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Laura T. Raynolds

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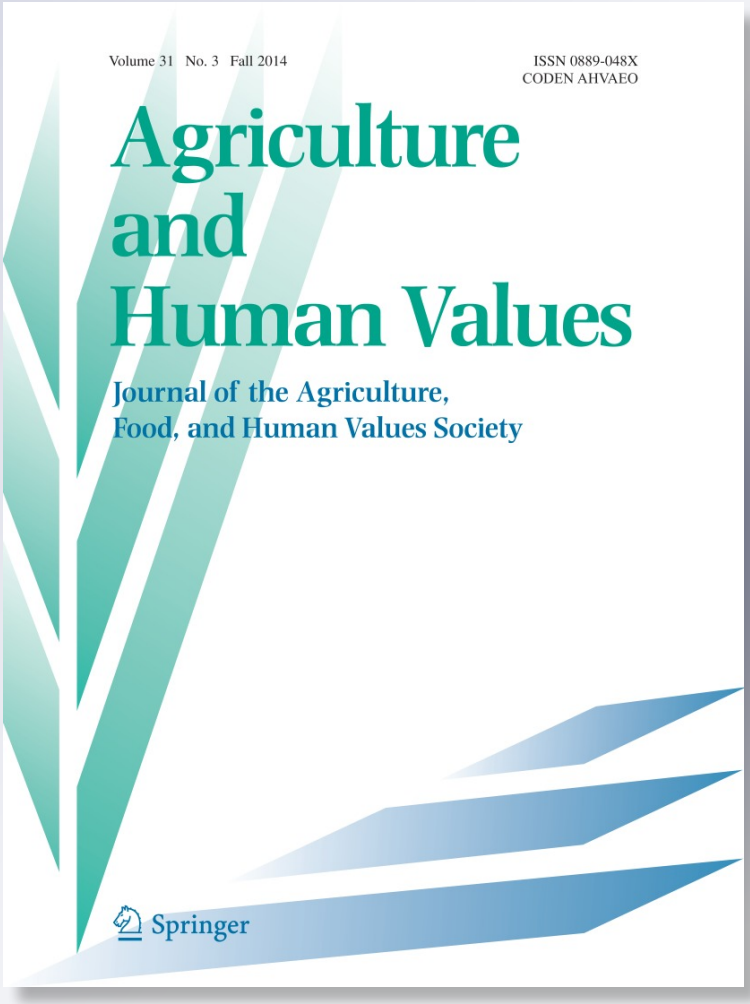

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Fairtrade, certification, and labor: global and local tensions in improving conditions for agricultural workers

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Abstract A growing number of multi-stakeholder initiatives seek to improve labor and environmental standards through third-party certification. Fairtrade, one of the most popular third-party certifications in the agro-food sector, is currently expanding its operations from its traditional base in commodities like coffee produced by peasant cooperatives to products like flowers produced by hired labor enterprises. My analysis reveals how Fairtrade's engagement in the hired labor sector is shaped by the tensions between (1) traditional market and industrial conventions, rooted in price competition, bureaucratic efficiency, product standardization and certification and (2) alternative domestic and civic conventions, rooted in trust, personal ties, and concerns for societal wide benefits. At the global level, these tensions shape Fairtrade's global standard setting as reflected in Fairtrade's recently revised labor standards. At the local level, these tensions shape the varied impacts of certification on the ground as revealed through a case study of certified flower production in Ecuador.

Keywords Fairtrade · Fair trade · Certification · Standards · Labor · Ecuador · Flowers

Abbreviations

FLO	Fairtrade Labeling Organizations International
NGO	Non-governmental organization

L. T. Raynolds (✉)
Center for Fair and Alternative Trade and Sociology Department, Colorado State University, Fort Collins, CO 80523, USA
e-mail: laura.raynolds@ColoState.edu

Introduction

Fair trade has emerged over recent years as a popular initiative to socially regulate global markets, particularly in the agro-food sector. Building on a critique of historically rooted international trade inequalities, fair trade seeks to foster egalitarian exchange relations and improve social and environmental conditions in the Global South. The fair trade concept is advanced most concretely through a certification system orchestrated by the umbrella organization Fairtrade International (FLO).[1] The FLO certification system defines acceptable production and trade standards, audits and certifies participants for compliance, and promotes the sale of labeled products (Raynolds 2000). Fairtrade, like other popular environmental and social certifications (Cashore et al. 2004), is distinguished by its multi-stakeholder organization, voluntary nature, and market-based incentives for participation.[2]

Sales of Fairtrade labeled products are currently worth about US$ 6 billion and are growing rapidly (FLO 2012d). Although Fairtrade certification was originally designed to support small-scale coffee farmers, it has expanded to include 20 different commodities, many of which are produced on a large-scale using hired labor. In 2010 there were 227 certified plantations employing 173,000 workers in the production of Fairtrade flowers, tea, fruits, and other items (FLO 2012b). Over the past decade Fairtrade's most rapid growth has been in these large agricultural enterprises. While there is a substantial literature exploring the

[1] While the term fair trade refers to the overall movement, Fairtrade refers specifically to the certification and labeling system overseen by FLO.

[2] FLO identifies itself as a multi-stakeholder initiative. Non-governmental organizations oversee certification, but production and distribution is handled by private enterprises.

rise of Fairtrade and integration of peasant farmers in certified networks, there has been far less research on Fairtrade's efforts to incorporate plantations.

This article addresses this lacuna, analyzing the global and local tensions arising from Fairtrade's engagement with hired labor enterprises and its efforts to improve conditions for agricultural workers. As I demonstrate, a convention theory approach helps identify the compromises inherent in negotiating the place of large-scale producers in Fairtrade and using certification to improve conditions for agricultural workers. The study merges a global and local analysis, since the global rhetoric of multi-stakeholder certifications often fails to match the local realities of implementation (Bartley 2012; Cheyns 2011; Riisgaard 2010). At a global level, analysis focuses on the nature of Fairtrade standards and certification for hired labor enterprises, including FLO's (2012c) "New Workers Rights Strategy for Fairtrade." At a local level, analysis focuses on the implications of Fairtrade certification for large enterprises and workers, drawing on a field-based study of certified flower farms in Ecuador. This article broadens our understanding of the potential and limits of multi-stakeholder certification in improving labor conditions, using the experience of Fairtrade in agriculture to extend a literature which is based largely on studies of manufacturing (Barrientos and Smith 2007; Locke et al. 2009; O'Rourke 2006; Seidman 2008). It also deepens our understanding of the experience of Fairtrade certified hired labor enterprises, employing a case study of certified plantations in Latin America to enrich a literature that has heretofore focused on Africa (Dolan 2010; Ruben and Schendel 2008) and Asia (Besky 2008; Makita 2012; Neilson and Pritchard 2010).

