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# **SWEATSHOP: A HUMAN RIGHTS CRISIS IN DEVELOPING NATIONS**

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## **ABSTRACT**

Human rights being one of the most contentious issues in the world, the presence of sweatshops adds another layer to the misery of people. The Sustainable Development Goals (SDGs) serve as a strong guide to ensure that growth does not come at the cost of fundamental Human rights. These abuses happen so often, with low wages, dangerous places, long hours, and denial of labour rights, that they threaten to stop SDG 8, which promotes decent work, fair pay, and healthy working conditions. The authors have used doctrinal research methodology to analyse the impact and the omnipresence of sweatshops. The paper examines power imbalances, the lack of government enforcement, and how many global supply chains are so profit-driven that they deepen structures of systemic abuse. Even steps such as ESG disclosures are often not worth the paper they are printed on. Another primary concern is the lack of legal aid to the sweatshop workers. However, change is anticipated if the onus of enforcement is on the state and enterprises, rather than on the employee.

At its core, this research disapproves of the notion that sweatshop labour practices are simply unavoidable or necessarily an improvement or necessary for human progress. Instead, this facet of labour must be defined and strategically analysed within a human rights framework. The research offers an outline for balancing the economic goals of growth with the integrity and future evolution of human dignity and rights for policy-makers, labour scholars, and other stakeholders.

**Keywords:** Corporate Accountability, Human Rights Violation, Legal Aid, Sustainable Development Goal 8 (SDG8), Sweatshops

## Introduction

The growth of globalisation and the emergence of complex global value chains (GVCs) have fundamentally transformed the nature of work in developing economies. While globalisation has enabled unprecedented economic growth, it has also institutionalised new types of labour exploitation, the most obvious of which has been the growth of sweatshop labour. Low wages, forced overtime, dangerous working environments, and the almost complete lack of labour laws have become structural features of export-driven manufacturing sectors. They are especially prevalent in the Global South, particularly in sweatshops.<sup>1</sup> Their existence is not an accidental by-product of global trade, but a deliberate outcome of an economic model that prioritises the maximisation of profits and competitive sourcing over basic human rights. With tremendous bargaining power, multinational corporations (MNCs) dictate prices and production schedules by imposing unbearable pressure on suppliers, who, in turn, pass it down the chain to the lowest rung: the workers.<sup>2</sup>

The sweatshop system is also based on more intricate social and institutional failures. Exploitative labour practices in some nations, such as India, are compounded with deeply rooted patriarchy, caste systems and the informalisation of labour, which leaves people with what scholars refer to as *structural unfreedom*. Workers are often forced to accept degrading and unsafe jobs not out of free choice, but because of the long-term poverty, lack of other means of livelihood and because of social norms of naturalisation of their subordination. Women employees, especially, come into sweatshops with a heavy social baggage that showcases their vulnerability towards being viewed as replaceable or less skilled.

This is even though constitutional provisions, such as Article 39A, and institutional provisions, such as the Legal Services Authorities Act, have been in place to ensure that workers most in need of the legal system have access to it. The lack of legal aid lawyers, low-quality representation, corruption, payment delays, and a dire lack of outreach all contribute to a non-exhaustive justice system that, to many sweatshop workers, is only on paper. These institutional loopholes and gaps in the system support the exploitative labour practices by depriving workers of effective remedies against the abuse of their rights.

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<sup>1</sup> Michael Kates, "Markets, Sweatshops, and Coercion," *Georgetown Journal of Law & Public Policy* 13, no. Special Issue (2015): 367-384

<sup>2</sup> Gary Chartier, "Sweatshops, Labor Rights, and Competitive Advantage," *Oregon Review of International Law* 10, no. 1 (2008): 149-188 (Kumar 2013)

At the international policy level, initiatives such as *Sustainable Development Goal 8* (SDG 8), which require decent work, labour rights, and safe working conditions, remain just a dream given the lack of binding corporate responsibility and the absence of intense state action.<sup>3</sup> There is still a tension between economic growth and human rights, which has hindered meaningful development. It is against this background that the analysis of sweatshop labour is necessary not just to make sense of economic exploitation, but also to address the structural injustices that perpetuate it and to imagine ways to pursue authentic labour empowerment and dignity.

