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### **Global Corporate Social Responsibility and Policy Evolution in the Garment Industry: A Case Study from Bangladesh Using a Multiple-Streams Approach and Punctuated Equilibrium Theory**

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GLOBAL CORPORATE SOCIAL RESPONSIBILITY AND  
POLICY EVOLUTION IN THE GARMENT INDUSTRY:  
A CASE STUDY FROM BANGLADESH  
USING A MULTIPLE-STREAMS APPROACH AND  
PUNCTUATED EQUILIBRIUM THEORY

by

TAMAR MAISASHVILI

A master's thesis submitted to the Graduate Faculty in Liberal Studies in partial fulfillment of  
the requirements for the degree of Master of Arts, The City University of New York

2020

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MAISASHVILI

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This manuscript has been read and accepted for the Graduate Faculty in Liberal  
Studies in satisfaction of the thesis requirement for the degree of Master of Arts.

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## **ABSTRACT**

Global Corporate Social Responsibility and Policy Evolution in the Garment Industry: A Case Study from Bangladesh Using a Multiple-Streams Approach and Punctuated Equilibrium Theory

By

Tamar Maisashvili

Advisor: John Krinsky

This research offers a new way to show how Corporate Social Responsibility (CSR) policy decisions are made in complex international settings. A theoretical framework based on Baumgartner and Jones' Punctuated Equilibrium Theory and John Kingdon's Multiple Streams Approach is used to explore the development of the Accord on the Fire and Building Safety in Bangladesh as a proposed independent and legally binding agreement governing garment factory conditions in that country. The Accord led to a series of audits aimed at reforming a large part of Bangladesh's garment industry, hence there has been a shift in a working environment ensuring the safety of garment workers. The case study of the Rana Plaza factory disaster shows how this tragedy contributed to CSR policy development, combining with years of preparatory work by labor and worker-safety advocates. The thesis shows, therefore, how theories of the policy process designed generally to explain policymaking in the United States at a national level can help to explain the development of international regulations in the absence of a strong, central state, and in the midst of powerful countervailing forces.

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## **Chapter 1: Introduction**

Over the past few decades, important policies of corporate social responsibility (CSR) have developed to regulate workplace safety issues in the global garment industry. Nevertheless, despite the progress in CSR policy, there is no clear picture of what the characteristics of CSR development in the long term are. The main questions for international CSR activities, that have progressed alongside the environmental issues remain the development of the effective central regulatory system in which companies have not been able to ensure the safety and the wellbeing of their workers for many years. In addition to the complex reality of the garment industry and the global structure of CSR practices, which employs almost 75 million people worldwide, there has always been an increased concern over the clarity of the CSR regulatory system in the factory auditing process. Hence, at the heart of the issue lies companies' unclear approach to their voluntary choices that delays the effectiveness of the CSR practices at their supply chains. What is the main driver for a multibillion-dollar industry and international organizations in the policy-making process? What are the issues of greater importance that can change the business approach? Does policy change happen gradually or is it a result of a rapid unexpected change?

To answer these questions and to explore the dynamics of policy change in a broader sense, the research frames the crucial issues on the intersection of international corporate social responsibility strategy and public policy. Central to this research is to follow the evolutionary process of certain aspects of CSR policies in the global garment industry and to question gradualism as the single mode of evolution.

The Rana Plaza collapse in 2013 which was the deadliest accident in the global garment industry has resulted in unprecedented changes in the global voluntary business approach within the CSR policies. After this tragic event, there have been dramatic changes, eventually creating

the safest apparel workplaces in the world among developing countries. Given that fact, this paper looks at the Rana Plaza collapse in Bangladesh as a “focusing event” (Kingdon, 1984) and presents the agreement known as the Accord as an exemplar to determine the practices established globally after this tragedy. To support the analysis and to be more successful in obtaining insights into the long term process, the thesis engages in the timeframe before the final agreement of the Accord that was signed after the Rana Plaza collapse and ended a longtime battle to hold back important international policy regulations that most transnational companies had been opposing for many years. The paper follows the different stages of policy formation since 2010 and analyses the other similar tragedies that preceded the final version of the Accord. By the detailed examination of the Accord, the research shows the extent to which this agreement could make the changes not only in the garment industry but also could affect the international CSR practices of the global corporations.

While drawing on CSR policy development in a complex international setting the formulation of theoretical prepositions could create a good foundation to identify the CSR development process with a specific concentration on workers’ safety issues. From time to time different kinds of theoretical perspectives have been used to explain the phenomenon of CSR. However, there has been a little discussion about developing a hypothesis on stability and change of policy agenda. With this in mind, this paper aims to take an interdisciplinary approach inspired by Punctuated Equilibrium Theory ( Baumgartner & Jones, 1993) and Multiple Streams Approach (Kingdon, 1984) from the public policy field that could better explain this recent observation. By integrating these two theories on policy process multiple stream approach (MSA) and punctuated equilibrium theory (PET) present the development of event-driven policy activity. While applying the broader impact of John Kingdon’s MSA theory, which was

originally formulated to examine in the US Federal policymaking system, this paper adds an advancement over the previous research as it contributes to broadening our understanding of CSR decision-making process on an international level. The framework of the “three streams model” investigates how sudden, unpredictable events called “focusing events” influence the public policy-making process while identifying key challenges that exist among different actors (Kingdon,1979). The goal of the Kingdon’s approach is to understand more about the ways how issues come to be on the agenda at a particular, critical time. Therefore, it helps to identify the main actors involved in making new policies for CSR. Similar to Kingdon’s idea, Jones and Baumgartner (1993) “explain how major disruptions change the way policymakers think about problems during which more radical change will be acceptable in venues that are less committed to existing policies” (Baumgartner & Jones, 1993, 32–3).

Event-based analysis of the case narrative and the formulation of theoretical prepositions created a good foundation to tackle the evolutionary questions. It has been argued that policy development is typically modeled as a gradual process that can take the shape of cycle consisting mostly of three steps such as problem, solution, and evaluation. However, this research demonstrates that the complexity of policymaking does not necessarily consist of different stages. It can be an intervention from time to time. It turns out that the approach to problem-solving is not guaranteed to be optimal or rational, but instead sufficient for reaching an immediate goal (PET and the stages of different policies).

The paper aims to establish the ability of theories to describe and explain the policy change in the international arena. Therefore, the theoretical approach of this king helps to better conceptualize what the main drivers are and how multiple actors use various mechanisms to produce change over time. The research may help further research in different sectors of CSR

and support policy-makers to deal with challenges in this regard. Thus, it may help to further research in different industries and support policymakers to deal with challenges.

The paper is structured in five chapters. The introduction is chapter one, the present chapter, which aims to familiarize the reader with the objectives and questions of the study, as well as outlines the structure of the study. The following chapter two reviews the theoretical literature from public policy and provides a historical overview of international CSR. Chapter three presents the research methods, justifies the data collection, and outlines the research strategy and design. Chapter four is the analytical part of the research and presents the case study from Bangladesh. It provides data analysis and interpretation of the labor-related references and regulations to CSR with respect to international agreements of the Accord. It also analyses the theoretical approach that addresses Kingdon's Multiple Streams Approach and Punctuated Equilibrium Theory to the case study on the Rana Plaza tragedy as the focusing event and suggests the interpretation of the results. The final chapter five is the discussion and conclusion that presents the analysis of the findings and suggests the recommendations for future research.

## **CHAPTER 2: LITERATURE REVIEW**

### **Historical Overview of a Conceptual Model for Corporate Social Responsibility**

Traditionally, most of the studies of CSR were related to the business field, discussed in the management context as "the responsibility of decision-makers, to take actions that will not only meet their interests but also the protection and enhancement of public wealth" (Davis, 1976, 5). The beginning of the 20<sup>th</sup> century saw the first attempts to learn more about how international

CSR could be defined and perceived. A considerable amount of literature, with more theoretical clarification, has been published since 1960, due to the environmental, women's, and civil rights movements. To analyze the development of the CSR at the international level, this research addresses the scholars from international relations and international law field. Scholars such as Clarence Walton (1967) and Keith Davis (1973) made the first steps in the examination of the conceptual meaning of CSR. Besides these, a large number of works investigated aspects of CSR regulations in the practice of economists, lawyers, and other specialists.

The first serious discussions and analysis in the context of business responsibility emerged during 1979. During the 1990s scholars began to develop notions that businesses had a greater obligation than just making profits and started demanding from an organization to act in a more socially responsible manner, taking into account not only the stakeholder's needs but the needs of local communities and the environment. Archie B. Carrol (1991) developed the well-known Pyramid of Corporate Social Responsibility, a study of four empirically interrelated, but conceptually independent components of CSR (Geva, 2008), namely, economic, legal, ethical, and philanthropic expectations. Carroll argued that "the CSR firm should strive to make a profit, obey the law, be ethical and be a good corporate citizen" (Carroll, 1991; Carroll & Shahbana, 2010). Features of Carroll's pyramid:

- Aspect of **profit** always comes first for the company
- Devotedly **comply** with all the general laws, regulations, and compliances
- Needs to meet its **ethical duties** before **philanthropic responsibilities**



Figure 2.1. Carroll's CSR Pyramid. Adapted from "Carroll's pyramid of CSR: taking another look" by A.B. Carroll, 2016, *International Journal of Corporate Social Responsibility*, 1:3, p.5.

As the Figure 1 shows Carroll's pyramid builds up on the four different levels of responsibility and his model balances the business interest on a larger scale making it more responsible in society. The pyramid illustrates the characteristic of the business responsibilities arguing that CSR has more than one element and important businesses need to think wider in terms of both their purpose and their responsibilities to society. So CSR starts with economics, as the foundational requirement for the business, and then moves on to making sure that a business fulfills its responsibilities to obey the law with a wide range of regulations. The next layer, according to Carroll, is ethical responsibility and business has an obligation to do what is right, meaning that it is expected to minimize the harm to all stakeholders involved in the business. And finally, on top is what he called philanthropic where business starts to give back to society.

What Carroll (1991) said is that business responsibilities don't stop with economic responsibilities, firms have legal and ethical and philanthropic responsibilities as well and modern organizations need to account for these to develop their strategies. As already mentioned above, for decades CSR was discussed as an internal organizational policy and typically defined as business practices aimed to protect business strategy and operations (Carroll, 2016).

In recent decades, the phenomenon of corporate social responsibility (CSR) has become a key component for global business success and CSR has not been discussed just as a strategic tool for the growth of organizations. Instead, as a major type of responsibility, CSR has been evolving towards the negotiation process to help corporations manage uncertainty through collaboration and coordination with stakeholders (Baddache & Nicolai, 2013). Therefore, multinational companies started to recognize CSR's strategic priority as a tactical advantage for their business, which has been originally considered as an attempt to create a work environment that suits both commercial and public interests (Lion, 2018). As a result of the recent developments of the meaning of CSR since 2000 there has been an increased number of global voluntary guidelines, regulations, and codes that helped international society to effectively measure and monitor business activities, that could also improve companies' impacts on environment and society (Bichta, 2003). Consequently, the companies' old practices, previously discussed as philanthropy and "organizational behavior" that has been evaluated in the "stakeholder theory" as the three interconnected business problems, (Freeman, 1984), have been replaced by discussions on different industry-wide initiatives and how they affect business practices in a different context (O'Riordan & Fairbrass, 2008).

In the meantime, most companies have started implementing CSR practices into their companies' core strategy, whereas others use it for just window dressing purposes (Weaver et

al.,1999). Yet, the problem that there has not been a clear definition and standard requirements for CSR's important components (Khanna, 2018) generalizability of the research on CSR became problematic among scholars. Thus the recent studies pointed out that most of the research has not been descriptive in nature. These factors have been found to be influencing the emergence of various definitions for the CSR, with Dahlsrud (2008) identifying at least 37 different meanings developed through his analysis of the existing CSR definitions. He has articulated the evolving global awareness of the challenging phenomenon of CSR prioritizing its contextual meaning rather than the definition itself (Dahlsrud, 2008).

Further, as companies' CSR activities spread, there has been a need for learning more about the process of international CSR evolution. At this point, attempts have been made to explain the tricky notion of international CSR (Pisani et al., 2017). As a result of the changes in business approach, scholars have started lately to challenge the widely held view on the relationship between companies' financial performance and business responsibility previously existing in economics, marketing and political science (Carroll, Hatfield & Aupperle, 1985; Waddock & Graves, 1997). They claimed that little attention has been paid to the studies on measurements of the impact on different stakeholders such as suppliers, employees, and local community groups and offered to outline alternative theoretical perspectives for further development of an instrumental aspect of CSR (McWilliams, Siegel & Wright, 2006; McWilliams & Siegel, 1999). By rejecting the hierarchical order of voluntary rules, previously discussed as Carroll's pyramid, comparative analysis has been used for ambiguous interpretation of four different branches revealing "systematic differences in their underlying assumptions, conceptual structure, methodological tools, and managerial implications"(Geva, 2008). In contrast to the previous studies, scholars have moved beyond the measurements of financial

impact, and by using alternative methodologies, they offered multiple perspectives to examine CSR activities in a broader context (Donaldson & Preston 1995; Jones, 1995; Fernando & Lawrence, 2014).