Multi-stakeholder certification in global commodity networks: the case of Fairtrade

Since the 1990s, we have seen a dramatic rise in private regulatory initiatives that govern social and environmental conditions in international arenas. Gereffi and colleagues (2001) point to the emergence of a powerful system of "transnational private governance" where private actors take on regulatory activities traditionally left to the state. Regulatory initiatives often engage external actors in overseeing corporate activities using voluntary standards and certifications to control and signal compliance (Bartley 2012). Multi-stakeholder regulations involve non-governmental organizations (NGOs) and social movement actors, as well as companies and industry groups, in their governance and operations and are thus often seen as more legitimate (Gereffi et al. 2001). A growing number of multi-stakeholder certifications establish labor standards in garments and other manufacturing sectors (O'Rourke 2006) and environmental standards in food, timber, and other agro-food sectors (Barrientos and Dolan 2006). What distinguishes these "non-state market-driven" certification systems is their voluntary nature and economically based incentives (Cashore et al. 2004). Multi-stakeholder certifications dictate business standards above legal requirements, establish mechanisms to foster compliance, and often award labels to differentiate and promote participating enterprises and products.

An institutionalist approach helps frame analysis of the emergence and nature of multi-stakeholder regulations. As Polanyi (1957b, p. 250) argues, the "human economy is an instituted process" that is "embedded and enmeshed in institutions, economic and noneconomic" and we should not be surprised to see social engagement in regulating economic activity. In fact Polanyi suggests that the economy is always mediated by social and political institutions, since unregulated markets undermine "the human and natural substance of society" and tend to generate "movements of social protection" (1957a, p. 3). Although Polanyi focuses on the rise of state policies of social protection, in the contemporary era civil society groups fuel the most powerful efforts to curb destructive market tendencies, fostering a pattern of "social" regulation (Bartley 2012; Raynolds 2012a). A Polanyian perspective helps reveal the organizational basis of multi-stakeholder regulations (Bartley 2007), including certifications in the agro-food sector (Nelson et al. 2005; Tallontire et al. 2011). A number of studies pursue this approach to explain the emergence and institutional configuration of Fairtrade, focusing particularly on Latin American coffee (Bacon 2005; Jaffee 2007; Mutersbaugh 2002; Raynolds 2000; Renard 1999).

The agro-food literature often goes beyond the institutionalist tradition to consider how production expectations are socially constructed and normalized, as well as organized, through shifting quality standards. This research follows Callon et al. (2002) in analyzing the processes of "qualification" and "valuation" inherent in transforming undifferentiated goods into specific market products. Busch (2011) articulates this view, arguing that agro-food standards can be seen as "recipes for reality." Analyzing the rise of alternative social and environmental regulatory systems in the agro-food sector, Barham (2002) demonstrates how certification initiatives define and promote ethical and moral qualities through "values-based labeling." A rich literature explores the normative foundations of agro-food quality standards and procedures (Hatanaka and Bush 2008; Nelson et al. 2013; Ponte et al. 2011).

Convention theory provides an insightful framework for integrating the institutionalist and social constructionist traditions via an analysis of the constellation of norms,

practices, and institutions which guide and justify economic relations (Allaire and Boyer 1995; Boltanski and Thévenot 1991; 2006). This framework focuses on: the potentially divergent values defining and legitimating particular quality assessments; the qualifications, rules, and procedures coordinating economic transactions; and the organization forms which correspond to and uphold particular quality definitions. Boltanski and Thévenot (2006) distinguish between *market* conventions based on price competition, *industrial* conventions based on standardization and efficiency, *domestic* conventions based on personal trust and place attachment, and *civic* conventions based on generalized social and ecological welfare commitments.[3] Framed as ideal types, these economies of worth are described as distinct "worlds," yet in reality they intersect, creating "compromises" between qualification systems (Boltanski and Thévenot 2006). A compromise between market and industrial conventions is common, as we see in agro-industrial foods which are guided by price competition and product standardization.

Applying a convention theory lens to alternative agro-food systems, research points to the centrality of domestic conventions of personal trust and place attachment particularly in local, heritage, and slow foods and civic conventions based on social and ecological welfare commitments particularly in fair trade and organic agriculture (Barham 2002; Murdoch et al. 2000; Raynolds 2002). Alternative agro-food systems synthesize civic and domestic conventions, as in Lyson's (2004) "civic agriculture" which ties community welfare to local production and consumption. Studies of Fairtrade certified coffee highlight the integration of civic and domestic conventions in the identification of alternative products and formation of alternative trade networks (Raynolds 2002; 2009; Renard 2003; 2005). There is now an extensive literature on Fairtrade certification in peasant agriculture, focusing largely on Latin American coffee production. Far less research analyzes Fairtrade's implications for hired labor enterprises, particularly in Latin America.[4]

Addressing this research gap, this study applies a convention approach to illuminate the global and local tensions inherent in Fairtrade's move to incorporate large enterprises and use certification to improve labor conditions in Latin American agriculture. My analysis builds on studies of the impacts of labor certifications in manufacturing (Barrientos and Smith 2007; Locke et al. 2009; O'Rourke 2006; Seidman 2008), where a central point of agreement is that local circumstances shape the challenges and possibilities of improving worker conditions (see also Riisgaard 2010). This study grounds analysis of the tensions inherent in the implementation of Fairtrade certification for hired labor enterprises and workers in the experience of certified flower farms in Ecuador. The investigation thus extends geographically a literature on Fairtrade plantation certification which has to date focuses largely on Africa and Asia (Besky 2008; Dolan 2010; Makita 2012; Neilson and Pritchard 2010; Ruben and van Schendel 2008).

Global tensions

Negotiating competing conventions in Fairtrade certification

Fair trade represents a critique of conventional trade and an effort to foster a "fair" alternative. As the "Charter of Fair Trade Principles" (WFTO and FLO 2009) states:

> Fair Trade is a trading partnership, based on dialogue, transparency and respect, that seeks greater equity in international trade. It contributes to sustainable development by offering better trading conditions to, and securing the rights of, marginalized producers and workers—especially in the South. Fair Trade organisations (backed by consumers) are engaged actively in supporting producers, awareness raising and in campaigning for changes in the rules and practice of conventional international trade.