### **Legal Aid Failure And Structural Unfreedom In Indian Sweatshops**

The omnipresence of the exploitative sweatshop regime in India, especially in the garment industry, shows a severe crisis in upholding basic human rights and achieving social justice.<sup>4</sup> Even though India's legal system mandates free legal aid for people experiencing poverty and provides access to justice, justice is denied not due to economic disability. Still, the system is persistently undermined by workers' lack of freedom and awareness, and by severely limited resources, which severely limit the impact of legal aid.<sup>5</sup>

Some legislation has sought to improve India's legal aid system. The Indian Constitution, through *Article 39A*,<sup>6</sup> has placed a heavy duty on the government to secure justice through equal opportunity and to provide free legal aid through suitable schemes and legislation<sup>7</sup>. There is an Act – *the Legal Services of Authorities Act (LSAA)* - which created a nationwide legal aid framework to cover advocates' fees and court fees, and to provide advice and representation in civil, criminal, and other matters. However, the crucial question is whether the system can meet beneficiaries' needs by ensuring practical assistance.

Studies reveal that legal provisions often remain “on paper only” and have not been translated into established institutional practices. Potential recipients of legal aid have little faith in the service they receive from legal aid lawyers and often prefer private lawyers, even when it sometimes compels them to borrow money or sell their property to afford representation. The

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<sup>3</sup> Diane F. Frey, "Economic Growth, Full Employment and Decent Work: The Means and Ends in SDG 8," *International Journal of Human Rights* 21, no. 8 (October 2017): 1164-1184

<sup>4</sup> Mezzadri, Alessandra. 2016. "Class, Gender and the Sweatshop: On the Nexus between Labour Commodification and Exploitation." *Third World Quarterly* 37 (10): 1877-1900.

<sup>5</sup> Akter, Farzana. 2021. "The Standard of Assistance from Legal Aid Lawyers: An Indian Perspective." *Indian Law Review* 5 (2): 189-209

<sup>6</sup> INDIA CONST. art. 39A

<sup>7</sup> Akter, Farzana. 2021. "The Standard of Assistance from Legal Aid Lawyers: An Indian Perspective." *Indian Law Review* 5 (2): 189-209

practical failure of the system is rooted in a few interconnected deficiencies concerning the appointed *legal aid lawyers*, as follows:

**1. Lack of Competence and Commitment:** The selection process of legal aid lawyers is done mainly based on experience in practice rather than competence, skill, or commitment to service. Many empanelled lawyers are relatively younger and less experienced. Their motivation often comes from personal ambition, such as gaining popularity or securing the prestigious post of a public prosecutor, rather than serving the beneficiaries.

**2. Inadequate Incentives and Corruption:** Legal aid compensation is notoriously low, far below the market average, and is often disbursed only after a significant delay, sometimes up to six months after the conclusion of a case. This dissatisfaction prompts lawyers to provide "poor" or perfunctory service, dedicating their time and effort instead to private cases to secure their livelihood. Furthermore, some legal aid lawyers engage in corrupt practices, demanding money from clients or failing to prepare for or even attend court proceedings adequately.

**3. Poor Client Communication:** There is a widespread lack of meaningful interaction between legal aid lawyers and clients. Due to the lack of infrastructural support, lawyers often meet clients briefly and hastily in court complexes, compromising the confidential and professional communication required for adequate representation.

### **The Barrier of Unawareness and Structural Unfreedom**

Beyond the deficiencies of the legal aid infrastructure, the struggle for justice in sweatshops is uniquely hampered by the structural position and lack of awareness among the labourers themselves, a factor that severely limits the demand for and utilisation of legal services.