In a more globalized world, there has been an increased interest to learn more about CSR policies carried out not only at the national but also at the international level (Albareda et., al, 2007). Until recently, there was not much reliable evidence on the ways how CSR activities are involved in influencing international public policy and who the actors are on an international level. This kind of interest in the field of IR has led scholars to focus on the policy implementation process revealing different hypotheses about its evolution from a global perspective. Ruggie (2007) has provided the best-known, in-depth analysis of the evolving international agenda showing the importance of international law in constructing a global regime to govern business and human rights. By highlighting the importance of increased governance capacity, he has identified important gaps in international standards. Meanwhile, he suggests that while local governments have no capability to act effectively on their own against corporate violations, international law is a key instrument in defining the overall strategy in global business. He argues that “International instruments may well have a significant role to play in this process, but as carefully crafted precision tools complementing and augmenting existing institutional capacities” (Ruggie, 2007). What he says here is in the context of international actors who carry the “positive duties” - while achieving the short-term consensus they can create the possibility of being successful in affecting the long-term corporate behavior. “By challenging better legal and policy measures they can move companies’ voluntary responsibility beyond compliance that have been a long term intention on human rights agenda” (Ruggie, 2007). According to Ruggie (2007), CSR policy agenda-setting process has been defined as follows:

“In formulating their human rights policies, companies typically draw on international instruments or initiatives. But the language of the standards is rarely identical, and in some instances it is so elastic that the standards lose meaning, making it difficult for the company itself, let alone the public, to assess performance against commitments. There are also variations in the recognition of rights that seem unrelated to expected sectoral differences, appearing instead to reflect the political culture of companies’ home countries: for example, European-based firms tend to adopt a more comprehensive rights agenda than others, including social and economic rights, with US firms acknowledging only a narrower spectrum of rights and rights holders” (25).

Other scholars also developed their ideas in this regard, arguing that CSR is increasingly discussed as an element of state policies (Steurer, 2010) and “the CSR agenda as a whole may now have reached a turning point in which the public sector is repositioned as a certainly important actor” (Ward, 2004, 7).

While the global business approach has been taking new steps in corporate development along with international law, international CSR is moving from self-regulatory, voluntary decisions to mandatory mechanisms in international settings (Spar & LaMure, 2003). More importantly, the challenging issue here is for multinational corporations to engage in CSR efforts with “global-level effectiveness” (Wang et al., 2016). Debora Spar (1999), assessing the impact of NGOs on global business, argues that “as corporations spread throughout the international economy, justice is hardly a central concern of the modern corporate enterprise and it gets lost in the shuffle” (Spar, 1999, 576 ). According to Spar (2003), groups of activists can force firms to “make decisions in new ways, factoring in variables that once could be ignored” (Spar & LaMure 2003, 82). In the meantime, while companies have been revealing their incompetence

and causing difficulties in local communities, attempts have been made to research the implementation process of CSR, including disclosure and transparency issues. For this reason, several studies have attempted to explain the role of CSR into the norm implementation process (Finnemore & Sikkink, 1998) investigating particular drivers of CSR that could promote positive practices in ethics and social responsibility (Barrett & Okamura, 2015).

During the past decade, much more information has become available describing the progress of the CSR concept with particular attention to government regulations (Matten & Moon, 2008; Albarea, Lozano & Ysa, 2007). What is known in this regard is largely based on empirical studies about the environment in which the garment sector continues to grow. While using the process-tracing method within case-analyses, the research by Knudsen (2017) is among a few studies that could show how political and legal systems of local countries shape government regulation of international CSR (Collier, 2011). In her thorough examination of the example of the UK and US political systems, her research has analyzed in detail the incentives that may have an ability to trigger the change in forming the public CSR regulations. Her study has found that governments have been involved in CSR programs more actively through soft law that encouraged companies to pursue CSR initiatives or through traditional mandatory regulation of business (Knudsen et al. 2015). She has demonstrated that the companies' CSR policies are shaped differently under the country's political and legal system, "that different legal and political systems shape a distinct regulatory mix of mandatory and supportive forms of public policies for international CSR" (Knudsen et al. 2015, 95). Based on various arguments, it has become apparent that businesses' voluntary engagement in requirements of society is the guarantee for companies to maintain their legitimacy without being dictated by laws.

In conclusion, although extensive research has been done, much uncertainty still exists, yet our understanding of the broader dynamics of CSR policy-making is limited. The studies mentioned in the literature review have shown that all policymaking has a process that has many steps and needs to be understood how they are made, what stages policy-making is attempted, how and why certain methods are necessary to know. The CSR literature review reveals that the central part of the conversation has been the aspects of ethics, accountability from a global perspective and most of the research has considered broad impacts on policy development. Therefore, the methods used in the above-mentioned literature have been most effective in tackling the questions in major legal assessments, regulatory and voluntary compliance issues that had its timeline in the 20th century. In addition to the lack of research in consideration of global CSR policy developments, some arguments have also weakened to a certain extent that contributes to creating an environment that undermines the legitimacy of policymakers and leads us to look at the issues from different perspectives. In recent years, the worst-case scenarios have created a reality in which the approach, reasoning, and language are all different for international CSR policymakers. Meantime, what is encouraging in terms of new developments on the policy agenda is the emergence of new circumstances in global dialogue; in a critical situation, international society begins to wake up and engages in global processes of the discussion among countries, with the support of international instruments, as a result of which CSR policies are built into some kind of different global architecture.

With these developments has come the interest to learn more about how CSR is promoted and implemented with the participation of different actors on the international level. Therefore, the factors motivating this research were based on the aspects of the policymaking process that has been one of the major challenges that scholars face while tackling CSR on a global level.

That is why it is important to develop the research with a particular understanding of how policy-making is evolving and the extent to which policy is directed and how it can be seen in a wider range of different disciplines. At this point this research aims to answer the agenda-setting process in the international system operating in the face of crisis, using theories from public policy that makes it possible to come to a better understanding of the policy-making process. Therefore, despite the lack of accurate measures of evolutionary tempo, current evidence suggests evaluation of the policy-making process in this field is vital that makes it more transparent since the policymakers (decision-makers) consciously doubt what they seek to accomplish over a long period.

### **Multiple Streams Approach**

By assessing the broader impact of Kingdon's theory, which was originally examined in the US Federal policymaking system, the Multiple Streams Approach offers a "universal" language to learn more about agenda-setting from a global perspective (Cairney et al., 2016). Outside of the US federal system, MSA has been widely studied by many researchers who found the theory to be applicable to different political systems worldwide, including European countries and the European Union (Zahariadis, 2004; Bache, 2013; Ackril et al., 2013). Over the past twenty years, researchers have shown an increased interest in studying problem-definition and policy solutions in international settings. To develop a theoretical extension to the MSA in the global arena his framework has been used to consider not only domestic but international flows of the policy. Since Kingdon's initial study of policy communities, studies in many policy areas have become more transnational and "the match between policy, politics and problem

streams has to be not only temporal but also Spatial” (Bache & Reardon, 2013, 898). For example, while criticizing Kingdon’s assumption on the relationship between three streams, his multiple streams model has been explored to explain the climate change negotiations led by the United Nations Framework Convention on Climate Change (UNFCCC) (Suara, 2015).

Given these characteristics, the MSA has shown the value of Kingdon’s model to identify the ‘window of opportunity’ within the case study. Cairney and Jones have argued that his findings have made an important contribution to the understanding of the development of beliefs about policy problems. They write: “MSA becomes applied to issues, areas, and time periods not anticipated by Kingdon in his initial study” (Cairney & Jones, 2016, 53). The framework of the “three stream model”, introduced by John Kingdon in his 1984 book, *Alternatives, Agendas and Public Policies*, investigates how sudden, unpredictable events called *focusing events* influence the public policy-making process. It is now a classical model in the field of political science (Pollitt, 2008) that remains “ influential work, as a starting point for a more detailed case study process, translating universal concepts into specific processes, and outcomes” (Cairney & Jones, 2016, 53). The work is based on the “garbage can model” of organizational choice, written by Cohen, March, & Olsen (1972) that describes the chaotic reality of decision-making in organized anarchy. In contrast to their model, the benefit of Kingdon’s approach is the interpretation of the analysis is defined as the ambiguous processes (streams) of agenda-setting. His goal is to understand more about the ways of how issues come to be on the agenda at a particular, critical time, that allows the policy change analyst to “understand ongoing policy activity within streams which draw together modes of activity and like-minded participants” (Lancaster et al., 2014, 162).

In his comprehensive study, Kingdon was able to show that ‘combination of problems, policies, and politics are important in policy formulation (Kingdon, 1979) in which “identification of problems, finding solutions, and selection of choice, all are relatively independent streams” (Cohen et al., 1972). In Kingdon’s description, the details of policies are seen as the developments in policy community where experts on the issues, particularly individuals and organizations, “define the ideas and solutions to address pressing problems” (Kingdon, 2003, 117). While performing gradual and hidden work in the background, the longstanding community of policy “entrepreneurs” tries to put all three MSA streams together when “window of opportunity” opens enabling them to make changes on the political agenda (Kingdon, 2003).

### **Problem Stream**

The problem stream refers essentially to policy problems in society that potentially require attention. According to Kingdon, problems get attention based on how they are “framed” or defined by participants who compete for attention. Even though there is no *objective* indicator, there can be *measurable* indicators which appear, for example, as data in reports. Therefore, “indicators of things that we value and affect more people, stand a greater chance of becoming public problems” (Cairney & Zahariadis, 2016, 14). However, still, there is a need for indicators to be perceived as a dramatic change related to the “focusing event” that is associated as a “pusher” for change (Birkland, 1998). Along with the dramatic events, getting and keeping attention is the most important achievement which must be acted upon quickly, before attention shifts elsewhere. Linking issues to already-apparent problems requiring government action and referring to already-existing government policies can help to frame new problems for the media and government (Kingdon, 1984). Once these problems reach the awareness of policymakers, it

creates the space for problem definition to deepen in a learning process involving policymakers' beliefs (Zahariadis 2006; also see Birkland, 1998, 8).

### **Policy Stream**

Kingdon uses the metaphor of “primeval soup” to describe the Policy Stream. In the primeval soup, no relations of problems and solutions are fixed, and different ideas can emerge as a potential solution to the existing problems. He argues that advocates, such as experts and lobby groups, and policymakers compete with their already-formulated ideas where “participants strive to translate components of their belief systems into actual policy before their opponents can do the same” (Sabatier & Weible, 2006, 197). Thus, in this process “existing institutions, parties, and public opinion influence how and when they are introduced” (John 2003, p.488). In the policy stream, most powerful actors are the interest groups who are enthusiastic about a specific policy change, therefore in the network of policy specialists, the priority is given to the solution influenced by coalition interests centered around a common policy (Kingdon, 1984). Such explanations tend to prove the fact that that institutional actor within a policy subsystem matter just as much as their relation in the policymaking process. The result of their mixtures depends on knowledge, timing, and luck and “governmental organizations are no longer the central steering actors in the policy process” (Boezeman et al., 2010, 131). This has been discussed by other analysts arguing that “they develop widely-accepted solutions in anticipation of future problems, then find the right time to exploit or encourage attention to a relevant problem (Cairney & Zahariadis, 2016, 6). As Kingdon notes, “they often develop over years or decades. To deal with this disconnect between attention and the time it takes to produce

solutions, communities of policy specialists develop proposals in anticipation of problems” (Kingdon, 1984, 122).

### **Politics Stream**

The politics stream refers to factors such as changes in government, legislative turnover, and fluctuations in public opinion which greatly depends on “national structural features” (Cairney & Zahariadis, 2016). It involves organized political forces, public mood, or new campaigns of interest groups (Lennon 2012, Farley 2006). Kingdon conceptualizes national mood as the most difficult element in the politics stream which does not necessarily refer to the public opinion, rather it is associated with the general opinion created by political and elite groups. “These kinds of groups are powerful enough to block certain policy options where organized political forces sometimes consist of governmental actors itself ‘thought the process of persuasion and diffusion” (Kingdon, 1984, 159).

### **The policy Window**

The main aim of Kingdon’s theory is to develop an understanding of the “coupling” process of these streams, which can only happen when a “policy window” opens. The window opening is the opportunity for policy entrepreneurs who are ready with their proposals to push on the agenda:

There is political will to address the issue and solutions that were previously not high on the political agenda, that have become blended with the ‘problem’ and the ‘politics’, producing ‘open windows’ of opportunity for policy entrepreneurs to seek policy change

because it helps capture the phenomenon of an ‘idea whose time has come (Cairney & Zahariadis, 2016, 5).

Cairney and Jones suggested that “The role of policy entrepreneurs is important but limited: they are the well-informed and well-connected insiders who provide the knowledge and tenacity to help bring the ‘streams’ together” (Cairney & Jones, 2016, 41). It must be admitted that the term “policy entrepreneur” first has been coined by Kingdon while applying it to the most important actors in the MS theory and the public sector. He compares them to the ‘surfers waiting for the big wave’ rather than people who control policy processes (Kingdon, 1984,173). The duration of the window opening is also very important as “once the window opens, it does not stay open long, an idea’s time comes but it also passes”(Kingdon, 1984, 169). However, much uncertainty still exists, as Kingdon’s focus is principally on agenda-setting and not subsequent stages of the policy process (Cairney & Zahariadis, 2016).