From a convention perspective (Boltanski and Thévenot 2006) this charter can be read as a challenge to industrial and market norms, where products and exchange are ruled by efficiency and price competition, and a call to re-qualify commodities and trade based on civic values fostering the general welfare of people and the planet. FLO, the coordinating body of the international Fairtrade system, reaffirms these progressive civic ideas stating: "Our mission is to connect disadvantaged producers and consumers, promote fairer trading conditions, and empower producers to combat poverty, strengthen their position and take more control over their lives" (FLO 2012a). As articulated in this mission statement, FLO advances the overall movement's civic commitment to human rights by pursuing a strategy to address producer poverty and marginalization through "empowerment." Fairtrade is aligned in its support of fairness with the global social justice movement and in its support of empowerment with the emancipatory politics of alternative development (Utting 2012).

Fairtrade draws strongly on domestic norms and practices grounded in personal trust and attachment to people, places, and traditions (Boltanski and Thévenot 2006). The fair trade charter enrolls domestic values in redefining trade

[3] Boltanski and Thévenot (1991; 2006) also discuss conventions based on inspiration and fame.

[4] For a comprehensive assessment of fair trade research see Raynolds and Bennett (forthcoming).

as a "partnership" based on "dialogue, transparency and respect." FLO's mission suggests that building "connections" between producers and consumers is a key avenue for fostering personal partnerships. Although domestic values of interpersonal trust are typically associated with face-to-face interactions, as Raynolds (2002) argues fair trade extends these values internationally by "shortening the distance" between consumers and producers, "humanizing" trade, and fueling personal trust through direct trade. The telling of producer stories has proved to be a powerful vehicle for fostering consumers' sentimental attachment to far off locations and cultures.

Fairtrade thus merges domestic and civic values, practices, and institutions. Boltanski and Thévenot (2006, pp. 243, 252) suggest that a domestic/civic compromise is difficult, since the domestic system of valuation critiques the impersonal nature of generalized welfare claims and the civic valuation system is seen as liberating people from traditional interpersonal obligations. Within Fairtrade there are clearly tensions between the individual/personal/domestic and collective/general/civic constellations of norms and strategies. Yet I propose that the popularity of Fairtrade, like local food initiatives, hinges in large measure on its ability to link domestic and civic worlds through values of social interdependence and community.

The growth of the FLO certification system and rise in mainstream retail sales have bolstered the role of market norms and dominant corporate actors in Fairtrade, fueling further tensions and compromises (Raynolds 2012a). Mainstream market forces propel certified sales, but threaten to undermine Fairtrade's progressive foundations. Multifaceted producer/consumer connections are increasingly abridged to an origin statement printed on the package of a certified product. Fairtrade's stated commitment to fairer trading arrangements and producer empowerment are meanwhile often reduced by mainstream corporations to mean compliance with FLO's producer price rules in an otherwise conventional market system ruled by competition and dominant corporate interests (Bacon 2010; Dolan 2010; Jaffee and Howard 2010; Raynolds 2009).

The recent expansion and formalization of Fairtrade certification is also strengthening industrial conventions as evidenced in the bureaucratic organizations, rational rules, and audit procedures which regulate production and distribution (le Velly 2007). As Thévenot (1995) outlines, certification asserts industrial conventions based on standardization and efficiency into economic relations. Fairtrade certification is governed by a set of non-profit organizations: FLO establishes certification standards; FLO-Cert carries out audits to ensure compliance; and National Labeling Initiatives promote and oversee markets. Importers are licensed by Fairtrade National Labeling Initiatives and can be mainstream distributors, which carry some certified products, or fair trade organizations, which sell only fair trade products. Importers must adhere to generic trade standards focusing on contract security and the payment of a Fairtrade premium as well as product specific standards (that for flowers require buyers to use contracts spanning at least 6 months and pay a premium calculated at 10 % of the FOB-value of labeled floral imports). Fairtrade producers are organized into three Producer Networks, representing Latin America, Africa, and Asia, and must similarly follow generic and commodity specific standards. FLO has generic standards for small farm producers and for hired labor enterprises which outline social, environmental, and economic development criteria. There are also commodity specific production standards (for example for flowers and plants) which elaborate these regulations. Each year FLO-Cert audits producers through onsite interviews and document reviews and importers through an examination of purchase records. Countering fair trade's principles of personal trust, FLO-Cert's rigorous industrial audit procedures impose a powerful system of bureaucratic control particularly over producers (Mutersbaugh 2002, 2005; Raynolds 2002, 2009; Renard 2003, 2005). In short, the Fairtrade system has negotiated a compromise between alternative domestic and civic conventions, embodied through peasant partnerships and ecological commitments, and traditional market and industrial conventions, enacted through the process of certification.

How has this domestic/civic/market/industrial compromise fared as Fairtrade has moved beyond its original focus on small coffee farmers to incorporate large hired labor enterprises? In 1994, FLO certification was extended to tea and banana plantations based on the civic argument that if the goal was to benefit "disadvantaged producers" then landless laborers, who are often poorer than farmers, should be included (EFTA 1998). Since that time, Fairtrade's increasingly industrial bureaucratic standards and procedures have facilitated the incorporation of new products and large-scale enterprises. FLO's generic hired labor standards are immediately applicable across commodities; new product specific standards come online quickly. Dominant supermarkets have pushed the growth of the Fairtrade product range to create a basket of labeled goods and of plantation certification to guarantee large year-round supplies (Raynolds 2012a). Reflecting the role of conventional market rules and players, Fairtrade flower standards were developed in 2001 in response to requests from a major Swiss supermarket. Fairtrade certification of large enterprises has grown rapidly in recent years; the largest number of enterprises and workers are in tea, flowers and plants, and fresh fruits and vegetables. In 2010 there were 34,000 workers employed on Fairtrade certified flower plantations (FLO 2012b).