Sweatshop workers, especially the vast majority of women in the Indian garment industry, enter the labour process carrying a "social baggage" that shapes their positioning, pay, and overall labouring experience. Patriarchal norms mediate their entry into the workforce, and in most cases expose them to a variety of forms of patriarchal unfreedom.

The work is done not entirely willingly, due to extreme poverty and economic pressures, effectively nullifying the concept of voluntariness. This coercion is amplified by the presence of middlemen or subcontractors (the "sweating system"), who are frequently judgment-proof, leaving the worker with no practical remedy even if a legal claim is brought. The question

illustrates that many workers lack education and are uninformed that what is occurring to them is wrong. In turn, this phenomenon is underpinned by the following cultural and institutional impediments:

- **Subordination as Normalcy:** The patriarchal structures contribute socially to the construction of women workers as being intrinsically 'disposable' or 'replaceable', thus normalising their subjugation and lower wages.
- **The Invisibility of Informal Work:** Many sweatshop workers fall into categories such as contract, sub-contracted, and home-based workers, which operate outside the bounds of formal "employer-employee" relations.

Their struggles often centre on obtaining legal recognition as workers, a prerequisite for demanding specific rights and regulations rather than merely enforcing existing protections. When workers labour under a family sub-contractor (often the family patriarch), the distinction between employer and employee is effaced, and traditional gender roles maintain labour discipline, making internal organisation difficult.

When injustice stems from structural factors, such as the lawful operations of a capitalist economy and ingrained patriarchal culture, it creates a structural diminution of opportunities, making it far more challenging to remedy through simple legal liability models focused on punishment or compensation for individual violations.

### **Violation of Human Rights and the Pursuit of Justice**

The wages below the poverty line, forced overtime, and severe health and safety hazards endemic in the sweatshops constitute gross violations of labour rights and human dignity. Such abuses therefore violate Sustainable Development Goal 8, which addresses decent work, rights at work, social protection, and safe work environments. The issue of how justice is achieved for these workers is much more than an increase in efficiency in the legal assistance system; it involves addressing the structural nature of the problem that generates and sustains labour unfreedom. While legal action, such as PILs, may yield symbolic power to force new legislation or enforce existing ones, the deeply transformative change can, in reality, come only from social and political transformation. This would mean empowering workers through strong unions and a culture of accountability among corporations and state institutions that shifts

power away from market forces of exploitation. The justice required should address not only blatant cases of legal violation but also those structural barriers (both economic and cultural) to workers' basic human capabilities and their secure access to subsistence.

## **THE GLOBAL ECONOMY AND THE RISE OF SWEATSHOPS**

Sweatshops in the manufacturing of consumer goods are among the most debated aspects of globalisation. Critics say that MNCs unjustly exploit workers in developing countries. These are workplaces that operate under adverse conditions, including very low wages for the work they do, a 48-hour workweek, forced overtime, and health and safety risks due to negligence.<sup>8</sup> These are the outcome of a global economic system that prioritises low-cost production and profit over workers' fundamental human rights. Globalisation, facilitated by technological development and shifting trade regulations, has driven companies to pursue continuous sales growth at low retail prices and a shorter fashion cycle. Lead firms, such as large retailers or brands, have concentrated their power through mergers and acquisitions and market concentration. Simultaneously, there has been a rapid dispersion and expansion of apparel suppliers around developing countries.<sup>9</sup>

This dynamic creates a competitive environment where developing countries vie for foreign investment, often by leveraging their comparative advantage: low-cost labour. The allure of overseas contracts for MNCs is partly due to lower cost structures resulting from fewer legal requirements and lax regulatory regimes in host nations. This competition increases the pressure on suppliers to keep costs down. For instance, countries like Bangladesh, which pays the lowest minimum wage among major apparel exporters, have grown significantly in the global market.