Returning to the discussion of the already mentioned focusing event, some researchers have applied Kingdon’s framework to develop an understanding of the policy window during the focusing event. Birkland (1998), applies the case study of several dramatic events to the theory of focusing events and agenda settings analyzing when and where these events trigger the most political attention. While considering the potential effect of focusing events on legislative and regulatory policy changes he shows how seemingly unrelated institutions come together in the policy process and argues that “ the urge to do *something, anything* is often quite strong after focusing events” (Birkland, 2006, 97).

## **Punctuated Equilibrium**

The term ‘punctuated equilibrium’ was inspired by its use in the natural sciences to describe “dramatic shifts rather than incremental development in evolution” (Baumgartner & Jones, 1993, 19). The idea of punctuated equilibrium in public policy and the evidence that supports the original idea of development was first carried out by Frank Baumgartner and Bryan Jones (1993) arguing that punctuation happens when the idea is getting attention and it develops ahead of others. They have aimed to explain the long periods of policy stability punctuated by short but intense periods of change, therefore the framework proposes a very nonlinear life cycle for the typical policy or rule. In punctuated equilibrium theory, they are interested in understanding what causes political processes to move from a state of stasis to a point of the crisis resulting in policy change; a combination that creates patterns of stability and mobilization of punctuated equilibria (True et. al., 2006).

The initial creation of policy or norm is defined as small revolutions in organizational structure or “new ways of dealing with old problems” that can help to better understand the evolution of policy over a long period (Goertz, 2003). The PET in political science supports the idea that “long periods of apparent political stability and policy continuity is punctuated by instability and rapid and profound change” (Cairney, 2012, 273). As a growing comparative policy theory, several authors attempted to apply PET to studies of policy change in European countries, the EU more broadly, and Canada. (Baumgartner et al, 2006; True et al, 2007: 175; John, 2006; Baumgartner & Jones, 2009: 255;). Their studies capture more details of public policy, including multilayered policy-formation processes, as well as styles and policy leading to different policy outcomes.

PET has also been used to study norm-development and organizational decision-making in international settings (Winston, 2018, Finnemore & Sikkink, 1998; Goerz, 2003), showing that “PET’s scope of applicability is broader than previously thought and it offers theoretical and methodological tools that allow us to gain traction on macro patterns of change and stability in international policy-making”(Lundgren, et. Al. 2018, 549). While testing the PET in the broader dynamic of international policy-making, Sikkink and Finnemore also developed a hypothesis about stability and change of international organizations' policy agendas, arguing that the central difficulty of ideational theories is how to explain “change not stability” (Finnemore & Sikkink,1998). By demonstrating the consistency of the patterns of international organizations’ policy agendas with the PET, they show that international organizations have policy agendas that reflect the patterns of punctuated equilibria predicted by PET (Lundgren et. Al. 2018).

More importantly, another question is how PET works with Kingdon’s MSA. Even though these two models differ in analytical aspects, they both have very close links to each other with a particular emphasis on the change of agenda-setting. The relationship between MSA and PET has been widely investigated, revealing the potential for establishing evolutionary changes in the studies on policy-making in different realities (Cairney & Jones 2016). Although each of them has its way of understanding change and stability, the relevance comes when these two different aspects can similarly acknowledge dimensions recognized separately and individually (Cairney & Zahariadis, 2016). While both are contributing to the evolutionary theories:

“The distinction between actors and environments becomes crucial, since one can explain ‘evolutionary’ change in different ways, focusing primarily on the role of environments, providing opportunities and constraints for actors, or on entrepreneurs

redefining or adapting to their environments in ways that give them advantages over other actors” (Cairney, 2014, 5).

According to Cairney (2014), the PET can be an alternative to MSA. While combining their ideas, “in many respects, the two approaches can operate side-by-side as different ways to interpret events” (Cairney, 2014, 7).

These theoretical insights of MSA and PET are specifically valuable for studies of domestic policy change that are deeply connected to the international agenda-setting, which also has characteristics in the process of development of similar policies. Formulation of theoretical propositions of most commonly used policy process theories can contribute to the discussion of different dimensions on the international policy-making level, beyond just defining the concept of CSR as the corporate strategy, which has been determined in the debates of the literature of global level for decades. As the scholars in this field argue In search of factors influencing the policy process through different mechanisms. the systematic theories of MSA and PET that include ideas, policy context, networks, actors, institutions, subsystems, and events can help to explain the larger international developments in the longer term, primarily focusing on how new policies are adopted.

In conclusion, the combination of IR and public policy theories often seen as a separate theoretical themes will help to identify the factors that influence the international policy process, especially considering the argument that “there is a potential for cross-fertilization between these two bodies of literature since many political issues can hardly be seen as purely international or domestic” (Knaggard et.al., 2016, 2). Having this in mind, this research offers a new way to show how CSR policy decisions are made in a complex international setting. Since this approach

is untapped it will give entirely new dimension for the discussion of the environment recently created in a rapidly growing sector in the developing countries.

### **CHAPTER 3: METHODOLOGY**

This chapter reviews the methodology used in collecting the data for empirical research. To answer the research questions adequately the case study method has been used which is a way of investigating an empirical topic by following a set of prespecified procedures (Yin, 2003). The case study approach is the best way to describe and explain rather than to predict, it provides a better understanding of research problems than any approach alone (Dawson 2007). In the process of data collection, the case study of the Rana Plaza tragedy methodologically relies on publicly available reports and disclosures as this approach made it possible to uncover opinions and dive deeper into the problem.

Even though after the tragedy of the Rana there were two initiatives to address the unsafe conditions of MNC's supply chains, the main focus for the content analysis of the study has been chosen the Accord, as a better accomplishment in the creation of more successful compliance mechanism than the Alliance. Thus, applying the theory has been the attempt to obtain deep insights and a fuller understanding of CSR practices and to check the extent to which the Multiple Stream Approach and Punctuated Equilibrium theories help to explain such methods. The aim has been to identify the CSR policy development process after and before the specific events and obtain the fuller information about the key actors involved in the policy decision-

making process. The scope has been limited with the focus on labor rights, specifically on the life-threatening workplace safety issues in the garment industry in Bangladesh.

### **Research Design and Data Collection**

The result from the examined data has offered an interesting perspective on companies' activities in the period starting from 2010 until now. Particularly, with the detailed examination and observation of companies reports, it gives an illustrative look at how much brands have been motivated about their supply chains, what kind of policies they had in place before the tragedy and how much has been changed in their practices in regard of workers safety issues during the given period.

By incorporating the fragmented and entirely detailed data methods section presents the policy stages through which different results were determined, such as CSR practices on prevention and remedy that could contribute to human and labor rights violations. By incorporating the fragmented and entirely detailed data from the Accord website, the policy process has been followed, in which different policy stages were determined. The primary data has been based on the reports of the selected companies and the auditing documentation of the witness signatories to the Accord which were directly or otherwise involved in the global policy formation process.

The data from the Accord website helped to determine a large overall impact with the ability to progress year on. By reviewed significant changes in CSR practices such as prevention and remedy that could contribute to human and labor rights violations, the data has offered an in-depth understanding of the content, quality, and accuracy of the companies' policy upgrades, performance, and progress since 2013. The factory auditing reports from the Clean Cloth Campaign, Maquila solidarity, International Labor Rights Forum and Worker Rights Consortium

websites, has been accessed. The reports of the Accord signatory witness organizations have also demonstrated the progress of major policies that were adopted after the Accord

To contribute to the understanding of policy process the methods next proceeds to the companies' CSR reports the chapter looks into the Accord signatory companies' CSR reports, which have been publicly available on their website. Therefore, it generates the research materials from the publicly available reports published by the most notable 10 signatory apparel brands belonging to the Accord. The main goal of using the companies' official reports was to arrange and accumulate companies' approaches in a way that would help define CSR policy development over a period of eight years from 2010. In the process of the company selection following criteria have been used. The international companies have been chosen by their commitments to the agreement of the Accord; Firstly, those companies that were the earliest signers and agreed to continue with the upgraded version of the Accord in 2018. Second, the international brands from Western Europe and North America, that have been at the center of the ethical debates about their major life-threatening safety concerns in developing countries and are also certified by Accord for implemented the required workplace safety regulations. And third, these are the top biggest movers all of which take the Accord obligations seriously after the Rana Plaza tragedy and meanwhile are considered to lead the path towards greater transparency among the major brands. Particular focus was on their workplace safety policies across their supply chains that have emerged after the Rana Plaza tragedy. The progress of the CSR policies, measured by non-financial indicators, has offered an interesting perspective on companies' activities in this period and showed the insights that are comparable over time. By identifying the contexts of the companies' CSR reports, it has shown that the Rana Plaza could shape different forms of government regulations of international CSR. CSR reports are the foundation on which

corporate responsibility is built, therefore the context analysis of such kind of disclosure made it possible to understand how companies have shifted from the old CSR practices. By tracing the companies' level of accountability the data shows the insights that are comparable over time and demonstrates that the signatory companies since the Accord have been more inspired for positive changes.

In sum, the companies' CSR characteristics helped to evaluate the performance in the areas of workplace safety and labor rights during the period under the study, which appears to be the reason for their potential to sustain in the longer run. therefore stronger commitments in regard to obligation seem to be far more cost-effective and better adapted to the developing world. Thus, the examination of the impact of the Accord on the companies' international CSR regulations shows that some improvements in working conditions have been made.

## **CHAPTER 4: DATA ANALYSIS AND INTERPRETAION**

This chapter follows the long-term CSR policy development in Bangladesh through the Multiple Streams Framework and the Punctuated Equilibrium Theory. It aims to analyze the extent to which the Rana Plaza tragedy opened a policy window for CSR regulations and to show how a focusing event such as the Rana Plaza tragedy served as a turning point in the history of workplace safety not only in Bangladesh but in the whole system of global CSR.

### **The Problem Stream**

The problem stream refers to policy problems in society that potentially require attention both from government and nongovernment organizations. Given the vague definition of the problem associated with the factory tragedies and CSR, according to the Multiple Streams approach, it is important to present indicators issues such as data and reports to contribute to the evaluations of the problem stream (Zahariadis, 2006). By analyzing the garment factory tragedies between the years 2010 and 2018, we can see the extent to which any given one served as a focusing event. We look at the generation of such indicators as factory auditing reports, company CSR reports, and other factory inspection reports that may have helped policy entrepreneurs with problem definition. Related materials are also official documents such as guidelines, acts, conference papers and other studies.

### **Indicators.**

What was the cause of the problem? For the recent decade, the garment industry in Bangladesh has faced tremendous challenges in compliance with international standards for safety at work and improvement of working conditions, including industrial accidents, political instability and corruption (Barua & Ansary, 2016).

Bangladesh, with its cheapest labor market (minimum wage is 32 cents an hour) has become one of the ultimate offshoring destinations for big retail companies. The country has been among the four largest garment manufacturers in the world and the second-largest manufacturing center after China, employing between 3.5 million to 4 million garment workers (Kabir, 2016). Even though in recent years the global brands have been creating jobs, at the same time they have been taking advantage of the developing world by the exploitation of their workers, where ‘demand for their services and products are high, while cheaper labor is available’ (Peels et al., 2015). Migrating from rural areas, “a huge pool of unemployed young women from poor families, ready to work for rock bottom wages and longer working hours, made up the new workforce” (Muhammad, 2011). Essentially, they agreed to receive lower wages to alleviate their extreme poverty. Even though it seemed like improvements in the women’s living standards, as their miserable life was replaced by their independence in their families, there has been a key issue with low wages, consequently causing women workers’ protests nationwide. But in response to the protests, the workers could face intimidation from the government and torture from the police and the “factory owners in association with the government, could successfully keep the real wage very low” (Muhhamad, 2011, 24).

Eventually, the people of Bangladesh were getting used to the ignorance and denial from the factory owners, and for decades they lived in the face of government instability and the obvious danger at their workplaces. For this reason, ignorance and incompetence from the government officials in the implementation process have become a sort of national theme that created a kind of disbelief over the years in many workers (Alam, 2017). Furthermore, due to their limited educations and few skills, the workers did not have sufficient knowledge of work-

related issues such as health and safety, and this contributed to the overall lack of workplace safety in the country.

As a result, nearly 80% of workers were employed in the unregulated, informal economy with the lowest rate of skilled labor. Even though in the last three decades of the 20<sup>th</sup> century the number of factory workers was expanding rapidly, the workers have been suffering from poor working conditions (McCormick & Schmitz, 2001). Besides the low wages and constant pressure from manufacturers, the workers have been constantly concerned regarding poor working conditions, including hazardous chemicals and fiber dust which are an integral part of the production work (Dickson et al, 2009, Allwood et al, 2006).