Re-negotiating Fairtrade to incorporate large enterprises and workers

My analysis finds that the growth of hired labor enterprises and workers in Fairtrade has fueled significant tensions in the system's norms, practices, and institutions, threatening its delicate domestic/civic/market/industrial compromise. Although large enterprises and workers are numerically central, there remains ambivalence and in some cases antagonism regarding their place in Fairtrade. FLO documents often refer to disadvantaged "producers" in a vague way to include workers as well as farmers, even though the term "producer" normally refers to a firm or farmer. While plantations and workers are at times explicitly referenced, they tend to disappear in the core small farmer narrative. Large enterprises and workers have a similarly unclear place in Fairtrade certification institutions and governance. While producers are supposedly represented in FLO's regionally based Producer Networks, the Latin American network—the Latin American and Caribbean Network of Small Fair Trade Producers (CLAC)—includes only small farmers and is openly antagonistic to large enterprises. Although FLO is working to position plantations and workers as key stakeholders in Fairtrade, powerful actors committed to a small farmer agenda continue to resist the incorporation of these industrial based entities (Raynolds 2012a).

The certification of large scale enterprises raises a series of challenges to Fairtrade's domestic ideals of producer/consumer "connections" and trade "partnerships." The physical characteristics of the certified items produced on a large scale, like fruits and flowers, are generally sold without extensive packaging that can be used to recount a product's origins and foster consumer/producer connections. As products are depersonalized so too are those who produce them. Fairtrade's direct trading relations and producer partnerships are further unraveled by the capital intensive cool chains required to move fresh products around the world rapidly and without spoilage (Raynolds 2012a). Many of these tensions are anticipated by Boltanski and Thévenot (2006, p. 309), who argue that bridging domestic and industrial worlds is hindered by the traditionally adversarial relations between industrial subjects (managers vs. workers), organizations (corporations vs. unions), and strategies (corporate control backed by threats of layoffs vs. union power backed by threats of strikes). The oppositional relations embedded in hired labor enterprises make it difficult for Fairtrade to foster personal relations of trust within these organizations or between these industrial entities and consumers.

Fairtrade has found it far easier to bridge industrial and civic worlds, linking people from the industrial world (workers) with expectations from the civic world (rights), as Boltanski and Thévenot (2006, p. 277) would suggest.[5] Fairtrade organizations draw explicitly on civic values and qualifications in promoting labor rights, echoing what is now a common and powerful narrative that frames workers' rights as human rights (Evans 2005). Although there has historically been significant tension between industrial groups (companies and labor unions) and civil society organizations, constructive alliances have been forged across this divide (Eade 2004). It is in this nexus of civic and industrial worlds that we see the rise of multi-stakeholder initiatives that broaden the identification of industrial subjects, as human beings not just workers, and industrial strategies, as including voluntary regulations to improve worker conditions not just strikes. Like labor standard systems in manufacturing (O'Rourke 2006), Fairtrade certification upholds a civic industrial compromise in pursuing civic values and qualifications to promote labor rights.

Yet labor standard systems have faced significant criticism in recent years. The International Labor Rights Forum (ILRF 2010a) claims that Fairtrade like other private regulations is "missing the goal for workers." A number of studies suggest that the record of private regulations in improving labor conditions in global manufacturing has been disappointing. Barrientos and Smith (2007, p. 713) argue "that corporate codes have a role to play in improving labour standards, but are currently doing little to challenge existing commercial practices or embedded social relations that underpin poor labour standards in global production systems." Locke et al. (2009, p. 319) conclude that labor standard systems "have produced only modest and uneven improvements in working conditions and labor rights in most global supply chains." Seidman is even more critical (2008, pp. 991, 1001), suggesting that NGO certifications "offer a weak alternative to more traditional protections for labour rights" and may even "weaken local workers' ability to bargain on their own behalf."

In response to critiques that certifications have not gone far enough in bolstering labor standards or labor rights, FLO (2012c, p. 1) recently announced a "New Workers Rights Strategy for Fairtrade" with the following objective:

> We want to move beyond the traditional CSR paradigm of social compliance based on standard-setting and auditing. While audits are a tool, Fairtrade's focus should be to help build the conditions whereby workers have the tools and ability to negotiate their own wages and terms of work.

This new strategy pursues a "beyond auditing" approach, reframing the compromise between industrial

[5] See also Riisgaard and Gibbon (2014).

and civic conventions in the certification of hired labor enterprises. FLO acknowledges the utility of industrial tools of standards based rules and audits in securing improvements for workers, but calls for reinforcing Fairtrade's civic emancipatory politics to ensure that workers can "negotiate their own" conditions. FLO's new strategy thus seeks to reinvigorate the civic norms and practices underpinning hired labor certification to advance worker empowerment and self-determination.

The "New Workers Rights Strategy" also reasserts Fairtrade domestic values, framed within a social dialogue approach of increasing communication between employers and workers. FLO (2012c, p. 2) describes the new strategy as being:

> to support "mature systems of industrial relations" on Fairtrade farms. This is a model for employer-worker relations whereby workers and management build a relationship based on trust, respect and regular dialogue. Workers and their employer meet frequently to talk about workplace issues—not just workers' wages and work conditions but also about production, productivity problems and solutions, etc.

In this statement, FLO echoes the Fair Trade Charter's language of pursuing "trading partnerships, based on dialogue, transparency and respect" to argue for building a "relationship based on trust, respect and regular dialogue" between employers and workers. This strategy appears to follow Boltanski and Thévenot's (2006, p. 309) suggestion that domestic conventions can be fostered within industrial settings by "using the register of personal relations, that of *good manners* and *polite behavior*." Yet while it promotes domestic values of personal trust developed through frequent meetings between workers and employers, this new strategy simultaneously reinforces traditional market conventions suggesting that discussions focus on industrial issues (like wages and work conditions) and market issues (like productivity) rather than personal or civic concerns.