### **The Price and Sourcing Squeezes in Global Supply Chains (GSCs)**

The concentration of power among buyers (MNCs/lead firms) and the dispersion of suppliers result in growing power asymmetries within global supply chains (GSCs). MNCs use a substantial number of contractor factories rather than owning them themselves<sup>10</sup>. The imbalance

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<sup>8</sup> Denis G. Arnold; Laura P. Hartman, "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops," *Human Rights Quarterly* 28, no. 3 (August 2006): 676-700

<sup>9</sup> Anner, Mark. 2019. "Squeezing Workers' Rights in Global Supply Chains: Purchasing Practices in the Bangladesh Garment Export Sector in Comparative Perspective." *Review of International Political Economy*.

<sup>10</sup> Denis G. Arnold; Laura P. Hartman, "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops," *Human Rights Quarterly* 28, no. 3 (August 2006): 676-700

in power is significant, allowing large MNCs to dictate the price at which they purchase goods and to influence working conditions. This leverage manifests in two main mechanisms that negatively impact suppliers and, subsequently, workers:

1. **The Price Squeeze:** Lead firms continuously place pressure to reduce the real dollar price paid for suppliers' apparel. This is done even when suppliers are facing rising costs, whether from mandated minimum-wage increases or remediation costs for building safety. Survey data from Bangladesh factory owners showed that the average FOB (Free on Board) price fell by 7.75% between 2011 and 2016. In instances where a supplier cannot maintain profit margins that have drastically decreased over time, or is forced to sell below cost, this pressure is transferred to their workers.<sup>11</sup>

2. **The Sourcing Squeeze:** This sets a situation where the lead firms enforce progressively shorter production lead times coupled with high order volatility, that is, frequent style changes, along with extreme fluctuation in the order volume. Shorter lead times lower the risk of unsold inventory and costly markdowns for lead firms<sup>12</sup>. However, these demands put pressure on suppliers to rely on chronic, often forced overtime to meet production spikes. Excess fluctuations in orders also incentivise factory owners to use cheaper, substandard buildings to keep fixed costs low during periods of low production, thereby contributing to unsafe working conditions.

**The Normalisation of Exploitation:** The cost and buying pressures squeeze the little people in the chain of selling and buying, making them pay more, and these people are at the bottom, often impoverished girls from the country. Workers usually experience low earnings, exceedingly long hours, and minimal benefits. In Bangladesh, for example, women garment workers reported an average hourly take-home wage of \$0.37, worked an average of 63.49 hours per week, and 77.2% said overtime was obligatory.

This exploitation is structured by social oppression, particularly patriarchal norms, which mediate women's entry into the world of labour and structure gendered wage differentials. For women workers, their lower wage reflects both the cost of their social oppression and a higher rate of exploitation. Critically, most sweatshop workers are not strictly coerced by a specific

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<sup>11</sup> Anner, Mark. 2019. "Squeezing Workers' Rights in Global Supply Chains: Purchasing Practices in the Bangladesh Garment Export Sector in Comparative Perspective." *Review of International Political Economy*.

<sup>12</sup> Anner, Mark. 2019. "Squeezing Workers' Rights in Global Supply Chains: Purchasing Practices in the Bangladesh Garment Export Sector in Comparative Perspective." *Review of International Political Economy*.

agent but are nevertheless forced to accept these jobs due to a lack of acceptable alternatives, such as meaningful education, resources, or other viable employment<sup>13</sup>.