The existing workplace standards could not guarantee adequate safety conditions at the garment factories and yet, such a situation was unlikely to raise concern over the workplace safety regulations in the factories. Especially, taking into consideration the more pressing issues on minimum wages, the workplace concerns could not achieve the status as a “problem” for many years.

Since 2005, Bangladesh had started to be characterized by frequent factory accidents (see Table 1) in which the factory workers came to have one of the most dangerous jobs in the economy. A timeline of incidents causing death or injury in factories both suggests the growing gravity of the workplace safety problem and, as we will see, itself became part of establishing the problem as a “problem.” Table 1 is by no means a comprehensive list of factory incidents since 2005, but an overview of the main cases received by the Clean Clothes Campaign (Clean Clothes Campaign, 2017).

<b>Event</b>	<b>Casualties</b>	<b>Global Buyers</b>
April 11, 2005: Spectrum Factory collapse	64 dead, at least 74 injured, including several workers who sustained permanent disablement	Group (Belgium), KarstadtQuelle, New Yorker, Bluhmod (Germany), Scapino (Netherlands), and New Wave Group (Sweden).
February 23, 2006 Fire at KTS Textile Industries, Chittagong	61 dead, approximately 100 injured	Uni Hosiery, Mermain International, ATT Enterprise, VIDA Enterprise, Leslee Scott, Inc, Ambiance, Andrew Scott
February 25, 2006: Phoenix Building, Dhaka	22 dead, 50 injured	Unknown but reportedly produced clothing for export to Germany, Switzerland, Norway, Finland, and Denmark
February 25, 2006: Imam Group, Chittagong	57 injured	Clients reportedly include US retail giant Kmart and US-based Folsom Corporation.
March 6, 2006: Sayem Fashions, Gazipur	3 dead, approximately 50 injured	Inditex, Charles F. Berg, Wet, Ada Gatti, Bershka Company, BSK Garments, X-Mail, Kreisy, Persival (not confirmed).
February 25, 2010: Garib and Garib	21 dead, approximately 50 injured	H&M, Otto, Teddy (brand Terranova), El Corte Ingles, Ulla Popken, Taha Group (brand LC Waikiki), Provera and Mark's Work Warehouse
December 14 2010: That's It Sportswear (Hameem Group)	29 dead, injured 11 seriously along with numerous minor injuries.	Gap, PVH Corp., VFCorporation, Target, JC Penney, Carter's (Oshkosh), Abercrombie and Fitch, Kohl's
December 3 2011: Eurotex (Continental)	2 dead, 64 injured	Tommy Hilfiger (owned by the US company PVH Corp.), Zara (owned by the Spanish company Inditex), Gap (US), Kappahl (Sweden), C&A (Belgium) and Groupe Dynamite Boutique Inc (Canadian) - either directly or via subcontracting

*Table 4.1. Timeline of Major Safety Incidents in Factories in Bangladesh, 2005-2011*

## **The Role of International Civil Society Organizations in Establishing the Workplace Safety “Problem.”**

After the rising number of death traps at the garment factories, the workplace safety issue has become the major policy problem, largely due to the advocacy of labor activists (Greenhouse, 2015) and international organizations (see Figure 1). A significant factor in establishing proper ethics and behavior has been the voluntary organizations that were actively working in support of safer workplaces in the apparel sector worldwide and played a key role in the implementation of the rules in these workplaces (Alam et al., 2017). The international allies, such as the Clean Clothes Campaign, Maquila Solidarity, International Labor Rights Forum and Workers Rights Consortium have been the most remarkable actors in influencing the multinational corporations on safety regulations (Anner, 2018). These organizations did not stop putting pressure on improving health and safety regulations in Bangladesh. Thus, they regularly called attention to the ongoing workers’ rights issues in the country and worldwide (International Labor Rights Forum, 2010).

- **The Clean Clothes Campaign (CCC)** formed in 1989 is the garment industry's largest alliance of labor unions and non-governmental organizations. With a network of 250 organizations worldwide it has national campaigns in 14 European countries and aims to improve conditions and support the empowerment of workers in the global garment industry.
- **The Maquila Solidarity Network (MSN)** aims to improve working conditions in global supply chains, and is a labor and women's rights organization.
- **Worker Rights Consortium (WRC)** is an independent labor rights monitoring organization, conducting investigations of working conditions in factories around the globe. The WRC is proud to have the support of over 175 college and university affiliates and its primary focus is the labor practices of factories that make apparel and other goods bearing university logos.
- **United Students Against Sweatshops (USAS)** is a student organization with chapters at over 150 universities, colleges and high schools across North America. USAS campaigns in support of service workers on their campuses and factory workers making apparel for their schools.
- **International Labor Rights Forum (ILRF)** is an advocacy organization dedicated to achieving just and humane treatment for workers worldwide. ILRF works to stop child labor, promote and protect the rights of working women, end sweatshop labor, and to end violence against trade unions. In addition, ILRF is focused through its Sweat Free Communities campaigns on the promotion of labor rights of garment workers especially in countries like Bangladesh.
- **The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)** is a voluntary federation of 56 national and international labor unions. The AFL-CIO union movement represents 11.5 million members, including 3 million members in Working America, its community affiliate.
- **International Textile, Garment and Leather Worker's Federation (ITGLWF)** is a global union federation of unions representing workers involved in manufacturing clothing and other textiles. Since 2005 with 217 member organizations in 110 countries was representing a combined membership of over 10 million workers
- **Bangladesh Center for Worker Solidarity (BCWS)** is one of the most prominent human rights organizations working to improve conditions in Bangladesh's garment export sector, the country's leading industry. It conducts worker rights training and legal and public advocacy to improve labor standards. Kalpona Akhter, the organization's executive director, is a former child laborer. Babul Akhter is the organization's second in command.

*Figure 2.2. Coalitions advocating the Apparel Industry in Bangladesh. (International Labor Rights Forum, 2010)*

Most noteworthy, the Clean Clothes Campaign (CCC) and the Maquila Solidarity Network (MSN) were closely involved in the process of creating a strong and binding agreement on fire and building safety in Bangladesh since 2010. These organizations were the main initiators in creating the “Memorandum of Understanding” (MoU), proposal that contained most of the provisions now found in the Bangladesh Accord, including independent building inspections, worker rights training, public disclosure and a long-overdue review of safety standards (Clean Clothes Campaign, 2018). It has been based on over a decade of work of unions and human rights NGOs in documenting and responding to a series of preventable disasters in factories, such as factory monitoring and safety programs among Bangladesh government, local suppliers and international buyers.

### **The Policy Stream**

Kingdon refers to potential solutions, evaluations, and analysis of a wide range of policy ideas and proposals directed to the solution of the problem as the “policy stream.” The policy stream relates to the many potential policy solutions that arise within communities of policymakers, experts and lobby groups, including academics, researchers and bureaucrats (Sabatier, 1988). According to Kingdon there is a matching process and not all ideas survive in the process of selection of proposals. ‘There is an almost unlimited number of solutions to those policy problems. Yet, few policy solutions will be considered while most others will not’ (Cairney, 2012, 183).

### **Global labor rights-related ideas and proposals.**

In the global garment industry, policy change efforts have always been dominated by corporations trying to maximize their profit. There were few government rules covering the safety and health of garment workers (Hensler & Blasi, 2013). However, numerous international and governmental guidelines have been developed in recent years to regulate how brands do business and how their business practices influence local communities. By adopting private labor standards (Bartley, 2007; Fransen & Burgoon, 2013) and through Corporate Codes of Conduct (Locke, 2013) there were earlier attempts to force companies to protect labor rights in their global supply chains. Since 2000, growing interest in global voluntary regulations, initiatives, and guidelines have resulted in different forms such as UN Global Compact, Global Reporting Initiative, and the Principles for Responsible Investments (Carroll & Shabana, 2010).

These international guidelines were created in the hope of regulating international brands' business activities and their practices in local communities (Faracik, 2017). Such mechanisms are The UN Guiding Principles on Business and Human Rights, UN Global Compact, OECD Guidelines (Clean Clothes Campaign, 2016). "Written in treaty-like language," the UN Global Compact, developed in 2000, has become the world's largest CSR initiative, with some 3,000 participating companies and forty national networks; it is unique among such initiatives for its extensive involvement in developing countries (Ruggie, 2007). According to international labor standards, global companies have a responsibility that the rights of workers are respected through their supply chains (Fransen & Burgoon, 2013). Therefore, by developing international guidelines, standards, and policies of the International Labor Organization (ILO) it was possible to implement some of the CSR regulations in this industry (Hohnen & Pot, 2007).

However, because the regulations were voluntary in such compacts as the UN Global Guidelines, the ILO Tri-partite Declaration of Principles on Multinational Enterprises and Social Policy, and the Global Reporting Initiatives (GRI), the agreements could regulate violations of international rules only to some extent. These three international human rights treaties and other international law instruments could not guarantee full support (Spar, 1998). Voluntary corporate codes of conduct were developed by the Organization for Economic Cooperation and Development (OECD), and International Labor Organization (ILO) but none were effectively implemented. The voluntary codes of conduct have long been the subject of debate and have been criticized as being used for public relations only or even to avoid effective controls of an internationally recognized public regulatory regime (Köhnen, 2002).

Indeed, the difficulties arose when the attempts have been made to hold companies to their commitments in the implementation process, “raising doubts about their credibility and effectiveness and the *de facto* authority of the actors involved” (Haar & Keune, 2014, 5). There have not been enforcement mechanisms for any of the treaties available in developing countries where most of the international companies have been operating. There has not been any other enforceable mechanism except for companies’ individual voluntary standards and accepted practices established by the Code of Conduct (Maillard & Lissac, 2004). Even though all the developing countries such as Bangladesh, Pakistan, India, China, and Laos were obliged to comply with international rules, there has not been any enforcement mechanism unless the state would also ratify the optional protocol to the respective treaty (Clean Clothes Campaign, 2015). For example, one of the principles established by ILO is Convention 155 on Occupational Safety and Health, which outlines action to be taken by governments and within enterprises to promote occupational safety and health and to improve working conditions. In fact, it has not been

ratified by the Bangladeshi government (Clean Clothes Campaign, 2012). The lack of an effective enforcement mechanism has been a big issue for ILO for many years (Alois, 2016). The ILO could only look at whether or not countries' domestic laws have been in compliance with international conventions (ILO, NORMLEX, n.d.). For the actual implementation of the law, ILO standards can only be useful if they are adopted appropriately, but still, it could only be applied to states, not to corporations (Murray, 2010).

### **Safety Initiatives in the Apparel Industry in Bangladesh**

As can be seen above, Rana Plaza was neither the first nor the last deadly accident in the Bangladesh garment industry. It was preceded by several other accidents killing 2,000 workers between 2005 and 2012, in which unsafe conditions, that most retailers refused to admit to before the Rana Plaza tragedy, were the main reason leading to several factory fires and building collapses (Shadat et al. 2016). After pressure from labor and human rights groups, later supported by civil society and social movement organizations ( Mccall, 1999), a growing number of multinational corporations' groups have been motivated to adopt their own codes of conduct and to submit to external monitoring (Heerdm, 2012; Sauvnt, 2015). The pressure resulted in the creation of several important initiatives such as the Fair Labor Association, Ethical Trading Initiative, and SA8000 (an auditable certification standard that encourages organizations to develop, maintain, and apply socially acceptable practices in the workplace) (Sobczak, 2012).

There is, however, an "asymmetry of power" between actors involved in the adoption and implementation of the CSR initiatives and the pressure groups operate under uncertainty, with no capability to implement new initiatives properly (UN Conference on Trade and Development, 2013). This has long been an object of criticism, especially in an environment

where ‘supply chains in the apparel industry are often highlighted as the archetypal buyer-led supply chains where large, developed-country brands exert significant downward pressure on their suppliers’ (Reinecke & Donaghey, 2015).

### **The Political Stream**

According to Kingdon, the political stream involves several factors that may ‘open windows’ of opportunity for “political entrepreneurs” to blend the problem and policy streams and get their preferred policies on the agenda (Kingdon, 1984). “Windows of opportunity” suggests that policy change requires a degree of at least confluence of events and actions in a short space of time (Carney, Zahariadis, 2016) because windows can close. Yet it also helps to capture the phenomenon of an “idea whose time has come”. In this research, the politics stream refers to factors such as international labor rights activists, pressure campaigns “waiting for problems to float by to which they can attach their solutions, waiting for a development in the political stream they can use to their advantage” (Kingdon, 1984, 149). It is also affected by what Kingdon calls “the national mood”. Followed by the case narrative, this part unfolds the details of different patterns with the different policy outcomes before the final agreement of the Accord.

#### **National mood.**

The political stream involves legislative and administrative turnover, the “national mood”, and the balance of power between participants such as interest groups (Kingdon, 1984). According to MSA, the political stream takes into consideration not only the country’s political situation, but it also depends on the reaction from interest groups and national mood.