FLO's new strategic approach to large enterprises and workers points to a renewed domestic/civic/industrial/market compromise, one which merges norms, practices, and institutions from across these four worlds. The mature systems of industrial relations model was developed to strengthen the position of unions in the garment sector, but some labor advocates see it as a promising approach for multi-stakeholder initiatives. As Miller et al. (2010, p. 7) argue, NGOs may play a key role in this model particularly in workplaces where unions are absent, where workers can be incorporated in compliance oversight, and where worker rights training can help foster independent unions. To illuminate FLO's balance of domestic/civic/industrial/market conventions in the certification of hired labor enterprises and the ensuing tensions on the ground, I next analyze Fairtrade's achievements and prospects in improving labor standards and labor rights in flower enterprises in Ecuador.[6]

Local tensions in Fairtrade flower farms

Labor standards and worker wellbeing

Over recent years activist groups have denounced the poor work conditions on flower plantations in Ecuador and other countries of the Global South, calling them "sweatshops in the fields" (ILRF 2010b). Export flower production in Ecuador has traditionally been characterized by the following: payment of wages below the legal minimum; extensive use of child labor; widespread hiring of casual contract workers; and extensive uncompensated overtime. Studies of Ecuadorian flower plantations find exploitative worker treatment, particularly of the large number of women employed in this sector, and unsafe workplace conditions associated particularly with the intensive use of toxic chemicals (ILO 2000; Korovkin 2003; US LEAP and ILRF 2007). Media reports of labor abuse and pesticide poisonings on Ecuador's flower farms have threatened global sales and fueled industry, government, and civil society efforts to improve labor conditions.

According to flower industry representatives, Fairtrade goes well beyond Ecuadorian laws, industry programs, and other multi-stakeholder initiatives in augmenting labor standards and worker wellbeing. There are 10 Fairtrade certified flower enterprises in Ecuador which grow greenhouse roses for export. Most of these companies have been in operation since the 1990s and were initially certified in 2002 and 2003. Fairtrade flower enterprises in Ecuador range in size from 20 to 260 acres and employ from 113 to 520 workers. By international standards these are relatively small enterprises but they are capital intensive and produce some of the highest quality roses on the international market. Most companies are family businesses with owners undertaking management responsibilities.

[6] This discussion draws on a two phased field research project. In 2010–2011 I studied four certified farms, for each farm, I conducted onsite interviews with three to five managers and six to eight worker representatives, female worker focus groups, and an offsite random sample survey of 36 workers. In 2012 I returned to examine the implications of FLO's new worker's rights strategy interviewing managers and worker representatives on two farms, meeting with the Ecuador Fair Trade Association, and interviewing regional FLO representatives. I identify the degree of agreement between workers and managers on key issues and triangulate interview data via focus groups, on farm observations, and company documents, but readers should keep in mind that both workers and managers say they benefit from Fairtrade and are likely to present certification in a positive light. For more on certified flower commodity networks and environmental production parameters, see Raynolds (2012b).

FLO certification advances bureaucratic industrial expectations and procedures in bolstering labor conditions on Ecuadorian flower farms. FLO standards specify minimum criteria that must be satisfied for inclusion in Fairtrade as well as progress requirements stipulating improvements over time. Certified flower farms must maintain extensive records to document their compliance with these standards and appoint a FLO certification manager to handle the additional bureaucratic requirements. FLO-Cert follows conventional industrial audit procedures in its oversight, with representatives spending about a week on site for the initial review and 3–4 days for subsequent annual inspections. FLO-Cert audits include a review of company documents, interviews with managers and workers, and inspection of production and packing facilities. Companies with multiple certifications report that what distinguishes Fairtrade from other programs is that it has: higher worker wellbeing standards; stricter progress rules; more extensive documentation requirements; and more rigorous auditing.

Most of Fairtrade's flower specific standards address occupational health and safety. FLO (2011b, c) outlines 31 minimum requirements and progress rules, dictating practices in six key areas. (1) Medical exams must be provided on an annual basis, with 3 month screenings for workers handling chemicals, and treatment and compensation for work related medical issues. (2) Agro-chemicals on FLO's *Red List* are barred. (3) Safe use guidelines for chemicals must be followed and entry into greenhouses after pesticide applications is restricted. (4) Safety training must be provided to workers annually. (5) Workplace safety standards must be upheld and vulnerable populations barred from dangerous work. (6) Protective gear and uniforms must be provided to workers, including adequate protections for those handling chemicals. FLO standards regulate overall workplace conditions and specific hazards associated with the intensive agro-chemical use common in flower production. These technical rules draw on international guidelines and industry "best practices," for example in the specification of FLO's *Red List* of barred chemicals, head-to-toe protective gear required for pesticide spraying, and re-entry intervals required after greenhouse spraying.[7]

According to industry officials, managers, and workers, Fairtrade certified farms have better occupational health and safety conditions than most flower farms in Ecuador. FLO's *Red List* identifies and bans the use of many of the most toxic agro-chemicals in the rose industry, many of which are legal and widely used in Ecuador. Research observations suggest that workers applying agro-chemicals on certified farms wear FLO stipulated protective gear and that greenhouses are sealed and labeled with FLO specified re-entry times. My interviews with worker representatives suggest that they are knowledgeable about the FLO *Red List* (and can often name banned chemicals), greenhouse labeling and re-entry rules (and can often cite required re-entry intervals), medical exam requirements (and can often name ailments being testing for), and protective clothing rules (and can often cite their purpose). Workers report that health and safety guidelines and medical screenings are maintained as common practice on certified farms. Many workers have worked on other flower farms or have family members and neighbors employed on non-certified farms and are thus able to attest to the fact that health and safety conditions are often far worse on other flower plantations.

Fairtrade's minimum certification standards for flower enterprises include another 26 requirements related to work and employment conditions (FLO 2011b, c). FLO regulations build directly on International Labour Organization (ILO) core standards, specifying requirements in five key domains. (1) Discrimination based on race, sex, religion, etc. is banned. (2) Forced and child labor is prohibited. (3) Hiring and payment must follow laws regarding benefits and wages for permanent workers. (4) Overtime must be voluntary, paid a premium and limited (work may not surpass 48 h per week; 1 day off every 7 days is required). (5) Leave must be paid and include 3 weeks annually and 8 weeks for maternity.

A number of FLO's standards reaffirm Ecuador's current labor legislation. FLO's regulations prohibiting the use of forced or child labor mirror the law, and while child labor was once a major problem in Ecuador's flower industry, its use has been largely eliminated via government and industry efforts. FLO minimum wage rules similarly duplicate legal requirements and current business norms in the flower export sector. While FLO's hiring and wage rules also largely reiterate Ecuadorian legal requirements, workers and managers report that irregular employment practices persist in floral production and that certification helps shore up frequently violated laws. In a few key areas Fairtrade work and employment standards go well beyond industry and legal expectations. FLO standards prohibiting employment discrimination and abusive management practices appear to significantly improve conditions for the large number of female flower workers on certified farms. For example FLO bars the use of pregnancy testing, firing of pregnant workers, and sexual harassment, all practices that managers and workers report remain widespread in the floral industry. Fairtrade rules exceed industry norms also in ensuring the timely payment of wages and legally mandated benefits. Where FLO employment standards most significantly surpass legal requirements and common industry practices is in their

[7] FLO's *Red List* draws from WHO Class I A & B, Pesticide Action Network's Dirty Dozen, EU, & US lists; re-entry intervals are based on manufacturer and WHO toxicity rules.

strict overtime limits and generous annual and maternity leave requirements.