They work to survive or to help their family survive. The long-term poverty they face traps them in a handful of dirty options, which makes their sweatshop option as acceptable as the others. So even if sweatshops have a bad rap, they are part of the broader failure of the world to afford workers dignity. (Consequently, sweatshops actually exemplify the systemic failure of the worldwide economy, where the pursuit of efficiency and ultimate profit has gone so far as to trample the basic dignity of the worker and allow practices that are seemingly illegal in the host country.<sup>14</sup>

### **SDG 8 AND EXPLOITATIVE LABOUR PRACTICES**

The *Sustainable Development Goal 8 (SDG 8)* mandates the promotion of "sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all"<sup>15</sup>. Addressing conditions typically associated with sweatshops, such as exploitation, unsafe working conditions, and inadequate pay, is inherently tied to achieving the core mandate of decent work, which is conceptually grounded in existing International Labour Organisation (ILO) Conventions and recognised international human rights treaties. SDG 8 incorporates the ILO's four dimensions of decent work, two of which directly deal with severe human rights abuses: *Rights at Work and Social Protection*.

Violations related to coerced labour and inhumane working conditions are specifically targeted under SDG 8. **Target 8.7** calls for immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour<sup>16</sup>. The ambitious goal is to end child labour in all its forms by 2025. Forced labour and inhumane working conditions are addressed explicitly in SDG 8 violations. Target 8.7 urges decisive and timely action to eliminate forced labour, eliminate modern slavery and human trafficking and ensure the prohibition and elimination of the most heinous forms of child labour. The targets include the elimination of child labour in all its forms by the year

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<sup>13</sup> Why are labour forced

<sup>14</sup> How to avoid sweatshop

<sup>15</sup> Arnold, Denis G., and Laura P. Hartman. 2006. "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops." *Human Rights Quarterly* 28 (3): 676–700.

<sup>16</sup> Arnold, Denis G., and Laura P. Hartman. 2006. "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops." *Human Rights Quarterly* 28 (3): 676–700.

2025<sup>17</sup>.

Moreover, **Target 8.8** safeguards labour rights and creates safe and secure working conditions for all workers, particularly the migrant workers and persons in precarious employment. These targets reflect the global commitment to uphold fundamental principles, such as the elimination of forced or compulsory labour and the abolition of child labour, which are key components of the Rights at Work pillar. The global reliance on informal and vulnerable employment is a pervasive obstacle to achieving decent work for all and, in many ways, resembles the sweatshop situation. It is estimated that over 1.5 billion employees worldwide are in vulnerable employment, meaning they are not always employed and are underpaid. The Committee on Economic, Social and Cultural Rights (CESCR) states that measures, including legislative actions, are required to reduce the number of workers outside the formal economy who consequently lack protection. When looked at on their own, the data inherited from India, for example, show that a significant 53.9% of so-called full-time (regular wage or salary worker/salary employee) in the non-agriculture sector (i.e., excluding farmers) lack social security benefits.

The lower point of SDG 8 concerns how this HR law aligns with the explicit aim of “growth”. Those with power always push for a way of ‘the market’ to work, where countries are there to make sure ‘business’ can do its thing.<sup>18</sup> That takes away the need to give workers a good deal: any rules that can make things better for workers are seen as wrong, as a block to growth. So this gets in the way of everyone getting good work. Conversely, human rights and labour groups, such as the International Trade Union Confederation (ITUC), advocate for a rights-based approach where all actors, including transnational corporations, are held accountable for their impacts, and governments must fulfil human rights obligations irrespective of economic growth. Although SDG 8 provides valuable accountability mechanisms, including indicators of jobless employment and workplace injuries, the lack of clarity on the link between human rights requirements and a business-related development agenda remains a challenge in eradicating exploitative environments globally.

The inherent contradiction in SDG 8 lies in the union of this human rights initiative with an

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<sup>17</sup> Calder, Todd. 2010. “Shared Responsibility, Global Structural Injustice, and Restitution.” *Social Theory and Practice* 36 (2): 263–90.

