

# TOWARDS AN INSTITUTIONAL UNDERSTANDING OF THE ACCOUNTABILITY TO THE MODERN-DAY SLAVERY PROBLEM

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## ABSTRACT

*This study explains the process of accountability to domestic workers and the modern-day slavery problem in the context of least-developed countries (LDC). The institutional voids perspective is proposed as a framework to explain this process. By doing so, this study sought to highlight the institutional context of today's modern-day slavery problem, where different institutions and perspectives are playing (e.g., humanitarian, technology, economic, and community), and propose an understanding of accountability in line with this context. We clarify how this institutional context shapes the accountability relationships between account holders (domestic workers) and power holders (households, governments of employers, and workers' country of origin). We suggest that accountability in this context should be applied in its 'holistic' social form for the domestic workers' problem to be resolved. This study provides insights to researchers and other stakeholders concerned with the modern-day slavery issue. It also has a social implication by highlighting the humanitarian problem of marginalized domestic workers and shedding some light on the broader society's responsibility towards it.*

**Keywords:** Modern Day Slavery, Technology, Accountability, Social, LDC, Institutional Void.

## INTRODUCTION

Several studies have examined domestic workers' work conditions in different parts of the world (Jureidini and Moukarbel, 2004; Chuang, 2009; Mahdavi and Sargent, 2011). These studies exposed the harsh working conditions of migrant domestic workers, such as confiscation of their passports, losing privacy, being confined at houses, sexual abuse, and being sold to other employers without their will. This is widely known in the literature as modern-day slavery (MDS) (Vlieger, 2012; Human Rights Watch, 2017; Diba et al., 2018). The present studies paid less attention to the impact of the broader institutional context in understanding the modern-day slavery problem. We believe that accountability systems are not neutral, value-free techniques; instead, they should be recognized, understood, designed, and implemented as per the institutional context where they are applied. Consistent with this view, this study critically examines the appearance of accountability to the modern slavery problem from an institutional perspective with a particular focus on the role played by Internet technology. In this study, we will try to expose the accountability parties to the domestic workers' problem in today's modern

context-where Internet technology and social media websites become dominant factors (Rickert, 2009; Cooper, 2013; Preble et al., 2016).

Further, although several studies discussed the problem and revealed it, minimal studies focused on accountability to this problem in the modern era of Internet technology (Chuang, 2009; Diba et al., 2018; LeBaron and Ruhmkorf, 2019; Latonero et al., 2012; Di-Nicola et al., 2013). However, the current dominance of Internet Technology-including Internet websites, social media websites, and the newly developed apps-in the whole aspects of our life, cannot be disregarded, if we are to fully understand accountability to the modern-day slavery problem (Latonero et al., 2012; Di-Nicola et al., 2013; Diba et al., 2018). As used in this study, technology is about the role and the discourse related to the new social media platforms and the newly developed apps they present and how they are playing a part in the current problem (Unerman and Bennett, 2004). The present unique context of the modern-day slavery problem necessitates a different (holistic) understanding of the accountability to domestic workers nowadays.

Understanding the institutional context of accountability to MDS is essential to identify the accountability parties in today's contexts composed of variant institutions. The apparent set of institutions in this context at a specific time can determine these parties. In other words, these institutions determine the different parties that should be accountable to domestic workers for the abusive environment they are working in. These parties include employers, governments of employers, migrant workers' countries of origin, and global media companies.

In doing so, the study uses the concept of institutional voids that highlights the present *"the absence or underdevelopment of institutions that enable effective markets, such as governance mechanisms that prevent corruption, protect property rights, ensure the rule of law, and establish supportive public investments and infrastructure"* (Marano et al., 2017). The situation of institutional voids impedes the development of information and different resources and restricts economic opportunity by making a wide uncertain situation (Marano et al., 2017). The present institutional void situation impacts understanding the process of accountability as it appears in the unique context of modern-day slavery. This study envisages how accountability should work in this context to have the required or anticipated social implications that can redress the domestic workers' circumstances.

Three main sets of institutions were discerned and explained: economic, humanitarian, and community. Economic institutions are about market conditions and the industry (Ocasio and Joseph, 2005). In contrast, community institutions involve the impact of noneconomic institutions prevalent in the field—such as family, religion, and households (Cornelissen et al., 2007; Diab, 2019). Humanitarian institutions are related to the workers' basic needs and human rights that induced them to be part of the current problem. Finally, we explain the issue in line with the technology perspective (Unerman and Bennett, 2004). Hence, in this study, we also highlight new technologies that can affect accountability to the domestic workers' problem.

