

## Relations industrielles Industrial Relations



***Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment*, By Leah F. Vosko, Oxford: Oxford University Press, 2010, 311 pp., ISBN: 978-01995-7481-0.**

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Encore deux remarques en terminant : d'abord, l'ouvrage porte davantage sur les aspects sociaux, politiques, plutôt que juridiques, contrairement à ce que l'on pourrait croire, compte tenu que cet ouvrage émane d'une maison d'édition longtemps enracinée du côté du droit. D'ailleurs, la plupart des auteurs sont sociologues ou géographes. De plus, il faut signaler que beaucoup de chapitres sont ancrés dans l'expérience française, citant des exemples du monde syndical français et des enjeux de la France actuelle, ce qui n'interdirait pas pour le lecteur d'ici d'imaginer certaines transpositions, par exemple dans le contexte québécois. Ainsi, tout le chapitre sur les limites du dialogue social porte exclusivement sur les conséquences désastreuses des deux lois françaises sur les 35 heures initiées par l'ancienne ministre Martine Aubry à partir de 1998 (p. 231 et suiv.). Ailleurs, on traite de la politique française du 1 % logement, qui permet aux entreprises de financer le loyer de certains de leurs salariés, mais qui semble spécifique à la France (p. 179 et suiv.). Plus loin, le treizième chapitre est basé sur les répercussions du *Traité de Maastricht* sur les lois du travail en France (p. 247 et suiv.).

Au-delà de l'indéniable qualité scientifique des textes réunis, il faut aussi féliciter Laurent Duclos, Guy Groux et Olivier Mériaux de leur excellent travail éditorial : un ouvrage collectif n'est pas une simple juxtaposition d'articles comme dans un numéro spécial d'une revue universitaire : de ce fait, les coresponsables ont pris le soin de bien présenter chacune des sections thématiques au moyen de têtes de chapitres qui situent les propos de chaque section dans une continuité logique parfaitement cohérente et plus facile à suivre. Ainsi, Michel Lallement ose questionner les hypothèses de départ de Laurent Duclos et Olivier Mériaux élaborées dans leur chapitre conjoint sur la disparition de certaines institutions et réseaux face à l'omniprésence du capitalisme, principalement au cours du

siècle dernier (p. 31). En outre, l'ouvrage propose une véritable conclusion qui, loin de simplement récapituler les apports des chapitres précédents, donne une véritable ouverture et montre que la réflexion n'est pas ici épuisée, notamment au niveau des modes de légitimation des systèmes de régulation (et leurs limites) dans un contexte de crise de l'emploi (p. 265 et suiv.). Au terme de cette lecture rigoureuse et souvent inspirante, on comprendra que *Les nouvelles dimensions du politique : relations professionnelles et régulations sociales* n'est pas destiné aux néophytes dans ce domaine, mais conviendra davantage aux chercheurs aguerris en sociologie du travail et en études urbaines.

#### **Yves Laberge**

Professeur invité à la Chaire en études américaines de l'Université de Rennes

### **Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment**

By Leah F. Vosko, Oxford: Oxford University Press, 2010, 311 pp., ISBN: 978-01995-7481-0.

The objective of this book, written by Leah F. Vosko, professor of political science at Canada Research Chair in Feminist Political Economy at York University, is to analyze the interaction of existing employment norms, gender relations, and citizenship boundaries in order to understand the functioning of late-capitalist labour markets and its precarious margins. The point of departure is that "the full-time continuous job is being eclipsed by part-time and temporary paid employment and self employment". The author tries to see if such a shift is really taking place and if so, what are its characteristics and implications for precarious employment (nature, prevalence) and those who struggle against it.

Taking a broad historical approach, the author examines the development of the "standard employment relationship" (SER) and analyses the historical and contempo-

rary management of the SER at its margins. The statement she make is that existing various regulatory frameworks "do little more than manage the precarious margins" of labour markets thus institutionalizing the precarious form of employment. The author explores the relationship between production for the market and social reproduction in the feminist political economy framework. To understand the dynamic of precarious employment, she uses an interdisciplinary approach containing three conceptual elements: the normative model of employment, the gender contract, and citizenship boundaries.

To conduct an integrated analysis, Vosko applies an interdisciplinary approach that helps to make connection between different disciplines like law, political science, sociology, history, labour studies, IR studies, gender studies, and citizenship and migration studies. Logically she employs multiple methods: textual analysis of historical and contemporary documents, observation, interviews, and statistical analysis.

The book consists of seven chapters. The fist two chapters are devoted to the analysis of regulations from the late of 19<sup>th</sup> century to the contemporary period. The emphasis is put on the gendered character of employment and the role of social norms in maintaining it. In the first chapter, the author traces the development of international labour standards underlining the fact that from the very beginning those protective measures were "sex-specific" and reinforced norms of unpaid caregiving by women to booster contract employment of men. She underlines the centrality of the evolving "male breadwinner/female caregiver gender contract" to the construction and consolidation of the standard employment relationship and international labour regulation between 1920-50s.