According to Thiede & Thiede (2015), the Government of Bangladesh was a crucial vehicle for the initial growth of the garment sector. Since the emergence of the garment industry, Bangladesh's main comparative advantage has been its low cost structure, which turned the country into a primary-sourcing destination "making it more cost-competitive" (Thiede & Thiede, 2015). Meantime, while the garment industry in Bangladesh was booming, it was hard for the new government to keep up with the appropriate regulations (Khan & Rodriguez, 2013) and in this process, the Bangladeshi government has played a major role by encouraging high earnings from garment exports, without enforcing any responsibility for labor issues at the workplace (Kabir, 2016). The Bangladeshi government policy in relation to the development of the garment industry, "by and large, has been non-interventionist" (Muhammad, 2011). In addition to this, as a least developed economy, Bangladesh was exempted from the Multi-Fiber Agreement (MFA) quota regime and benefited from preferential access to the developed countries (Sadique et al., 2018). In particular, having a quota for MFA was one important factor that favored the industry policies and other institutions on the international market (Khan, 2019). Thus, the Bangladeshi government has been using the exemption as an incentive for international investors, while maintaining a hands-off policy in the area of factory safety (Kabir, 2016).

On the other hand, while the major goal of Bangladeshi government in this period was economic growth, the global corporations from the United States and Europe have been deeply involved in the local political system, using their economic power to promote policies that would favor their corporate interests (Ward, 2004). It has become obvious that the global corporations were protecting their corporate interests and image in engaging in voluntary programs, rather than actually addressing labor violations (Peels et al., 2015). While global brands create jobs, they take advantage of the parts of the world by the exploitation of their workers, where

“demand for their services and products are high, while cheaper labor is available” (Alam, 2017, 15). Oftentimes, in an attempt to show that they are ahead of their competitors, companies would apply a CSR measure to enhance their corporate image, to show that their business is actively promoting social and environmental standards. In spite of frequent factory fires that raised the number of deaths, no owner has faced any legal action by the government. Instead, the Bangladeshi government assisted factory owners to suppress any labor organizing attempts while supporting factory construction without proper authorization. In addition, the political elite’s ties—often familial—to factory owners reinforced their ignoring requests from international organizations to address worker safety (Muhammad, 2011). Knudsen (2017) writes that garment factory owners could also avoid the regulations without significant consequences and moreover, “many members of parliament were themselves garment factory owners, creating both incentive and means for the state to repress labor in that sector” (Knudsen, 2017, 179). Enforcement of disclosure-based CSR regulations has been more limited and the penalties for non-compliance have not been not as severe. Consequently, the lack of government intervention against the horrific working conditions, and the absence of the appropriate knowledge from the workers’ side implied that major CSR issues such as poor health & safety and working conditions have become the norm in the Bangladeshi garment sector for many years. Accordingly, the whole nation would not expect that the circle of “blindness” would improve in the near future (Stanwick & Stanwick, 2015).

However, equally important is the fact that, as a result of the feminization of the working class, as has been mentioned above, since 2006 the women workers have become the main workforce expressing the national mood against injustice (Muhammad, 2011). In the absence of trade unions, as a new social force, women workers started protesting against long working

hours, low wages, and verbal and physical abuses. Consequently, they could mobilize different protests against the politics of corporate governance, after which the workers have been supported by the whole society except the factory owners.

### **Policy entrepreneurs and stakeholders.**

As a result of the series of protests, the Bangladeshi government, the BGMEA, and the factory owners could have reached an agreement to some degree on minimum wages, and safety issues. However, still, there was huge pressure from an international corporation such as Walmart and Carrefour, which used their leverage to beat down prices and wages all over the world. “Both companies called up the Bangladeshi government for assurances on deliveries when 1,000 factories were shut down during the strike actions” (Muhammad, 2011).

Besides lobbying and funding campaigns, the corporations have been influencing the local government to favor their business interests through regulatory agencies (Barua, 2016). And the corporations have formed large trade groups to exert collective influence. The Bangladesh Garment Manufacturers and Exporters Association (BGMEA) has become one of the most influential political and economic actors since 1982. The federations of factory owners, both the Bangladesh Garment Manufacturing and Exporting Association (BGMEA) and the Bangladesh Knitwear Manufacturing and Exporting Association (BKMEA), formed the “powerful lobby groups” (Barua, 2016).

Lack of transparency and horrific conditions for Bangladesh factory employees have been part of the conversation of human rights and labor advocates for many years (Finnegan, 2013). While labor advocates and social reformers began to support workers’ efforts to organize the strikes, the strikes were usually broken by the government (Clean Clothes Campaign, 2015).

Thus, “the government task force remained largely limited to the compiling of long lists of improvements needed, most of which were already established in Bangladesh law, and did little in the way of implementation or enforcement” (Clean Clothes Campaign, 2012). Policies and regulations were supported by the government leading to many fatal accidents (Villanueva et al., 2016) and establishing an appropriate regulatory system was very hard.

Nothing changed until a fire at the Garib & Garib Sweater Factory in Dhaka, which killed 21 workers and resulted in the Health and Safety Action Points codified (HSAP) by Clean Clothes Campaign, the International Rights Forum, Maquila Solidarity Network and the Worker Rights Consortium (WRC). TEMA, Nike, Walmart, H&M, Levi’s, Tesco, Primark, and Inditex to discuss brand approaches to health and safety in Bangladeshi factories with no government representative (Clean Clothes Campaign, 2013, July 8). With the support of international organizations such as the Clean Clothes Campaign (CCC), the Workers’ Rights Consortium (WRC), International Labor Rights Forum (ILRF) meetings were organized that brought together trade and industry unions. Development of their proposals was initiated by Bangladeshi unions and the International Textile, Garment and Leatherworkers Federation (ITGLWF). The aim was to address the safety violations that were the failure of the companies’ voluntary efforts. Two weeks later fire in the “Sportswear” factory happened, killing 29 more people. The factory was producing for JC Penney, VF Corporation, Gap, Phillips-Van Heusen (now known as PVH Corp), Abercrombie & Fitch, Carters, Kohls and Target. By the year 2011, the negotiation process turned out to be more representative. The new program had been controlled by multi-stakeholder groups, in which both local government and international unions and NGOs participated. The main advocates for this initiative were Bangladeshi unions, international labor

rights groups and other NGOs with the aim to establish a new program for future collaboration (Clean Clothes Campaign, 2013, July 8).

In March, PVH Corp. signed the Memorandum of Understanding with the Bangladeshi and international labor rights groups and trade unions, including the ITGLWF, CCC, ILRF, WRC, and MSN to implement a fire and building safety program in Bangladeshi garment factories. After this, The Gap. Inc, which was part of this earlier collaboration, in 2012 announced that they would not collaborate with this proposal and they would go along with the same self-regulatory approach, unwilling to sign the agreement which consisted of binding commitments, one of which is building regulations and enforcement mechanism. Unlike GAP, Tchibo was another company that entered into the Joint MoU with a group of non-government organizations. The groundbreaking initiative MoU contained most of the provisions now found in the Bangladesh Accord, including independent building inspections, worker rights training, public disclosure and a long-overdue review of safety standards (Clean Clothes Campaign, 2013, July 8).

Phillips Van-Heusen (PVH) was the only international brand signing the legally binding agreement, followed by the German company Tchibo, setting the first precedent in the creation of the initiative of its kind in the global garment industry (Thomas, 2018). In 2012 International Labor Forum evaluated PVH's decision as to the one step forward in creating a safer environment for factory workers, with the hope that other multinational brands would follow the same path of obligation. (International Labor Rights Forum, 2012).

Unfortunately, all the previous accidents attracted little attention from international brands. Thus, the existing CSR policies could not prevent further tragedies, which resulted in another fatal fire at the Tazreen factory in Dhaka in 2012 where at least 117 workers were

confirmed dead followed by another small factory fire in 2013 (Engel, 2013). Since the Tazreen Fashion fire in November, retailers have developed one more, their own safety program focused on policies such as monitoring and training but neither had enough transparency and the level of accountability and “most of the global apparel brands were trying to do more of the same” (Fox, 2013, n.d.).

Having unclear characteristics, the parallel proposal was led by industry organizations and other companies such as Wal-Mart, Tesco, Carrefour and Migros under Global Social Compliance (GSC). Their vague program was limited to some fundamental elements of binding actions and was coordinated by the German Development Agency- GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit) (Clean Clothes, Campaign, 2013). Meantime, on the national level in January of 2013, the National Action Plan (NAP) was proposed by trade unions and Bangladesh government with the support of IndustriALL which was not specifically addressing international buyers. They agreed to discuss the possibility of developing a single unified proposal on April 29 in Geneva along with the IndustriALL and some advocates of labor rights organizations CCC, WRC, ILRF. The brands would address the key principles acceptable to trade union representatives and NGOs.

### **The Focusing Event: The Rana Plaza Collapse**

Focusing events or crises are the special categories of problems (Birkland, 1998) that influence the public-policy making process and highlight the key challenges that exist among different actors (Kingdon, 1979). Identified as unpredictable, events are vivid and have high visual influence and demands the response to highly salient issues (Cairney & Zahariadis, 2016). The narrative emphasizes the Rana Plaza tragedy in Bangladesh as a focusing event.

On April 24 in Dhaka, the Rana Plaza building collapsed which caused a protest both in the capital Dhaka and abroad. As a result of unhealthy working conditions and the lack of safety standards, the Rana plaza accident killed more than 1,134 apparel workers. Many of these factories had been audited in the months leading up to the collapse—yet these audits failed to identify or correct the safety violations that would lead to disaster (Aldermnan, 2013). What makes this tragedy even more shattering is the fact that just a day before the collapse, the workers reported about the big faults in the walls of an eight-story building, but they have been forced to finish orders for some of the major North American and European clothing brands (Banjo, 2013). Shortly after this warning from the workers, the building with almost 5,000 people collapsed. The horrible visual images were spread through media with added unprecedented attraction from different parts of the world. As soon as dramatic visual images generated world-wide attention, the demand for improved business responsibilities reached their peak (Fox, 2013). Thus, negative publicity provoked a change in the unethical behavior of those multinational brands which have been criticized for years for their unethical working conditions (Manik & Yardley, 2018). In fact, not only retailers but also several international brands such as JC Penney, The Children’s Place, and Walmart refused to admit their factories’ unsafe conditions. Some of them refused to have any ties with the Rana Plaza factory at all ( Reinecke & Donaghey, 2015).

As a result, the warning from the European Union was unprecedented. EU foreign policy chief Catherine Ashton and trade commissioner Karel de Gucht made a special statement declaring that “the sheer scale of this disaster and the alleged criminality around the building's construction was finally becoming clear to the world” ( BBC, 2013). The criticism initiated by international labor advocates, and now, protests in Bangladesh and in many European countries,

now posed reputational threats to a large apparel corporations (Aldermant, 2013). Only several hours after the tragedy became public, media and international organizations began to demand the appropriate reactions from the brands (AL-Mahmood & Banjo, 2013).

### **Policy Window/ Mobilizations of Different Groups After the Rana Plaza Tragic Event.**

According to the Multiple Stream Approach, events in the “problem stream” give policy entrepreneurs with ready ideas a “fleeting opportunity” to incorporate policy issues on the agenda (Zahariadis, 2006). To clarify the formation process of the Accord’s formation and ascent to the policy agenda, it is vital to follow the story of the agreement chronologically.

<b>Feb 2010</b>	Garib& Garib Fire kills 21: CCC launches April 11 Safety demands
<b>Dec 2010</b>	(Local)Unions, CCC WRC, propose plan after That’s it fire kills29
<b>April 2011</b>	Plan promoted at ITGLWF – led the meeting in Dhaka, brand reject
<b>March 2012</b>	PVH signs agreement after ABC News story
<b>Sep 2012</b>	GAP refuses to sign bunding safety commitments
<b>Sep 2012</b>	Tchibo (German retailer) signs
<b>Nov 2012</b>	Tazreen Fashions fire kills 112
<b>Jan 2013</b>	Smart Export fire Kill 8
<b>April 2013</b>	Rana Plaza collapse kills 1,134
<b>May 2013</b>	Tung Hai fire kills 8
<b>June 2013</b>	Over 60 brands sign Accord on Fire and Building Safety in Bangladesh
<b>Jul 2013</b>	Implementation begins

*Table 4.2. Summary of Actions in Brief before the Final agreement of the ACCORD*

The picture was clear: CSR policies failed. The international brands faced the reality that some of the old rules simply did not work. The collapse showed how weak the system of voluntary compliance and self-monitoring was. Most importantly, they could not ensure all required remediation. In the new paradigm, there was a need to take action on safety issues to

satisfy not only workers' demands locally but also the demands from the customer for more radical transparency and an effective compliance mechanism (Sugden, 2013). After all, the government's concern revolved around the loss of privileged access to the country's biggest market (Bangladesh which had quota-free access to EU markets through the special program allowing 48 of the poorest nations unlimited export) (Sadique et al., 2018). New government agencies have gotten involved to establish appropriate safety regulations. The global reaction to the Rana Plaza collapse highlighted the demand for improved 'real' business responsibilities (AL-Mahmood & Banjo, 2013). Accordingly, the Rana Plaza tragedy became the turning point in the history of the international garment industry (Alderman, 2013). Threatened from the European Union and other pressure groups, the apparel corporations found that they needed to portray themselves in a better light; this would bring the brands in compliance with health and safety regulations and advance workers' safety. Reinecke and Donaghey (2015) found that both the garment industry and labor rights activists have engaged in an effort to portray the tragedy in a manner that would favor their policy preferences:

Global union federations, especially IndustriALL and UNI Global Union, with the help of their previous international framework agreements and consumer and labor rights campaigns, by creating damage to the image of the apparel brands, paved the way for negotiations with corporations as strategic partners rather than acting as opponents (Reinecke & Donaghey 2015).