## **Institutional Void and Accountability**

Institutions can be defined as a basic framework instituting a set of norms, rules, and beliefs. At the societal level, higher-order institutions such as the family, community, religion,

state, market, profession, and corporation comprise the primary institutions that control different aspects of life (Friedland and Alford, 1991; Thornton et al., 2012). In line with this view, it is believed that the presence of an effective accountability system can be related to the functioning of specific institutional arrangements, including effective governments and civil societies that can place pressures on different bodies to stick to accountability rules (Kolk and Lenfant, 2015). In contrast, the absence of these institutional arrangements would result in institutional weaknesses and ineffective accountability relationships (Khanna and Palepu, 2010). However, the strength or impact of the present institutions differs across countries, which might explain the variances in accountability systems in different countries. Especially in least-developed countries (LDC), formal institutions (i.e., those representing official rules and regulations) are likely to be underdeveloped, having minimal impacts on enforcing effective accountability towards domestic workers. Put differently; although formal institutional arrangements might be present in LDC, they do not have an actual existence that strongly implements an effective accountability process.

The ineffectiveness of formal institutions in LDC can contribute to the situation of institutional voids—a void where an abundance of different informal institutions would co-exist (Luo and Chung, 2012). An institutional void is a situation in which “*institutional arrangements that support markets are absent, weak, or fail to accomplish the role expected of them*” (Mair and Marti, 2009). According to Rodrigues (2013), institutional voids are the gaps between rules and the effectiveness of their implementation. The institutional voids situation is likely to result from flaws in the formal institutions such as government rules and legal organizations (Puffer et al., 2010) or when the present institutional arrangements are weakly structured and fragmented (Amaeshi et al., 2016).

An institutional void is common in LDC rather than in developed countries, where formal institutions are more effective in enforcing accountability (Liedong et al., 2020). This is because vacuums in the political and social arrangements and labour and product markets are higher in LDC (Alshbili et al., 2020). The present vacuum in these contexts might induce powerholders to develop various ways (mostly informal and illegal) to cover the void left by the formal institutions (Puffer et al., 2010; De-Lange, 2016; Alshbili et al., 2020).

The institutional voids theory can help us better understand the accountability relationships in the MDS problem. This is because different institutions are usually represented by various parties supporting or sticking to their institutions that serve their interests (Besharov and Smith, 2014). This can contribute to some tensions, power struggles, breakdowns, and conflicts (Battilana et al., 2015). These tensions and conflicts are shaped by the power of the people representing and using these institutions (Diab and Aboud, 2019). The following section explains the different parties consisting the MDS institutional context and shows their accountability regarding the problem. It clarifies how the relationship between institutions and the context can play a part in the powerholders’ accountability to domestic workers.

## **The Institutional Context of Accountability Parties to MDS**

### **Legal accountability and the humanitarian context**

The power to hold somebody accountable rests with the effectiveness of the present institutions in enforcing rules in society. These institutions and the following rules legitimize exercising power over subordinates (Dillard and Vinnari, 2019). In many LDC, despite the apparent existence of labor rules and regulations, there are higher levels of governments' failure to protect domestic workers in the formal labor market, i.e., an institutional void context (Puffer et al., 2010). The present precarious situation in these contexts excludes domestic workers from protective regulations that generally apply to labor in the country (Mantouvalou, 2012). This resulted in derecognizing domestic work as a formal work that deserves attention and laws that protect and regulate it (Chuang, 2009). This placed domestic workers as a disadvantaged class compared to other workers (Mantouvalou, 2012). This situation leaves those workers vulnerable to abuse and exploitation (Cooper, 2013).

This situation is due to the inadequate penalties for non-compliance or the inconsistent implementation of legislation (Rodrigues, 2013). Although rules and regulations are there, they are disregarded by different parties. However, in practice, these rules are not activated due to an absence of a 'legal accountability' process that is concerned with the *“prescribed standards of behaviour or an obligation to disclose information about one’s actions even in the absence of a prescribed standard”* (Chisolm, 1995; Ebrahim, 2003). In other words, in the context of institutional deficiencies, formal rules and regulations do not function well to enforce accountability and transparency (McCarthy and Puffer, 2016). Instead, with the present institutional weaknesses, informal activities and irregularities appear on the surface. Informalities and irregularities distinguish many LDC features where many activities or operations go unregistered or conducted away from regulations (Rodrigues 2013). Shortly, the present apparent violations of human (workers) rights are related to the significant distance between the formal rules as it is issued by authorities and the institutional capacity for their enforcement (Rodrigues, 2013).