While Fairtrade certification standards appear to have significantly improved workplace conditions on Ecuadorian flower plantations they have done this by promoting industrial based technical solutions which have important limits. Like most labor standard systems, FLO regulations focus largely on occupational health and safety and while these rules identify key hazards and encourage "best practices," they work largely within accepted industry parameters and chemical intensive flower production remains quite dangerous. FLO's minimum wage requirements appear to be similarly insufficient since the majority of flower workers report that Ecuador's minimum wage is unable to support a family. A number of employment issues are simply not amenable to industrial technical solutions. For example while FLO outlines anti-discriminatory procedures, fair treatment is hard to regulate and workers must have the power to ensure it is practiced. Similarly while FLO is able to restrict excess overtime, its rules cannot accommodate those flower workers who would prefer to work more well-paid overtime. These local tensions highlight the on-the-ground limits of industrial regulation and importance of Fairtrade's civic commitment to self-determination, which as the "New Workers Rights Strategy" notes, would "help build the conditions whereby workers have the tools and ability to negotiate their own wages and terms of work" (FLO 2012c, p. 1).

Fairtrade workplace standards extend beyond other labor certifications most clearly in requiring a premium fund which, in the Ecuadorian case, is invested in social programs that significantly improve the wellbeing of flower workers, their families, and communities. The premium derived from the 10 % markup that buyers pay for FLO labeled flowers channels US $80,000–$150,000 annually to each certified farm in Ecuador. This money is invested largely in scholarships for workers and their children; short-courses in computers, organic agriculture, and other skills; childcare centers and after-school programs; computer centers; medical and dental services; subsidized food programs; and low interest loans for home improvements, emergencies, and home businesses. The majority of certified flower farm workers use and say that they appreciate premium programs, with almost all workers taking advantage of premium based health services and half taking advantage of credit programs. Workers and managers agree that premium programs are important in distinguishing certified from non-certified flower farms and in improving the lives of workers and their families by providing services typically absent in rural Ecuador.

Fairtrade premium services enhance wellbeing beyond the workplace, helping workers, their families, and communities meet critical nutrition, healthcare, housing, and education needs. Evidence from Ecuador confirms the premium's important role in promoting FLO's (2012a) mission to "empower producers to combat poverty," recognizing that combatting poverty is a multifaceted challenge that cannot be achieved through employment alone. Fairtrade premium programs help erode the industrial category of worker, moving beyond workplace concerns to address the livelihood needs of those employed in floral production. The FLO premium goes beyond industrial expectations to incorporate domestic values and practices of "caring" for workers as people, as well as their families and communities. The incorporation of domestic values of caring appears to be particularly important for female workers who bear a larger responsibility for household and community welfare. Despite the benefits that Fairtrade premium programs provide, they certainly cannot meet all the needs of agricultural workers and their communities.

Labor rights and worker empowerment

Workers on flower plantations around the world are often vulnerable to employment exploitation due to their limited ability to individually or collectively protect or advance their rights. In Ecuador, flower workers are often unable to promote their interests individually since they cannot afford to pursue activities which might threaten their jobs and wages. Female workers who are often the sole providers for their children are particularly vulnerable, as are indigenous workers who have traditionally been marginalized by language and cultural barriers as well as economic constraints. The limited collective capacity of flower workers in Ecuador reinforces this individual vulnerability. In rural Ecuador, worker organizations are rare and of the country's 800 flower farms, only two are unionized. Relations between companies and unions in Ecuador are highly adversarial. Labor activists claim that Ecuadorian flower companies have violated workers' rights by blocking the formation of unions, firing and black-listing affiliated workers, and threatening to close plantations where workers are organizing (ILRF 2010b; US LEAP and ILRF 2007).

To challenge worker vulnerability, Fairtrade pursues a dual agenda of (1) fostering labor rights, developing a civic/industrial compromise to advance the capacity of workers to articulate, negotiate, and claim workplace benefits and (2) promoting worker empowerment, forging a civic/domestic compromise to enhance human agency, capabilities, and social power within and beyond the workplace. These two goals are closely connected since often workers draw on resources and alliances beyond the workplace to advance their labor demands and use individual and collective capacities developed in the workplace to pursue their rights in broader society. As laid out in a

training presentation by Ecuador's FLO Liaison Officer, "worker empowerment" is envisioned as:

> Strengthening the capacity of workers so that they can identify their needs and develop plans and projects to address them: More information, Better understanding, Improved capacities, Better participation, More control. Being the protagonist of his/her own development!

As this FLO educational material suggests, access to information is seen as a key element in Fairtrade's labor rights and empowerment strategy. Workers and managers point to FLO mandated trainings as a key factor distinguishing certified companies from other floral enterprises. Company records document that workers receive 66 h of instruction each year by managers (28 h) as well as by the FLO Liaison Officer, government officials, and other outside experts. The majority of training (45 h) focuses on occupational health and safety and the safe use of pesticides in particular.[8] In addition flower workers get 11 h of annual instruction on personnel policies, employee treatment and sexual harassment, and Fairtrade benefits, as well as 4 h of training by a government labor inspector on labor rights under Ecuadorian law. Following the FLO presentation idea of "More information, Better understanding," extensive worker training on Ecuadorian flower farms appears to erode traditional barriers to information that maintain labor vulnerability. Yet most instruction focuses on industrial technical information which may enhance worker conformity as much as worker empowerment. While only a few training hours are devoted to labor rights specifically,[9] workers suggest that coming together, learning new things, and having contact with knowledgeable outsiders are important in fostering "Improved capacities."