She gives the details of this process in the second chapter. The analysis is structured around three central pillars: employment status, standardized working

time, and continuous employment. Most of regulations of that period relied upon and reinforced the male breadwinner/female caregiving contract excluding some classes of workers (casual workers, home workers for instance). Regulations adopted subsequently in response to a crumbling male breadwinner/female caregiver model tried to eliminated those exclusions. Starting from 1950s, most regulations centered on formal equality. But, as Vosko maintains, they neglected processes of social reproduction that is why they could not do more then to began to challenge an employment norm of adult male citizens.

Chapter 3 lays the foundation for the book's discussion of post-1990 international labour regulations on non-standard employment. It begins with a statistical portrait of employment trends in industrialized contexts. It shows the decline of the SER in the neoliberal era in a range of countries. It shows also that the full-time permanent employment is still gendered and shaped by citizenship status.

Chapters 4 to 6 are about the problem of SER-centrism of the international labour regulations and its impact on nations states. International labour regulations concerning different forms of precarious employment try to bring those deviations established on the basis of working time, continuity and employment status, within the range of the SER. Those three chapters explore the interface between the normative model of employment, the gender contract, and citizenship boundaries and a particular instrument of international labour regulation. The detailed illustration of this analysis is also provided. Chapter 4 analyses regulatory responses to challenges to temporal boundaries of the SER and considers the ILO Convention on Part-time Work (1994). Particularly, the case of Australian part-time employment regulation is discussed. Chapter 5 touches upon responses to erosion of continuity of employment (open-ended employment relationship) and considers

the EU Directive on Fixed-Term Work (1999) and the EU Directive on Temporary Agency Work (2008). The main conclusion is that while SER-centric approaches extend some protections and benefits to fixed term workers, temporary workers have lesser protections. The insecurities temporary workers experience are magnified by the absence of national citizenship in the countries of employment especially between women. Chapter 6 focuses on legislative responses to ambiguity in the employment relationship and analyses the ILO Recommendation on the Employment Relationship (2006). This recommendation denotes the "limit of SER-centrism by shifting the emphasis from equal treatment to effective protection". The main conclusion from chapters 4 to 6 is that the "approaches that take the SER like baseline mainly extend labour protection to forms of employment falling just beyond its range." That means that the employment situations which differ most from the SER are least likely to be improved.

In chapter 7, the author examines three alternative approach to regulation: the "tired SER" (see chapter 4-6); the "flexible SER" (Bosch, 2004); and "beyond employment" (Supiot et al., 1999; Supiot, 2001). The author claims that the "beyond employment" approach is the most promising. For her, this constitutes an alternative basis for labour and social protection. This approach "de-link employment status and form of employment from dimensions of labour market insecurity, while at the same time addressing the relationship between employment norms and gender relations and extending citizenship boundaries". She notes however that even this approach has its drawbacks and concludes the book by calling for an alternative visions of care giving and community membership.

In sum, this book is a useful well-structured guide in the world of international labour regulations on the margins of standard employment. Due to her broad

historical approach and interdisciplinary conceptual framework, the author provides a critical insight in the development of standard employment and its management showing the manner in which contemporary efforts to regulate the precarious margins of late-capitalist labour markets contribute to their reproduction. The 'beyond employment' approach she speaks about is a promising attempt to build a transformative vision of precarious employment, caregiving and community membership.

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### **Les catégories sociales et leurs frontières**

Sous la direction d'Alain Degenne, Catherine Marry et Stéphane Moulin, Québec : Presses de l'Université Laval, Collection « Société et population », 2011, 410 p., ISBN : 978-2-7637-9088-6, eISBN : 9782763710884.

Alain Degenne, Catherine Marry et Stéphane Moulin présentent, dans cet ouvrage collectif, une douzaine de textes réunis à la suite d'un colloque qui s'est tenu à Paris en octobre 2007, intitulé : « Approches longitudinales, confrontations franco-canadiennes ». Les deux premiers directeurs de cette publication sont du Centre Maurice Halbwachs (CNRS-EHESS-ENS) à Paris (à l'époque le LASMAS ou « Laboratoire d'analyse secondaire et de méthodes appliquées à la sociologie »), et le troisième, du Département de sociologie de l'Université de Montréal. Les participants, de la France, du Québec et même de l'Alberta, se sont ainsi penchés sur une question théorique dont on a pu illustrer l'importance à l'aide de certains cas concrets.

Dans leur avant-propos, les auteurs évoquent un dialogue établi avec Paul Bernard (décédé prématurément en 2011), du Département de sociologie de l'Université de Montréal, qui les avait interpellés sur la question des parcours de vie. Actif dans de très nombreux cercles, il avait