⁵ Nonetheless, inadequate legislation has been associated with a lack of integration between the government and the RMG owners for ensuring labour rights as well as codes of conduct. This not only challenges articles 15 (a), 15 (b), 15 (c), 34(1) and 38 of the constitution of Bangladesh 1972⁶ regarding women RMG workers' voice and security to protect their rights but is a violation of fundamental human rights under the abovementioned articles of UDHR. Indeed, the majority of female labourers are ignorant about their rights (Kabeer & Mahmud, 2004, p. 155). As a consequence of this, the women RMG workers in Bangladesh neglect the issue of their fundamental rights.

Under these circumstances, based on a combination of the institutional and group theoretical structures, the study connects different stakeholders such as trade unions, donors, civil

⁵ Article 23 (1) 'Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment', Article 23 (2) 'Everyone, without any discrimination, has the right to equal pay for equal work', Article 23 (3) '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', Article 23 (4) 'Everyone has the right to form and to join trade unions for the protection of his interests', Article 24 'Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay', Article 25 (1) 'Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control', Article 25 (2) 'Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection' (United Nations 1948).

⁶ Article 15 (a) 'The provision of the basic necessities of life, including food, clothing, shelter, education and medical care', Article 15 (b) 'The right to work, that is the right to guaranteed employment at a reasonable wage having regard to the quantity and quality of work', Article 15 (c) 'The right to reasonable rest, recreation and leisure; and the right to social security, that is to say to public assistance in cases of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age, or in other such cases', Article 34 (1) 'All forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law', Article 38 aforementioned in footnote 4 (The Constitution of Peoples Republic of Bangladesh 1972).

society, NGOs, public officials and RMG entrepreneurs in reforming the RMG sector. As a coalition group, these stakeholders all have a significant role in the new policy model process in representing knowledge and responsiveness to put into practice effective policy measures to ensure fundamental rights and voice to enhance the empowerment of women workers, and at the same time strengthen the productivity of the RMG sector of Bangladesh.

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