### **Technology and global media companies’ accountability**

Technology, in general, and interactive websites, in particular, is playing an essential part in identifying organizational responsibilities and accountabilities. Technology as a tool cannot be blamed for problems. Like different innovations, it can be used for both beneficial and harmful purposes-that is, using it for illegal purposes does not mean that it has no benefits. Along with this understanding, we stress that the anticipated outcomes of new technologies’ use depend on the institutional context in which these technologies are used. On the positive stance, Internet websites are used, for instance, as a mechanism to channel and diffuse stakeholder grievances safely. It can create interactive stakeholder discourse, which can eventually achieve more significant and more democratic corporate accountability (Unerman and Bennett, 2004). In the MDS context, Jackson et al. (2018) demonstrated that technology could be a driver for

identifying modern slavery cases using satellites. Likewise, Rogerson and Parry (2020) allude to blockchain's potential in supply chains.

However, this positive result is not always the outcome. There is also potential for harm (Livingstone et al., 2018). Especially in LDC, as previously mentioned, with the weaknesses in applying formal rules and regulations, informalities appear and prevail governing some groups' behaviors (McCarthy and Puffer, 2016). For instance, Internet websites are exploited mainly by several human trafficking brokers to advertise their activities in these contexts. This reduced the barriers to entry, which significantly reduced the cost of doing their activity through easily and quickly reaching more targeted victims (Fraser, 2016; Gerassi et al., 2017; Mitchell et al., 2011; Tidball et al., 2016). Moreover, as in some West Asian countries such as UAE and Kuwait, the interactive websites were observed to (partly) contribute further to the modern slavery problem rather than solve it. Indeed, the new technologies, including the new social media platforms, make it difficult for governments to contain or fight against the modern slavery problem. Every day, new apps and ads (such as Haraj and 4SALE) draw significant revenues to their developers and publishers. Users of these apps and ads are committing many human rights and labor violations. However, global well-known media companies, such as Google, Apple, Facebook, and Instagram, are hosting these apps and ads on their platforms. Although international media companies claim that they prohibit workers' slavery content on their platforms, these apps are still present and being developed, displaying domestic workers' ads. Hence, these companies should also be held accountable.

Thus, the prevalence of technology through the newly created apps and ads displayed on global media companies has exacerbated the modern slavery problem rather than containing it. This issue has added a new dimension to the accountability problem in this context. In this dimension, global media companies should also account for their actions to marginalized poor domestic workers. This indicates that the interference of technology broadens the accountability parties further to include not only governments but also global media companies that approve and present some apps and ads that violate domestic workers' rights on their platforms.

### **Accountability and the economic perspective**

The accountability process is largely influenced by the ability to control access to resources (e.g., via market transactions). This economic dependency identifies the extent of the influence exerted on the power holder from the account holder. If the account holder is wholly (economically) dependent on the power holder, it is expected to get minimal consideration in this unbalanced context. In other words, those dependent stakeholder groups may not be recognized as stakeholders whose needs are to be addressed by their employers (Unerman and Bennett, 2004). When deciding upon which problems or responsibilities are to be addressed, most institutions work to advance the interests of those stakeholders who have the most considerable economic power and influence over the institutions (Adams, 2002). Hence, stakeholder groups who have a lower ability to exert economic impact over a particular institution may find their lives negatively affected by the institutions' activities without serious consideration into its plans and policies (Tinker et al., 1991).

The economic dependency of domestic workers contributes further to their slavery problem. This is due to the present institutional void resulting due to the absence of inefficient market-supporting institutions (Khanna and Palepu, 2010; Liedong et al., 2020). This is consistent with the idea that institutional voids can also emerge because of the economic context-related factors (Rodrigues, 2013).

This economic perspective focuses the existing actors (i.e., brokers, traders, householders, governments, and global media companies) attention on efficiencies and profit maximization goals and disregarding workers' economic and social needs and rights (Thornton and Ocasio, 1999). This indicates that pure dependence on an economic perspective can negatively influence the level of attention paid to social responsibility and the human perspective (Liedong et al., 2020).

This economic perspective further refers us to other parties that indirectly involve the domestic workers' problem, such as global media companies and the governments of workers' countries of origin. For example, being informed by a purely economic perspective, global media companies care mainly about their widespread existence, publicity, and profits. They do not apply strict control measures over the apps and ads presented on their platforms. The economic perspective's centrality overrides the announced social, human, and professional ethics and policies of these companies.