The pressure from human rights and global labor advocates led all multinational corporations to the biggest collaborations in the global garment industry. AVAAZ, a global advocacy group reported that "negotiations end in days" (AVAAZ, 2013) and multinational brands, trade unions, and other invested groups signed two international, widely publicized

agreements: The Accord on Fire and Building Safety and The Alliance for Bangladesh Worker Safety.

**Policy Outcomes/ Success or Failure.**

The most important outcome after this tragedy was the adoption of the two initiatives on the international level--the Accord (European origin) and the Alliance (North-American origin). Almost immediately, three weeks after the disaster, more than forty worldwide brands and retailers joined the first transnational initiative, a five-year, independent, legally binding Accord on Fire and Building Safety in Bangladesh (Clean Clothes Campaign, 2013, September). The agreement was signed between global brands and retailers, and trade unions, and was designed to build a safe and healthy Ready-Made Garment (RMG) industry. The program has been built in close cooperation with Bangladesh's National Tripartite Plan of Action on Fire and Building Safety (NTPA) in collaboration with the Alliance for Bangladesh Worker Safety, by establishing common programs, liaison and advisory structures (Clean Clothes Campaign, 2017).

WHAT ARE THE DIFFERENCES?	
THE ACCORD	THE ALLIANCE
<p>The Accord has signatories all over the world.</p>	<p><b>SCOPE</b></p> <p>The Alliance is a project of North American brands only.</p>
<p>Global and local union Federations sit on the decision making body.</p>	<p><b>WHO SITS AT THE TABLE?</b></p> <p>The Alliance is a corporate scheme without worker involvement.</p>
<p>The Accord publishes all progress reports on the website.</p>	<p><b>TRANSPARENCY</b></p> <p>The Alliance only states if remediation is "on track".</p>
<p>The Accord trains safety committees at factories and handles complaints.</p>	<p><b>WORKER EMPOWERMENT</b></p> <p>The Alliance runs a third party helpline for workers to get advice and report.</p>
<p>The Accord is legally binding. Arbitration against non-compliant corporations can be started by worker representatives.</p>	<p><b>ENFORCEMENT</b></p> <p>Workers have no way to enforce the agreements of the Alliance and corporations can leave the Alliance at any time.</p>

Figure 4.1: Differences between the Accord and the Alliance (Clean Clothes Campaign, 2018)

The Accord signatory companies were mostly European in origin. Among the most recognizable names were Adidas, American Eagle, Benetton, H&M, Hugo Boss, Marks and Spencer, PVH (parent of Calvin Klein, Tommy Hilfiger and Izod), Tchibo, Tesco. It was supported by the earlier same labor rights advocates such as IndustriALL, Global Union, ILO, and other international organizations--the European Commission, UNI Global Union (representing workers from 140 countries). It has been endorsed by the secretary-general of the United Nations, the International Labor Organization, and the Organization for Economic Cooperation and Development (Reinecke & Donaghey). It aims at transparent inspections, health and safety training, and worker empowerment, “time-bound and financially-supported remediation of health and safety risks, and real repercussions for suppliers that refuse to comply” (Clean Clothes Campaign, 2017).

With the aim to address the fundamental weakness of voluntary compliance, this is a key strength making the Accord different from the Alliance. The significance of the Accord's enforcement provisions lies in these key elements that show how weak was the problem-solving standards of global CSR regulation before the Rana Plaza disaster (Haar & Keune, 2014). It has been reported that this is the first initiative involving multiple brands and retailers in which the companies have made detailed, legally enforceable commitments to implement international labor rights protections (Hesler & Blasy, 2013). "Transparency and reporting requirements, and accessible complaints mechanism and an explicit dispute mechanism, these are all legally binding on the signatories that would guarantee the concrete actions" (Clean Clothes Campaign, 2017).

The Alliance for Bangladesh Worker Safety was another collaboration, signed three months after the Rana Plaza tragedy. The Alliance (AFBWS), was a binding, five-year collaboration, with the same intent of improving safety in Bangladeshi ready-made garment (RMG) factories, signed among the North American companies. It was initiated by the U.S. Bipartisan Center, chaired by US two senators. It should be noted that Alliance signatory companies such as GAP, Macy's, Target, Walmart, Hudson's Bay, owners of Saks Fifth Avenue and Lord & Taylor, did not sign the first initiative – the Accord, because of the legal liability concerns (Clean Clothes Campaign 2013). The legal obligation of this initiative has been limited to claims between the companies that signed it in order to maintain the same commitment to each other (Haar & Keune, 2014). Besides fewer legal commitments, later the Alliance had challenges in the financial part that would support the improvements at the supplier factories. Notably, five labor rights groups, including the Worker Rights Consortium, the Clean Clothes Campaign, and

United Students Against Sweatshops critically assessed the American plan for being “company-developed and company-led” (Greenhouse & Clifford, 2013).

In addition to international initiatives after the Rana Plaza tragedy there was another agreement on the domestic level - the National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-made Garment Sector in Bangladesh (NTPA), initially developed from the earlier NAP created after the Tazreen accident in 2013. The ILO has an advisory role and offers technical assistance (ILO, 2013). The National Tripartite Committee is in charge of implementing the NTPA. It was considered as the most successful initiative in the history of the government of Bangladesh, with the agreement signed by the Ministry of Labor and Employment with the assistance of the International Labor Organization (ILO) and supported by international stakeholders, with the planned activities in the timeframe between 2013 -2014 (Barua, 2017).

Another significant result after this tragedy was the change in Bangladeshi labor legislation through the Labor Amendment Act, giving the right to Bangladeshi garment and textile workers to form trade unions, which also influenced health and safety, labor-management relations, welfare, and retirement (Reinecke & Donaghey, 2015). After the active involvement of labor unions, the decade of noncompliance to labor laws caused by Bangladesh’s political instability has significantly changed since 2013. Having pressure from international organizations, the Export Processing Zone (EPZ) Labor Law was adopted in 2016 there have been remarkable changes in labor legislation after 2013. This secured for workers the right to form trade unions and contest health and safety issues at the factories ( Fransen & Burgoon, 2013). “These accomplishments are all the more impressive considering that the Accord is the

first binding supply chain agreement ever implemented in the global supply chain” (Clean Clothes Campaign, 20019).

To sum up, initiatives after this tragedy have led to a positive impact on fire and building safety in Bangladesh (Clean Clothes Campaign, 2019). In particular, the Accord that could replace a company’s own CSR practices led to greater accountability in the global supplier factories and an enforcement mechanism that would guarantee more transparency in the governance of CSR (Zimmer, 2016).

### **Unfolding the Accord.**

The following analysis focuses on the Accord since it has been widely considered as having created more successful implementation and compliance mechanisms than the Alliance. The Accord represents the culmination of years of work by trade union and labor rights organizations to develop and gain agreement on worker representation on industry regulation bodies.

Provision	Effectiveness
Dates in effect	15 May 2013 – 31 May 2018
Company signatories	222
Factories covered	1,600
Workers covered	2 million
Initial fire, electrical and structural inspections	>2000 factories
Follow-up fire, building, electrical safety inspections	25,000
Safety Committee and Safety Training programs established	>1000 factories
Health and Safety complaints resolved	200

*Table 4.3: The Accord’s Provisions and Indicators of Effectiveness*

Additional key provisions of the Accord are as follows:

- Independent inspectors

- Transparency: Public disclosure of all initial inspection reports and Corrective Action Plans (CAPs)
- Union involvement in the training program
- Right to refuse unsafe work
- Worker health and safety committee
- Buyer support for remediation
- Commitment to continued sourcing
- Support for workers displaced by the remediation
- Dispute resolution structure
- Coordination with NAP
- Recognition of Company Inspection Programs

The Accord has two offices - one in Dhaka and the other in Amsterdam - to oversee and coordinate its activities, with 95 staff. The most powerful part of the agreement of the Accord lies in its binding nature. It contains substantive enforcement and arbitration provisions which were revolutionary in 2013 and set a standard for transparency (Haar & Keune, 2014). The Accord is, according to legal scholars, unprecedented in its scope and legally binding nature (Reinecke & Donaghey, 2015) and could create “coalitional power to establish a collective agreement with 180 brand-name companies” (Reinecke & Donaghey, 2015, 721). The crucial element is the enforcement system, which includes an escalation procedure for factories that do not comply with it, and an arbitration process in which the signatories can force compliance with the agreement (Haar & Keune, 2014). Specifically, the Accord’s governance and dispute-resolution mechanisms distinguish it from previous agreements and from the Alliance.

Governance of the Accord is through a Steering Committee (SC) with equal representation from the trade union signatories and the company signatories, with a maximum of three seats each and a representative from the ILO as an independent chair (Zimmer, 2016). The SC is supposed to reach decisions by consensus, otherwise through majority votes. The dispute resolution under the Accord is based on the standard international commercial arbitration model. The disputes are addressed by the SC for resolution using the United Nations Commission on International Trade

Law (UNCITRAL). If this fails, the dispute can be solved through a binding arbitration process, which is enforced under the New York Convention in a court of law of the signatory's home country against whom the verdict is given.<sup>1</sup>

Thus, in the words of the Worker-driven Social Responsibility Network (2018): “The Accord is the most effective labor rights initiative ever carried out in contemporary apparel supply. The Accord’s life-saving work has eliminated more than 90% of the safety hazards originally identified by Accord inspectors. As a result, more than 2.5 million garment workers are now employed in vastly safer factories.”

### **Renewal of the ACCORD/ Longer-Term Policy Effect.**

Even though both agreements were designed to last five years, it is only the Accord that has been renewed for 2018-2023 after the development of recommendations for enhancing the terms of the Accord (Clean Clothes Campaign, 2017). Besides having fewer and less-binding legal commitments, the Alliance had challenges in the financial part that would support the improvements at the supplier factories (Greenhouse & Clifford, 2013). Having its noteworthy achievements and transparent work of the five-year term, the Alliance has been completed after which “it has transformed into a widely renowned training program and helpline to local partners to work through a locally-based organization and collectively monitor safety standards” (Clean Clothes Campaign,

It is too early to discuss the implementation and the compliance mechanism in the longer term, but the development in the CSR policies that happened for the last decade is remarkable (FashionUnited, 2017). As it stated in the Accord II, ‘such renewal is essential to ensure that the

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<sup>1</sup> See <http://newyorkconvention.org>

gains achieved by the Accord are sustained and that the additional factories that come into the supply chains of the Accord brands and retailers are properly inspected (ILRF, 2017).

### **Remediation progress after Corrected Safety Hazards in Accord “inspected”**

#### **Factories.**

To demonstrate the progress of major policies that were adopted after the Accord—and to show the way in which it represented a “punctuation” in the equilibrium of factory inspections, reports of the Accord signatory witness organizations were examined to look at the changes in factory accidents and worker casualties before and after the Rana Plaza collapse and signing of the Accord. The Clean Clothes Campaign, which is one of the biggest alliances in the garment industry for labor unions and non-government organizations, offers analysis on workers’ safety and improving working conditions. Time-series data based on the Clean Clothes Campaign website indicates that over the 2010-2018 period safety conditions in Bangladesh changed significantly after correcting safety hazards. Changes are noticeable in the inspection reports, particularly compared to the previous inspections led by industry audits who tend to be ignoring the most critical safety issues.

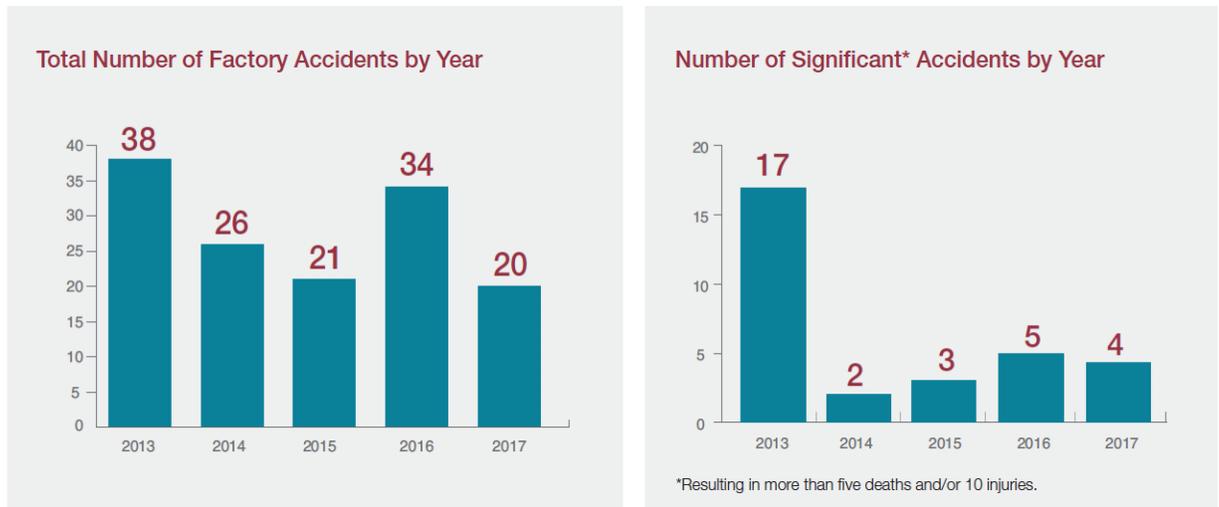


Figure 4.2. Bangladeshi Garment Factory Accidents by Number since 2013. Adapted from “Five Years After Rana Plaza: The Way Forward by Baumann-Pauly, B. Center for Business and Human Rights, NYU Stern. (2018).