<sup>18</sup> Diane F. Frey, "Economic Growth, Full Employment and Decent Work: The Means and Ends in SDG 8," *International Journal of Human Rights* 21, no. 8 (October 2017): 1164-1184

objective that prioritises economic growth. Corporate interests often advocate a market-centred approach where governments act as "enterprise enablers" by creating a business-friendly environment.<sup>19</sup> This perspective views regulations that impact working conditions as suspect and potentially detrimental to growth, thus creating obstacles to achieving decent work standards. Conversely, human rights and labour groups, such as the International Trade Union Confederation (ITUC), advocate for a rights-based approach where all actors, including transnational corporations, are held accountable for their impacts, and governments must fulfil human rights obligations irrespective of economic growth. While SDG 8 offers essential accountability tools, such as indicators tracking informal employment and workplace injuries, the ambiguity of linking human rights obligations to a business-oriented growth agenda presents an ongoing challenge to effectively eliminating exploitative conditions worldwide.

## **CORPORATE ACCOUNTABILITY AND LABOUR JUSTICE**

The prevalence of sweatshop labour is a significant failure of global governance because it is organised in such a way that it prioritises capital flows over fundamental human rights and justice. The mechanisms that perpetuate this exploitation thrive on particular legal gaps, such as ineffective international trade regimes, inefficient voluntary corporate social responsibility (CSR) programs, and inadequate domestic enforcement mechanisms.<sup>20</sup> To do this, it is necessary to redistribute responsibility for corporate governance, reinforce union protections, and adopt a proactive state-level model of legal enforcement.

This argument for binding corporate accountability is based on the ethical imperative of multinational companies (MNCs) to uphold their own employees and contract workers by complying with local labour laws, providing decent working conditions, and paying wages above the poverty threshold within the context of an overall 48-hour workweek.<sup>21</sup> Defenders of sweatshops say this exploitation is an unavoidable aspect of economic growth. Still, critics argue that, since MNCs determine product prices, they exercise significant control over the working conditions of their contractors and are therefore morally obligated to impose standards<sup>22</sup>. As long as MNCs are transacting in a developing country with weak regulations,

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<sup>19</sup> Denis G. Arnold; Laura P. Hartman, "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops," *Human Rights Quarterly* 28, no. 3 (August 2006): 676-700

<sup>20</sup> Fraser, Jill Andresky. 2001. "The White-Collar Sweatshop." *New Labor Forum*, no. 8 (Spring–Summer): 78–89.

<sup>21</sup> Arnold, Denis G., and Laura P. Hartman. 2006. "Worker Rights and Low Wage Industrialization: How to Avoid Sweatshops." *Human Rights Quarterly* 28 (3): 676–700.

<sup>22</sup> Fraser, Jill Andresky. 2001. "The White-Collar Sweatshop." *New Labor Forum*, no. 8 (Spring–Summer): 78–89.

their inability to regulate abuse is a structural imperfection. This structural injustice causes an advantage to wealthy Western citizens, and this establishes a prospective moral duty of making restitution according to the unjust enrichment principle, whether the citizen was a direct part (or not) in the offence.

It is also essential to tighten union safeguards, as workers who had union protection in the past have been much less exposed to the effects of corporate downsizing than non-unionised groups, including white-collar workers subjected to white-collar sweatshops characterised by excessive work and reduced benefits.<sup>23</sup> Legal empowerment in India is a process that has sought to mobilise and broaden labour's identity to encompass those who are mostly marginalised and therefore cannot access traditional provisions, especially informal workers. The Third Wave of Indian legal empowerment addresses the multiple intersectionalities of class and ascriptive identities (such as low-caste women workers) to achieve the symbolic power of legal recognition for redefined labour groups, compelling legislation through joint political and judicial agitation.<sup>24</sup>