A central way Fairtrade promotes the civic and domestic values inherent in the stated aim for workers to "be the protagonist of his/her own development," is via the Fairtrade premium which is legally owned by all workers and administered by a Joint Body. The Joint Body is comprised of (4–5) elected worker representatives and (1–2) managers and builds domestic relations of trust and respect between workers and managers. This Body meets regularly during business hours to solicit project ideas from workers, develop concrete proposals, and manage premium programs. Projects are selected in a general assembly vote of all workers. Workers elected to the Joint Body receive 54 h of special training on leadership and administration to help them handle their committee responsibilities. Joint Body representatives gain valuable skills which they note can be utilized in other facets of life. In addition to enhancing the capacities of elected representatives and program recipients individually, the shared ownership and oversight of the Fairtrade premium empowers workers collectively. Flower workers report that they have learned to work together to identify their priority needs and seek out solutions to common problems, a critical achievement for workers traditionally fatalistic about their inability to shape their life conditions.

Fairtrade has clear freedom of association and collective bargaining requirements that further enhance the collective empowerment and labor rights of Ecuadorian flower workers. FLO rules reinforce Ecuadorian law in stipulating that workers have the right to associate and to meet with union officials. In situations where unions are absent—like on most Ecuadorian flower estates—FLO standards go beyond the law to require the formation of a Workers' Committee to represent workers and negotiate with management. This Committee is comprised of eight to 10 representatives elected by workers to reflect major labor force variations by gender, age, and racial/ethnic origin. Representatives receive 37 h of annual instruction on leadership skills, Fairtrade rules, and Ecuadorian labor laws from the FLO Liaison Officer. Workers' Committee representatives are well informed and articulate and gain substantial self-confidence through their role. A young woman reports: "I was uncertain about taking on this Committee role. But now I feel good about it. It is nice to help represent the workers. Now I can speak with the managers, even Engineer Manuel." It is significant that in this reflection on her empowerment as a representative, this minimum wage worker refers to the Company General Manager by his first name.[10]

Managers and workers agree that the Workers' Committees distinguish Fairtrade enterprises from other farms and are important in fostering the collective capacity of workers to articulate and advance their interests. My research finds that Workers' Committees merge industrial and civic conventions in their bureaucratic organization and democratic procedures to advance collective representation and worker wellbeing. As a Committee President explains:

> Our job is to work for the wellbeing of workers. There is a far greater consciousness of workers here. We meet together each month. We have general assemblies and meetings by (job) areas to find out what workers need, what their problems are. We meet with managers every two months; also with the FLO

[8] Workers handling agro-chemicals receive additional training on safe use and re-entry rules.

[9] While labor rights training by government officials able and willing to pursue violations would represent a key advance in labor rights, labor inspectors are not always proactive.

[10] The name has been changed to maintain confidentiality.

official. We represent and defend the workers. Other farms do not have this dialogue with managers.

Workers' Committees on certified flower farms have negotiated successfully with managers to foster improvements in working conditions and benefits, related specifically to the: number and quality of meals provided; number and quality of uniforms; provision of specific safety items; provision of worker appreciation outings; holiday bonuses; and similar issues. Managers and workers also note the important role the Committee plays when there are concerns about supervisor mistreatment of workers. Negotiated resolutions to these worker complaints are formally documented and signed by the Workers' Committee President and the General Manager, with copies filed in the FLO mandated archives.

Fairtrade Workers' Committees have fostered important collective benefits but have not to date engaged two fundamental employment issues: overtime and wages. Overtime amounts are tightly restricted by FLO standards with pay defined by Ecuadorian law. Since most flower workers count on overtime earnings and do not appear to want tighter restrictions, it is not surprising that Workers' Committees have ignored this issue. Flower workers appear to be more concerned about wage levels, which are pegged to the national minimum. While flower workers report that the minimum wage is insufficient to support a family, the fact that the Ecuadorian legal minimum wage has recently risen significantly in real terms (Ray and Kozameh 2012), may have diffused worker interest in engaging this vital but challenging issue.

Although Workers' Committees are instituted under Fairtrade guidelines primarily to provide worker representation where unions (the traditional civic/industrial compromise group) are absent, these organizations also promote domestic conventions, facilitated in the Ecuadorian context by the relatively small size and family business character of flower companies. Managers and workers concur that the Workers' Committee helps build interpersonal relations of trust between workers and managers and both groups use the terms "dialogue" and "negotiation" in discussing their interactions. Mirroring the language used by the Committee President cited above, a General Manager explains:

> On the Fairtrade farms workers negotiate with management, they bring to our attention their concerns and are not afraid to express themselves. If workers have concerns they take them to the Comité (Workers' Committee) or come and speak with us directly. They do not stay quiet if they think they are being treated badly. This dialogue is important. We need to know if there are problems, otherwise we can't do well as a business.

The Workers' Committee is identified here as a valuable avenue of worker/manager communication. Echoing the social dialogue view espoused in FLO's (2012c, p. 2) "New Workers Rights Strategy," this statement suggests that meetings between workers and managers "build a relationship based on trust, respect and regular dialogue" which helps foster business success.

Given the absence of unions and other worker organizations on most Ecuadorian flower farms, Fairtrade Workers' Committees appear to provide a critical avenue for advancing collective capacity and workers' rights. Yet these groups face important limits. Workers' Committees are organized at the enterprise level and their firm level nature raises concerns among labor advocates that they could be vulnerable to management pressure and thus may be a poor substitute for traditional unions. While the personal domestic relations forged by Workers' Committees between workers and managers is identified above as a positive facet of Fairtrade, the deployment of domestic relations in hired labor enterprises is traditionally seen as fostering paternalistic relations which undermine the power of workers (Boltanski and Thévenot 2006). The "mature systems of industrial relations" social dialogue model referenced in FLO's (2012c, p. 2) "New Workers Rights Strategy" assumes that management influence is countered through a civic/domestic/industrial compromise grounded in worker alliances and legal protections (Miller et al. 2010). Yet FLO Workers' Committees are not formally linked to national or international labor alliances. In the Ecuadorian case the firm-based vulnerability of Workers' Committees is partially countered through an annual meeting of worker representatives from all the FLO certified farms, extensive engagement with the FLO liaison officer, and annual contact with government labor inspectors. In addition to their isolation and potential susceptibility to management pressure, labor activists are concerned that Workers' Committees may not be accorded the same national legal protections as unions. In the Ecuadorian case, Workers' Committees, their representatives, and their decisions appear to have solid legal standing under the law.[11] Yet Ecuadorian labor legislation privileges the power of trade unions, particularly in regards to collective bargaining.