To date, the Accord's enforcement system, run by a transnational team of labor auditors, union and worker advocates, has inspected about 2,000 factories and identified tens of thousands of hazards, from faulty wiring to foundering building structures (Clean Clothes Campaign, 2018). At the start of the Accord, some 969 factories had inadequate circuit breakers, a crucial potential cause of fires. By March 2018, 82.8 % of these cases were fully remediated. And while 97% of Accord factories in 2013 lacked safe means of egress due to lockable or collapsible gates, by March 2018, 96.5% of factories had addressed this issue (Clean Clothes Campaign, 2018).

As a result of inspections about 100,000 safety incidents were identified, ranging from structural damage to unsafe working conditions. To date, 50,000 of these violations have been corrected. The data (Bangladesh Accord, 2018) shows that safety in the workplace has changed significantly after correcting safety hazards. The factory auditing system indicates that 2013 was a milestone year when increased collaboration with suppliers and industry peers on important issues like fire and building safety began. Since 2005, the unsafe conditions have tragically killed

almost 2,000 Bangladeshi workers in fire and building safety disasters—all of which could have been prevented. Many of these companies had audited the factory in the months leading up to the collapse—yet these audits failed to identify or correct the safety violations that would lead to disaster (Anner, 2018).

Figure 4 shows the number of worker casualties in unsafe garment factories since 2010. It makes clear that the growth rate significantly decreased from 2013 on, while from 2000 to 2013 at least 339 workers were killed (though 2019 bucks the general trend). It is obvious that improved auditing systems could help to avoid the death of hundreds of workers that determine effectiveness, the strength, and the weakness of the provisions of the Accord programs. Serious accidents are less likely to happen after the remediation plans.

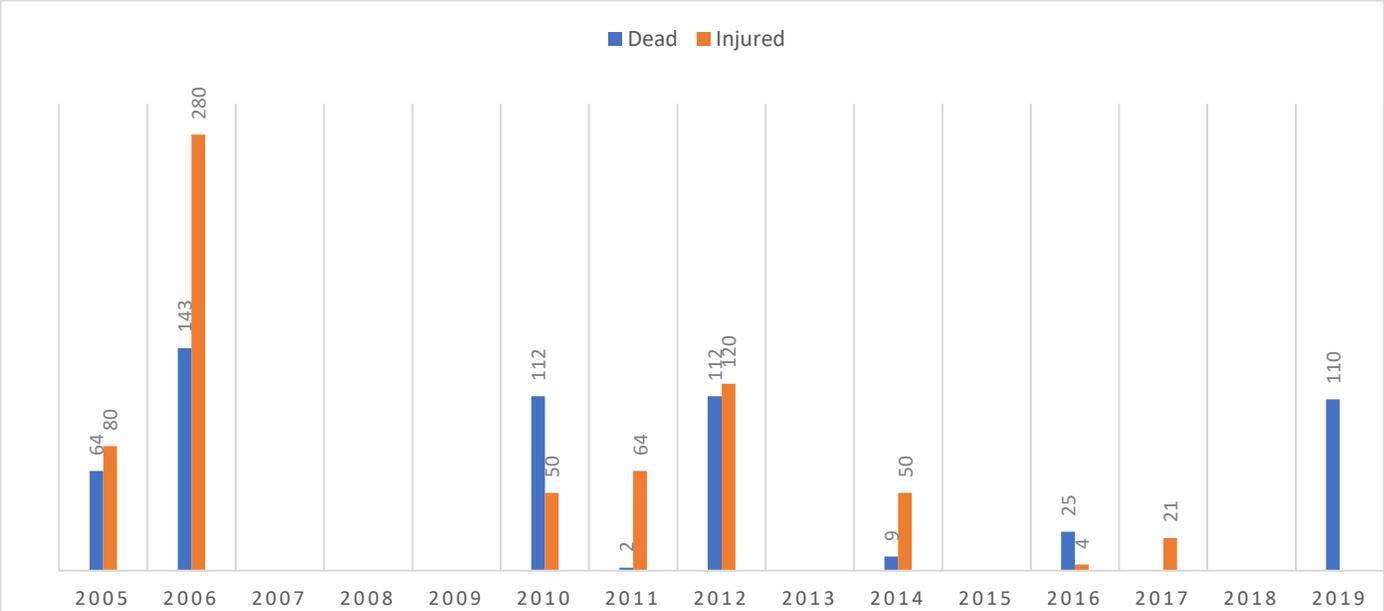


Figure 4.3. Non-numerical Factors for Determining the Level of Progress.

In addition to the quantitative indicators, for a broader understanding of the changes, qualitative indicators also worth noting. To demonstrate the extent to which the major catastrophic event could change the CSR approach in the whole system ten international

companies' CSR reports have been reviewed over eight years (Benetton Group., Carrefour., H & M., Marks & Spencer, Loblaws., PVH Corp., Primark, ABF., Gap, Inc., Tesco PLC., Inditex).

The main goal of using the official CSR report was to accumulate companies' viewpoints to help define and shape their initiative and structure over a period of eight years. Particularly, it has been designed to determine how much the brands have been motivated about their supply chains, what kind of policies they have in place and importantly, how much has been changed in their practices in regard to workers' safety during the time. Most of the companies discussed did have broad information about their recent CSR activities on their official webpages that helped to compare policy changes, with a large overall impact on the ability to progress year on year and how these changes do affect. By reviewing the companies' implementation process in the longer term, the design aimed to reveal the scale of the companies' enthusiasm in CSR reporting, particularly in the aspect of their supply chains and workers' safety.

The data study from the reports which they show on their websites varied by background, but despite these differences, the companies showed shared experience after the Rana Plaza accident. The data from the companies' reports have indicated the brand-specific progress, how the companies built their obligations into their publicly available reports that have never existed before or were not publicly available until 2013 at all.

Significant differences have been found since 2010 while tracing the brands' CSR reports, covering the issues about their supplier factories. The findings show that the companies have been increasing disclosure and made more policies and commitments for worker safety than they did before the Rana Plaza tragedy. After the Rana Plaza collapse, their CSR reports have become more transparent and they have started identifying their particular interest to make CSR more central matter in their businesses. It shows that the annual reporting about their supply

chains in their CSR has become a commonly-used obligation that indicates the increased level in companies' commitments for workplace safety issues.

Their reporting mechanism indicates that major brands are having more talks about policies and commitments in this regard after 2013, which provides some hope that CSR commitment overall is heading in the right direction, contributing to establishing a new norm for global CSR in industry. This is the one way, the most remarkable change that brings the brands together, a collective process to establish jointly what each is doing with their business approach, which is “an important step in a holistic effort to improve corporate accountability in global garment industry” (Baumann-Paulay, 2017, 22). The most remarkable change is the fact that the companies are paying much more attention to this particular aspect of CSR than ever before. The companies' CSR policy and practices have contributed to the consistency and quality of the companies' approach in their supply chains globally.

### **Overall summary of the brands' CSR policy commitments**

Overall, the data discussed here support the view that the Bangladesh Accord has played a pivotal role in creating confidence and improving working conditions, showing the potential to persist in the longer run. The data illustrate first, that the change after the Rana Plaza is meaningful, implying that the successful collaboration could prevent the record number of deaths at the garment factories. And second, the data show that the brands are having more talks about policies and commitments that has resulted in a radical reform that have changed the way the corporations think about global CSR standards in the garment industry (Zimmer, 2016).

### **Conceptual Findings.**

Theory can offer us a generalizable framework that can apply across different settings and individuals; the opportunity for incremental accumulation of knowledge; and an explicit framework for analysis (McEvoy et al. 2013). In this study, applying theory has been an attempt to obtain deep insights and a fuller understanding of CSR practices and to check the extent to which these theories help to explain such methods. Therefore, the findings have been applied to a theoretical framework.

According to Kingdon (1978), policy-window openings could sometimes be triggered by apparently unrelated external focusing events, such as crises, accidents, or the presence or absence of “policy entrepreneurs” both within and outside of governments. The Accord which emerged in response to Rana Plaza is a prime result of all the actors that came together with the aim to create a new mechanism for CSR regulation. First, the problem stream emerges when the existing condition is defined as a problem (Kingdon, 1978) – in this case, first by labor advocates and unions, but not by corporations and policymakers. By capturing the attention of the whole international society, represented by non-government actors, also by corporations and both the Bangladeshi state and the EU, the Rana Plaza collapse could open the window of opportunity to the global labor advocates to push their preferred policies onto the broader agenda. Additionally, with the support of the national unions, they have played a key role in the articulation of demands and the development of international regulation, such as the International Labour Organization’s (ILO) tripartite regulatory activities (Fair Labor Association, 2017). The one way that advocacy groups with the labor activists could mobilize worldwide attention was a well-timed pressure based on mass-mediated images that could force the companies to agree on their earlier announcement of the MoU. They made the companies, which were protecting their image for many years with the support of the Bangladeshi government, to change their politics. This

fact mirrors Kingdon's argument that 'communities of policy specialists develop proposals in anticipation of problems' (Kingdon, 1984, 122). Therefore, this is an example of what is meant by the argument that "issue's chances of making it to the top of the agenda increases when skilled policy entrepreneurs show policymakers, during open policy windows, that the problem can be solved by an already-available solution which has been well received within policy networks" (Cairney & Zahariadis, 2016, 103). By pushing on the Accord and the Alliance, labor advocates could move forward with their claims. In the same way, by propagating sensibility towards the issue, the labor advocates could lead their solutions of the policy initiatives of the Accord that most companies have been opposing for many years, not just because of safety concerns but because of the new enforcement mechanism of the initiative (Haar & Keune, 2014). The negative publicity from the press and television displayed the unethical behavior of those multinational brands which had been criticized for many years (Stanwick & Stanwick, 2015). Moreover, the Rana tragedy once again highlighted the brand names as particularly troubling (Alderman, 2013). After all, there was no time to compete with the proposals that would have stronger support from the powerful political actors.

Equally important has been the role of media. By articulation of the problems supported by the reports from the interest groups, they have been involved in creating not only national but international mood as well (Alderman, 2013). In this case, Kingdon's idea about media involvement has not been quite true as he argues about their effect on policy and agenda-setting. According to Kingdon (1995), media has less influence on getting issues on the governmental agenda and for them, it is more likely to follow ideas than to create them. In contrast to Kingdon's opinion, the media, with the support of activist groups, was able to influence the international community and express their opinion toward the problem. At the same, time this

fact exemplifies the argument that in many cases, “crises act as a ‘triggering event’, focusing public, media and government attention to an issue previously lower down to the agenda” (Baumgartner & Jones, 1993, 150).

In short, the tragedy of the Rana Plaza collapse could bring these three streams together in such a way in which the strategic representation of non-government organizations could be dominant on the political agenda. Further, the evidence of policy implementation from external actors can be clearly seen by the groups’ pushing the earlier MoU and signing the Accord, as the most effective solution to the problem. Starting from 2010, each of these accidents was followed by smaller, clearly inadequate solutions, at least until PVH signed the MOU. While in Kingdon’s view, window-openings could sometimes be triggered by apparently unrelated external focusing events, here, the focusing event was clearly in the “problem stream”—1,135 workers died—and this made the claims of labor activists who had already been preparing policies to address the problems more able to become dominant with their claims and react in a timely manner with their already prepared policies.

Kingdon (1984) also suggests that “problems are often not self-evident by the indicators. They need a little push to get the attention of people” (1984, 99). In the case of the previous factory tragedies, which have been inspected by corporate-funded auditors who could not prevent the accidents, the inspectors failed to show any life-threatening conditions and security risks by pushing them into the media. In Kingdon’s multiple streams framework, people must be convinced that the problem exists and that politicians need to change current policies. At this point, the Rana Plaza tragedy, with the highest rate of death, helped to provoke the understanding of the real problem in the garment sector largely because of NGO coordination with mass-media outlets to push the window open and make the event focusing. Only then could politically

disfavored and previously rejected policies be pushed up the agenda and widely adopted. Developing from a single focusing event, the problem stream has been wide enough to accommodate the ideas of the rest of the streams:

Change also requires that a feasible policy solution exists – and solutions cannot be produced at short notice. They often develop over years or decades. To deal with this disconnect between attention and the time it takes to produce solutions, communities of policy specialists develop proposals in anticipation of problems (Kingdon, 1984, 134-6).