The need to ensure that India grows with justice and human dignity has created the need for proactive models of legal assistance, whereby the state does not have to wait for the poor worker to be affected by rights; instead, it must take the initiative to enforce them. Poverty, illiteracy, and fear of retaliation are severe limitations to access to justice by vulnerable workers<sup>25</sup>. The history of the Indian legal system gives precedents to state action. The Second Wave of legal empowerment used progressive judicial activism and Public Interest Litigations (PILs), in which judges took the initiative to represent people with low incomes in court and to claim that the government was in default in enforcing their rights. This bench also broadened the definition of legal assistance to include compulsory educational outreach on legal rights, breaking the knowledge barrier for the underprivileged<sup>26</sup>. Modern-day activists are using these historical victories (Wave 2 tactics) to force the legislative and executive arms (Wave 1 and Hybrid tactics) to enact and enforce new laws protecting informal labour workers, replacing the enforcement mechanism of individual worker petitions with state directives. Finally, to

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<sup>23</sup> Fraser, Jill Andresky. 2001. "The White-Collar Sweatshop." *New Labor Forum*, no. 8 (Spring–Summer): 78–89.

<sup>24</sup> Agarwala, Rina. "Using Legal Empowerment for Labour Rights in India." *The Journal of Development Studies* 55, no. 3 (2019): 401–19.

<sup>25</sup> Agarwala, Rina. "Using Legal Empowerment for Labour Rights in India." *The Journal of Development Studies* 55, no. 3 (2019): 401–19.

<sup>26</sup> Agarwala, Rina. "Using Legal Empowerment for Labour Rights in India." *The Journal of Development Studies* 55, no. 3 (2019): 401–19.

achieve a society that values the rule of law, it is essential to instil a sense of service to the people among legal professionals and to make them social engineers who will work to eliminate these structural inequities<sup>27</sup>.

## CONCLUSION

The fact that sweatshop labour prevails within the global economy reveals a systemic crisis which is far beyond the scope of individual factories or laissez-faire labour practices; it is a root structural failure in global governance, national regulatory systems and the international economic system. The reason sweatshops exist is that global value chains are created precisely to push risks and costs onto the most vulnerable employees, and multinational corporations are given an unfairly high level of power to dictate prices, lead times, and sourcing practices. This inequality of power, coupled with the lax application of labour laws, ineffective voluntary CSR, and corporate regulatory arbitrage, generates an economic growth cycle in which human dignity gives way to economic growth.

These international pressures in the Indian context are combined with deep-rooted social inequalities, patriarchal values, and the informalization of labour, and result in what researchers term structural unfreedom. Workers, particularly women, are not just economically exploited but are also bound by the cultural, family, and institutional forces, which lower their bargaining position and eliminate their voices to demand justice. The breakdown of legal aid mechanisms increases this injustice. Although Article 39A and the Legal Services Authorities Act were aimed at democratising access to justice, the system is still marred by poor quality of representation, lack of state assistance, corruption, and widespread lack of awareness among workers. Consequently, the rights are on paper but are not practical.

The attainment of justice for sweatshop workers thus cannot be achieved by a simple reform but requires reconfiguration of responsibility by both the state and the corporate sector. Voluntary CSR needs to be turned into binding corporate accountability, which should be a global standard. To overcome the power asymmetry of the supply chains, there is a need to strengthen unionisation and collective bargaining. At the same time, India needs to reclaim its culture of judicial and legislative activism through proactive enforcement paradigms

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<sup>27</sup> Kumar, C. Raj. 2013. "Legal Education, Globalization, and Institutional Excellence: Challenges for the Rule of Law." *Indiana Journal of Global Legal Studies*, Vol. 20 221-252.

characterised by the state taking the principal role in safeguarding informal and vulnerable workers. Contemporary legal empowerment efforts should still focus on addressing caste, gender, and class exclusions so that all workers can be recognised as rights-bearing citizens. Finally, achieving the mandate of SDG 8 (decent work and protection of labour rights) would require shifting from market-oriented to rights-oriented governance, where human dignity and profit are not prioritised. The cycle of exploitation can only be halted through coordinated structural reforms, strong labour institutions, and responsible global supply chains, enabling a fair, equitable economic order.