In sum this analysis suggests that Fairtrade certification in the Ecuadorian flower sector has significantly advanced the individual and collective capacity of workers, but that there are important limits to Fairtrade's labor rights and empowerment strategy. The individual capacity of workers is enhanced primarily through extensive training, which gives workers important though largely technical information to

[11] A legal review confirms the status of FLO Workers' Committees in Ecuador.

protect their rights, as well as social premium programs, which increase their human and economic capital. Worker representatives appear to be well able to articulate and advance their individual and collective interests. The collective capacity of workers within the workplace is enhanced through FLO mandated organizations: the Joint Body and most importantly the Workers' Committee appear to have brought important gains to workers in Ecuador. Yet Workers' Committees need further political power to advance labor rights, power that may best be augmented via stronger alliances with national and international labor rights organizations.

Conclusions

Fairtrade certification has emerged in recent years as a popular multi-stakeholder effort to establish and enforce production criteria in international markets. Designed originally to improve the position of peasant producers, Fairtrade is currently growing the most rapidly in hired labor enterprises. In seeking to advance conditions for agricultural workers, Fairtrade pursues two interrelated objectives: to improve labor standards and worker wellbeing and to promote labor rights and worker empowerment. This study pursues a global/local analysis to reveal the tensions arising from Fairtrade's engagement with hired labor enterprises, focusing on FLO's shifting standards and the grounded experience of certified flower workers in Ecuador. As this study demonstrates Fairtrade certification has significant potential but also important limits in improving the position of agricultural workers in the Global South.

A convention theory framework helps illuminate the global and local tensions inherent in Fairtrade's central ideas, practices, and institutions. Fairtrade challenges the industrial and market norms that guide mainstream commerce and seeks to promote a requalification of economic relations based on civic and domestic conventions. My analysis highlights the challenges inherent in extending these alternative qualifications via Fairtrade certification of hired labor enterprises. While FLO's industrial based certification system is well suited to incorporate large enterprises and workers, extending civic values of collective responsibility and domestic conventions based on partnership and trust have proved more challenging.

What are Fairtade's achievements and prospects in improving labor standards and worker wellbeing? My research finds that Fairtrade certification, like other labor standard systems, has been the most effective in reinforcing International Labour Organization standards and national laws and in advancing technically based occupational health and safety practices. Where FLO standards duplicate Ecuadorian laws, audits confirm that flower companies are meeting their legal obligations. This reaffirmation is important since national and international labor standards have historically often been ignored in rural Ecuador, as in many parts of the world. In Ecuador FLO rules exceed legal mandates and industry norms in a number of important areas, raising standards related to anti-discrimination, overtime, paid leave, as well as occupational health and safety. Fairtrade distinguishes itself from other labor standard systems in providing a premium which is invested in health, education, credit, and other programs for workers and communities. As reflected in the case of Ecuadorian flower enterprises, these programs can reduce worker vulnerability and increase their wellbeing beyond the workplace. The Fairtrade premium goes beyond industrial expectations to incorporate domestic values and practices of caring and may be particularly important to female workers who bear a disproportionate responsibility for family and community welfare.

FLO's "New Workers Rights Strategy" outlines two provisions which could significantly alter efforts to enhance worker wellbeing in the Ecuadorian case: lifting the current limitation on the use of the Fairtrade premium to raise workers' disposable income and defining a process by which employers are expected to move to paying a "living wage." The two changes could be directly connected if premium funds were allowed to augment wages, something that FLO has traditionally barred since the premium could thus be seen as "subsidizing" the employers' wage bill. If premium funds are paid to workers as individual income they will draw funds away from collective social programs. While this might be supported by workers, it could potentially weaken Fairtrade's broader impacts in combating poverty and building worker/community ties. FLO's proposal to move from a minimum wage requirement to promote a living wage represents a powerful move to advance Fairtrade's civic commitments well beyond most labor standard systems. Yet reflecting the importance of local context, in Ecuador FLO's new approach may continue to mirror national legislation which recently introduced a "dignified wage" requirement (Ray and Kozameh 2012). Although Fairtrade rules might simply reinforce national regulations, if FLO's "living wage" were to be set above Ecuador's "dignified wage" it could foster a fruitful social dialogue.

What are Fairtrade's achievements and prospects in fostering labor rights and worker empowerment? My analysis suggests that Fairtrade certification can strengthen the individual and collective capacity of workers to articulate, negotiate, and claim benefits within and beyond the workplace. The extensive training that workers receive on Fairtrade enterprises helps ensure labor standard compliance on a day to day basis and is particularly important in

protecting worker health and safety in the chemical intensive flower industry. Yet as noted in the Ecuadorian case, workers receive far less training which directly enhances empowerment or labor rights. In the Ecuadorian flower industry where unions are largely absent, Fairtrade advances collective rights and empowerment through the creation of a Joint Body responsible for managing the social premium and, most importantly, a Workers' Committee responsible for representing workers. My research finds that in Ecuador these organizations have fostered workplace democracy and workers' collective capacity. While the Workers' Committees have been particularly important in articulating and negotiating benefits for workers, there are clear limits to their capacities due to their firm-level nature. In the Ecuadorian context, Workers' Committees do not have the same legal authority as unions, particularly in negotiating collective bargaining agreements.

FLO's "New Workers Rights Strategy" outlines two modifications which could significantly shift efforts to enhance labor rights and worker empowerment. The first involves restricting Joint Body voting over social premium expenditures to workers (with managers acting only as advisors). While this change ensures worker control over the Fairtrade premium, in the Ecuadorian case this is not likely to bring major changes since workers already appear to control fund allocation. Far more significant in the Ecuadorian case will be FLO's (2012c, p. 2) actions related to its commitment, which "enshrines the rights of freedom of association and collective bargaining and considers the independent trade unions the best means of achieving this." While the specifics of this renewed commitment are unclear, FLO suggests it involves further worker rights training and support, points of contact for workers with questions about their rights, and direct engagement with trade unions. Although these types of changes might address the weaknesses of the Workers' Committees on Ecuadorian flower farms, key to the empowerment implications of FLO standard changes will be the degree to which the flower workers and their organizations are able to negotiate the new rules and their relations with outside organizations.

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Laura T. Raynolds , PhD, is Professor of Sociology and Co-Director of the Center for Fair and Alternative Trade (http://cfat.colostate.edu/) at Colorado State University. Her research and publications focus on global regulatory initiatives, agro-food networks, fair trade, labor, and gender issues. She is editing a forthcoming volume, the Handbook of Research on Fair Trade (Edward Elgar).