Additionally, the responsibility for domestic workers' problems extends to the governments of workers' countries of origin. Being also informed by the central economic perspective in the field, those low-income governments care mainly about the revenues brought into their economies by the remittances made by migrant domestic workers to their home countries. The migrant domestic workers' money transfers represent a significant revenue source for their home countries (Chuang, 2009). That is why these countries keenly encourage their workers to travel abroad for domestic work. In this regard, Jureidini and Moukarbel (2004) explained how the Sri Lankan government, as the case with many other LDCs, has actively encouraged the 'export' of domestic labor as it has become the largest single source of foreign revenue for the country. This economic dependency of those (poor) governments on their workers' transferred money is further impacting on (undermining) the accountability system. Those governments do little to protect their citizens from exploitative labour agents in their countries (Chuang, 2009).

However, as previously mentioned, given the present diverse institutional context where multiple institutions are influential, understanding accountability from a purely economic perspective is unlikely to provide an adequate understanding, perception, and solution for the current issues (Dillard and Vinnari, 2019). This economic-based view needs to complement other dimensions, especially those that are noneconomic or community-related, as explained further below.

### **Community institutions and accountability at the micro level**

We can't fully understand the modern-day slavery problem apart from the community influences where the workers have lived and worked. The precarious situation of the workers raises the community's social responsibility towards them. Community people can take action,

for example, by reporting the violating apps to the media companies (section 5.2), and giving it lower valuations. This might ultimately increase our consciousness regarding the existence of such abusive apps and stimulate further discussion on how to curb the resultant abusive activity. These companies eventually care about their publicity, and they officially announce and claim the protection of human rights. Here, community people can raise the workers' problems by showing them to the public and report these apps as abusive of human rights, or at least boycott these products and their producers. Then, these media companies would be obliged to remove these apps and apply a stricter policy in providing new apps and work-related ads on their sites. They will activate their corporate and community responsibility that is currently being disregarded due to the centrality of the economic perspective (as explained in section 5.3). This community perspective broadens our understanding of the accountability concept to embed the (human) or responsibility of each of us (society) towards domestic workers' fundamental human/living rights in society.

## CONCLUSION

In this study, we tried to understand the process of accountability to modern-day slavery in the era of the Internet technologies and LDC attributed with institutional void and institutional multiplicity (LeBaron and Ruhmkorf, 2019; Chuang, 2009). In other words, it is not easy to identify accountability parties in a context of institutional multiplicity, where there are a set of different central institutional perspectives in the meantime (Greenwood et al., 2011), and where effective official institutions that can govern the market are absent (Marano et al., 2017). These institutional perspectives identify and name the responsible/accountable parties to the modern slavery problem. They may result in a hybrid concept of accountability that mixes actors, values, and mechanisms from different regimes (Benish, 2020). This is likely when different regimes, such as the state, the market, and professionalism, interact simultaneously (Benish, 2020). In our case, these regimes are apparent, contributing to the importance of economic, community, technology, and humanitarian institutions and perspectives to understand the accountability process to domestic workers. This indicates the context-dependent nature of understanding accountability and the need to interpret it within the specificities of the present institutional context in which it is applied or examined.

On the way of having an effective accountability process towards domestic workers, we suggest some points should be taken into consideration. First, there should be a kind of mutual dialogue in the interactions between account holders and power holders (Dillard and Vinnari, 2019). The case now is that control is dominated by power holders contributing to the absence of a two-way relationship needed to have this effective form of accountability (Malena and McNeil, 2010; Dillard and Vinnari, 2019). This kind of dialogue would lead to working in the best interests of the different stakeholders in the context, rather than working only for the economic benefits of specific stakeholder groups at the expense of another group. This is important so that the voiceless marginalized workers' views can be considered, measured, and communicated for building an effective accountability system that ensures their rights in society (Dillard and Vinnari, 2019).

Secondly, this study argues that, for an effective accountability process to emerge, individual actors (domestic workers) should have a form of power or agency over other influential parties in the field. As Dillard and Vinnari (2019) argue, there is a need to instantiate new power modes to hold the resource holder to account for their duties. This is not the present case where domestic workers cannot force other parties (e.g., their countries of origin, employers, governments of employers, and global social media companies) to accommodate them and respond to their labor and human rights issues. In other words, presently, domestic workers cannot talk about or reflect on the present harsh labor system: if they did, they are likely to be deported, and then their source of living would cease.

Finally, to eliminate the present state of institutional voids, governments need to activate the present labour rules and regulations and force employers to apply them-That is, we need to activate the constitutional function of accountability (Dillard and Vinnari, 2019). This, in turn, directs us to the vital role that governments and their formal regulations should play in controlling these human rights issues. Here, state institutions' role is central to improving accountability regarding domestic workers' conditions. Hence, state institutions should bear their responsibility regarding protecting those workers because they are the main party that has power over those employers and can enforce them to humanize the work treatment of their powerless workers. Shortly, the present precarious human context highlights the importance of holding those governments, employers, and traders to account for their actions against domestic workers.

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