According to the Multiple Streams Approach, a crisis in one area can drive policy changes in a given domain more globally. The Rana Plaza was a catalyst in CSR policy changes globally. “Sadly, only the bad publicity from the 1,134 deaths of the Rana Plaza collapse was able to convince a sufficient number of brands to finally start addressing this problem structurally and cooperatively” (Clean Clothes Campaign, 2018). As the Clean Clothes Campaign noted in its 2018 report:

“The Rana Plaza Arrangement represented a departure from prior efforts to win loss-of-income payments for workers, which were based on ad hoc agreements, won through high profile public campaigning and funded through voluntary brand contributions. It was designed to establish principles and practices on which a more permanent scheme could be based” (Clean Clothes Campaign, 2018, April).

### **CSR Policy Development since 2010 as a case of Punctuated Equilibrium.**

While going back to the different levels of decision making with the initiatives since 2010, it would be useful to make practical and effective use of the Punctuated Equilibrium Theory. The frequency of CSR policy changes in the garment industry reflects the pattern of punctuated equilibria: the agendas are stable most of the time until there is a dramatic change that requires the attention of particular policy areas. Baumgartner and Jones (1993), just like Kingdon, pointed out that sometimes policy shifts dramatically and rapidly and if it happens, it happens big and fast. After the Rana Plaza collapse, significant changes happened so rapidly, whereas the accidents before produced no urgency, as they were relatively smaller and attracted little attention. Starting from the Tazreen accident until the Rana Plaza collapse, it has been a difficult time for labor rights advocates to win over the companies' position. Even though the advocates could mobilize more groups that traditionally feared CSR development in the garment industry, they could not lead them directly to the creation of efficient agreements. No other company except PVH felt responsible to join this kind of obligation until the Rana Plaza tragedy, which happened after five months after the MoU was signed.

Different from the previous incremental process, it is remarkable that the Accord was adopted in a very short time which also would not be possible without all previous changes that happened in this regard. By contrast, the Rana Plaza incident shocked the industry and made it possible to directly mobilize brands to acknowledge the need for real changes in the models already proposed by the NGOs and labor groups. As the worst industrial disaster in Bangladesh's history, it echoed the previous tragedies that had happened earlier and yet years later in Bangladesh, garment workers were still facing the same struggles. In Rana Plaza, the numbers of dead involved were far higher--10 times that of any of the earlier accidents (Westerman, 2017).

Even so, the Accord signing was not a first, but a final, act for an era of a new CSR regulation. Being signed by several groups it cannot be called truly new as signing the Accord was a natural extension of the NGOs' view on global CSR and Bangladesh within it. Consequently, all previous tragedies raised questions about the CSR regulations and their compliance mechanisms. Proposing the MoU was already an essential step towards the Accord that did not change in the garment sector more generally. For all the companies and the Bangladeshi government, the Rana Plaza tragedy has become a critical moment. Only the latest deal made valuable improvements to the existing one that has dramatically changed the regulatory mechanism. Both the Accord and the Alliance have transformed Bangladesh into a new center of the global garment industry. By combining the different aspects of CSR safety mechanisms, which were previously vulnerable to many opponents, the labor rights activists made a highly controversial and difficult decision for the global companies' long-term strategy.

Meantime, Baumgartner and Jones (2009), while arguing about the theoretical characteristics of punctuated equilibrium in public policy, offer that due to an external shock over a short period of time public policy can sometimes change rapidly. Similarly, according to the PET, after the long-term stability in CSR policies, the pressure disrupted the equilibrium of global monopolies who were the main policymakers in the voluntary regulatory system. The Accord allowed the NGOs to establish an unprecedented enforcement mechanism, illustrated in the previous section, that has shown the sharp decrease of death during factory accidents.

Baumgartner and Jones (1993), also identified that "once an idea gains support, it can lead to rapid change and possibly become unstoppable" (Baumgartner & Jones, 1993, 19). Therefore, the long periods of policy stability punctuated by short but intense periods of change explain the Punctuated Equilibrium, which is described as dramatic shifts rather than incremental

development in evolution (Baumgartner & Jones, 1993). That is exactly what happened since 2013 in the Bangladeshi garment sector. Based on the descriptive evidence nearly every year more workplace tragedies happened in Bangladesh killing more than 2,000 workers since 2010. The Rana Plaza as a tipping point caused major punctuation rather than smaller or regular policy change.

To summarize, Kingdon's MSA and the PET argue that communities of policy specialists develop proposals in anticipation of problems (Kingdon, 1984) and punctuated equilibrium occurs if a given policy community can destroy an existing policy monopoly and promote a new set of policies and regime to keep it in place (Baumgartner & Jones, 1993). These theories are born out in the story of the garment industry in Bangladesh, the focusing nature of the Rana Plaza collapse, and the rise of a new, more compulsory labor and safety regime.

## CHAPTER 5: RESEARCH FINDINGS

The important goal of this paper has been to understand how garment companies decide what their socially responsible behaviors will be, and how this can contribute to their CSR efforts. By applying Kingdon's Multiple Streams Approach and the Punctuated Equilibrium Theory to the case of international CSR policies in Bangladesh's garment industry, the research has demonstrated the usefulness of these two theories for following the policy process and to study preferences in international settings.

The research has demonstrated two principal aspects of international CSR agenda-setting. On the one hand, Kingdon's approach has shown that policy-making is a complex, often non-linear process, in which not only supranational institutions but policy champions and civil society, all play important roles in shaping policy development. This research has highlighted the important role of institutional actors, such as labor activists and human rights organizations and has shown the particular importance of these actors during the period encompassed by the "focusing event" – the Rana Plaza collapse. Particularly remarkable is the role of non-government actors and interest groups, the CCC, MSN, WRC, USAS, ILRF, AFL-CIO, ITGLWF, and BCWS, that have been actively involved in documenting and responding to a series of preventable disasters such as factory monitoring and safety programs among the Bangladesh government, local suppliers and international buyers. As discussed in the previous chapter, different initiatives have been explored to improve workplace safety issues but they could not gain enough support until the Rana Plaza tragedy. Issues stand a greater chance to be viewed as problems when they include sudden changes in indicators involving items of higher social value that affect more people, establish a precedent, or contain focusing events ( Cairney & Zahariadis, 2016). In other words, during the critical moment when the "window of

opportunity” emerged these actors could bring the problem to the attention of the CSR policy community, in which media and international civil society also played a crucial role. Particularly, their effective pressure helped them to obtain enough power to leverage their preferred policies that led the global companies to take safety issues more seriously. The labor activists managed to contribute to the perception of the problem with regard to safety issues and shift companies’ attitudes towards the MoU initiatives of which these companies had previously been critical.

On the other hand, punctuated equilibrium has also offered an opportunity to look at the CSR policy-making process from a new perspective with a new set of rules. As can be seen, politics in the garment industry has gone through a period of intense change and it does not necessarily consist of different stages. “Stage theories of the policy process are heuristics and in fact, some parts of policy development often precede the ‘earlier’ stages of the cycle” (Cairney, 2012, 124-5). The theory has helped to capture some of the more nuanced features of public policy, including policy strategies and styles as well as multilayered policy-formation processes leading to varieties of different policy outcomes. Thus, we can see that CSR is more amenable to change than traditionally expected in IR research (Campbell, 2007). In particular, tracing the garment industry disasters and examination of policy content of the Agreement on the Accord helped to identify key elements in the process of how the policy solution developed. It shows the slow progress of specific kinds of policy change in different environments that helped to shape stability until the rapid change occurred in a critical moment. In exploring the broad dynamics of CSR, the data suggested that the long periods of stability in policy are punctuated by the rapid shifts of attention. Therefore, despite well-planned and analyzed early stages of negotiations only certain types of intervention have played an important role in real safety policy developments, particularly in governance structures for auditing systems using “the mutually recognized

incentives and sanctions”(Keune, 2014). This fact mirrors the argument that the approach to problem-solving is not guaranteed to be optimal or rational, but instead sufficient for reaching an immediate goal, “ if levels of external pressure reach the tipping point, they cause major and infrequent punctuations rather than smaller and more regular policy changes” (Baumgartner & Jones, 2002, 193).

This research has also revealed the finding that links the multiple streams approach to the studies of punctuated equilibrium. The tendency in the development of CSR policies for the earlier period before the Rana Plaza, was toward gradual change, whereas the Accord was adopted in a very short time, within days, which is also a result of all previous changes that happened in this regard. For the most part, the Accord was the renamed agreement signed in September 2012 between PVH and Tchibo and most of the provisions were based on over a decade’s worth of work by unions and human rights NGOs. These results are interesting as such phases allow the policy change analyst to “understand ongoing policy activity within streams which draw together modes of activity and like-minded participants” (Lancaster et al. 2014, 162). It has shown how punctuated equilibrium theory works with Kingdon’s idea of a policy window while suggesting a creative process, in which policy entrepreneurs exploit the right conditions to make their move during a “window of opportunity”. Long periods of apparent political stability and policy continuity become punctuated by instability and rapid and profound change (Cairney, 2012, 1).

The most important outcome remains the Accord and its implementation and compliance mechanism, by which the Accord could destroy the autonomy of the corporations who managed to define the problem and create their policies for decades. Indeed, the data have shown how fast a major catastrophic event could change the corporate approach of the garment industry and

almost revolutionized the whole voluntarist system of regulation. By signing the Accord, the collaborative effort has determined the future of the world's most important industry. As a key factor in policy development, the Accord could make remarkable changes, in particular, the arbitration procedure: "Dispute resolution expedite prompt legal action where the supplier refuses to undertake the remedial action required to become compliant with national law" (The Accord, 2017). Considerable changes could resolve the years of failures of important solutions that have been going around in circles for a decade over how to strengthen the workplace safety policies and enforcement system. It is generally agreed that there is one area where progress has been significant and maintained, "albeit limited to Bangladesh, and that is in the safety improvements to fire and building" (Anner, 2018, 9).

Although critical opinions still exist, it has become apparent that this agreement was one step forward towards the comprehensive policies regulating important aspects of labor rights to empower global CSR strategy in the garment industry. One is clear, that the new mechanism after this tragedy has been having a positive impact on fire and building safety in Bangladesh and the Accord led to a series of audits and important reforms on the international level that made factories safer for workers. The takeaway lesson from the Accord for any part of garment supply chains is that some of the elements of the Accord provisions are very important, especially improvements in transparency through public reporting and accurate inspections that are done by qualified people.

The implications may not show the complete improvements but still, the positive impact is on the surface. This agreement emerged as an influential actor after the collapse of the Rana Plaza and supported other actors in building systematic changes. The Accord is the most effective labor

rights initiative ever carried out in contemporary apparel supply chains, with the enforcement mechanism that can guarantee transparency leading to better accountability.

## **Conclusion**

Once again, applying theory was important because it has helped to explain why some companies are more advantaged than others, and how their CSR design could reinforce such an advantage. Specifically, this empirical research in association with MSA and PET has shown a remarkable, multilevel process that has improved the understanding not only why but also how CSR policies are implemented and structured. Thus, scientific understanding is mediated by theories, in other words, the only way we can understand something is in terms of something else that we think we already understand, therefore theory helps us make analogies and enables us to understand a more systematic view of phenomena. Through the analysis of the MSA and PET, it was possible to clarify how the ambiguous phenomena of CSR have been shaped in accordance with factory tragedies in Bangladesh at different stages. It appears that any industry in the future can face the reality of creating new problem definitions, replacing policies being popular at different times. And here is the crux of the matter: The creation of new policies to solve old problems that satisfy old needs also creates the need for still newer policies.

In addition to theories, by considering the impact on firm-level CSR initiatives, the study has also demonstrated that meaningful change is possible and it's not that these particular companies have changed; it's the system that has changed worker's rights, along with the history of the garment industry. It is also true that in the increasingly interconnected world economy engagement with global-level effectiveness has been the most challenging for multinational corporations (Hartungi, 2006). There was a wave of ignorance and negligence, the tendency to rationalize bad behavior: What is immoral is presented as something acceptable, as a normal

practice, “everyone does it”. One of the remarkable aspects of global CSR policy after the Rana Plaza has been a replacement of companies’ transparency practices governing its global supplier factories. At this point, Bangladesh offered a good lesson to the whole industry and served as a “facility” in which international and civil-society organizations, MNC, local governments could each play an important role. Above all, it is about adjusting accordingly to the social challenges, by avoiding the habits of responding to long-term risks with short-term solutions.

In conclusion, this case study outlined the reality of how lessons get “unlearned” and just like the other disasters, the Rana Plaza tragedy is an example of the difference between a “lesson observed” and a “lesson learned”. Even though there is still much criticism of the garment industry, currently the Accord has no alternative until another, worse disaster gets defined as horrific, most deadly or devastating.

In his classic work Locke (1689) suggests that “the improvement of the understanding is for two ends; first, our increase of knowledge; secondly, to enable us to deliver that knowledge to others” (Locke, 1689). Generally speaking, in the long run, this research can impact beyond academia and it can raise the possibility of the extent to which researchers can engage in policy debates and inform policy actors about research implications.

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