

## DECONSTRUCTING THE “IDEAL WORKER” MODEL: LABOR DIGNITY AND GENDER EQUALITY REFORMS IN EAST ASIAN AUTHORITARIAN CAPITALISM

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**Abstract:** This study aims to explore the practical dilemmas and legal reforms of gender equality as the core of morality and basic personality rights in contemporary society. Although global gender equality norms have been gradually established since the mid-20th century, and ESG (Environmental, Social, and Corporate Governance) trends in recent years have regarded gender diversity as a key indicator of corporate sustainability, female workers still face deep statistical discrimination and glass ceiling effects, reinforcing the 'ideal worker' paradigm that marginalizes those with caregiving responsibilities. Under the unique "authoritarian capitalism" and "patriarchy" structure in East Asia. On the basis of legal theory, it is argued that labor equality should not only be an instrumental economic consideration but should also resort to "equal care and respect" and the protection of "human dignity." The study points out that the gendered imagination of "ideal workers" in East Asian workplaces is essentially an infringement of workers' subjectivity and authenticity. Through an analysis of the International Labour Organization's (ILO) "Decent Work" framework, this paper criticizes the alienation caused by the excessive commodification of labor under capitalism. Finally, this article connects with the context of Taiwan's 2023 amendment to the "Three Gender Equality Laws," advocating for a two-pronged approach to "transnational constitutionalism" and South Korea's "4Rs" governance strategy (recruitment, retention, restart, and representation). This study believes that only by deconstructing the power hierarchy within the workplace and transforming the right to equality from "passive compliance" to "subjective dignity" can we implement a labor dignity environment with East Asian subjectivity and in line with universal values.

**Keywords:** Employment discrimination; gender equality; labor dignity; labor fairness; legal system

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## 1. Introduction

Gender equality is not only the moral core of contemporary society but also a fundamental personality right protected by international legal frameworks. With the global focus on ESG (Environmental, Social, and Corporate Governance), gender diversity and work equality have become core indicators for measuring corporate sustainability and social responsibility (CSR). However, although the United Nations has promoted equality through international conventions such as the Convention on Equal Pay for Men and Women since 1951, employers are often still limited by deep-seated stereotypes in practical governance, resulting in "statistical discrimination" and "glass ceiling" effects still prevalent in organizational structures. Although many countries have constitutional guarantees for equality, and the Gender Equality Work Act has been in effect in Taiwan for more than 20 years, female workers still face invisible obstacles in job searches and promotions. In 2023, Taiwan will undergo large-scale amendments to the "Three Gender Equality Laws," aiming to strengthen employer responsibilities and align with international governance standards. The motivation of this study is to explore how companies can shift from reactive compliance to proactive cultural change, driven by both legal enforcement and international ESG trends. This study seeks to answer a central research question: How can Taiwan's 2023 legal reforms, under the framework of transnational constitutionalism, dismantle the "ideal worker" paradigm and shift corporate governance from "passive compliance" to "subjective dignity"? And the specific purposes are as follows:

- a. Analyze the structural difficulties faced by female workers in the labor market (such as statistical discrimination and glass ceilings).
- b. Explore international response strategies for preventing sexual harassment and implementing equality and labor dignity.
- c. Combined with global ESG development trends, demonstrate the importance of gender equality in improving corporate governance performance and organizational sustainability

Although gender equality has long been guaranteed by Article 7 of the Taiwan Constitution, it has been common for Taiwanese women to be treated differently based on their gender when seeking or employing a job. In corporate organizations, the problem of gender discrimination persists. Although governments and businesses have taken a series of measures to improve gender equality in work, in practice, employers are still influenced by deep-rooted stereotypes that infringe on the fairness of the employment environment by imposing differential treatment on "job seekers" or "employees." It should be the duty of business organizations to protect job applicants or employees from employment discrimination. Whether it is from a legal or moral point of view. As mentioned at the end of the research motivation, gender equality in work is not only an ethical issue but also a legal issue. Out of respect for personality, gender equality in work should be protected by the norms of the legal order.

However, in the real world, gender discrimination in businesses still exists. Although the gender equality at work policy has been promoted in our country for many years, it is still worth paying attention to how it is actually implemented. Changing corporate culture and improving perceptions of sexism is a fundamental solution. Therefore, this article will explore the employment situation of female workers in Taiwan and the relevant regulations on gender equality at work, especially after the major revision of Taiwan's three gender equality laws in 2023; examine how companies respond to the newly revised regulations; and discuss how the international community should adapt to the ESG trend.

This study employs a systematic literature review (SLR) focusing on East Asian labor reforms (2010–2026) and doctrinal legal research to evaluate the alignment between ILO Convention No. 190 and Taiwan's 2023 "Three Gender Equality Laws" in organizational governance by integrating multiple literatures, secondary data, and regulatory policy evaluations. This study not only focuses on the current gender equality at work norms in Taiwan but also expands its perspective to international benchmarks, especially the Violence and Harassment Convention No. 190 (C190) adopted by the International Labour Organization (ILO) in 2019, as a benchmark for examining the evolution of the local legal system.

The research focuses on corporate response strategies after the major revision of Taiwan's "Three Gender Equality Laws" in 2023. This amendment coincides with the global ESG (Environmental, Social, and Corporate Governance) wave and the deep integration of the United Nations Sustainable Development Goals (SDGs, especially Goal 5: Gender Equality). In contemporary corporate governance, "DEI, Diversity, Equity, and Inclusion" is no longer just a demonstration of corporate soft power but a key performance indicator (KPI) that drives innovation and establishes a sustainable growth ecosystem in the era of digital transformation. By benchmarking against international ESG standards and new local regulations, this article will systematically analyze the collected data and put forward practical suggestions for organizational culture transformation and management system optimization. The research results not only aim to strengthen the resilience of enterprises in dealing with legal risks but also contribute perspectives to future policy planning in line with international equality trends.

While previous research has focused on statutory compliance, this paper addresses a critical gap: How does the 2023 amendment of Taiwan's 'Three Gender Equality Laws' serve as a catalyst for deconstructing the 'ideal worker' model—a paradigm rooted in East Asian authoritarian capitalism that systematically marginalizes those with caregiving responsibilities?

## **2. Labor Equality and Dignity**

This chapter will explain what the right to equality is, as well as human labor behavior and dignity, and the overview of labor dignity in East Asia, so that readers can better understand today's theory and the current situation of labor in East Asia.

### *2.1 What Is the Right to Equality?*

Gender equality is not only regarded as a universal moral cognition (Huang, 2010) but also as personality rights and basic human rights principles strictly protected by the legal order (Liu, 2023). The meaning of equality is to ensure that the basic needs of different genders and vulnerable groups are met equally and to strive to eliminate gender segregation in the labor market. From the perspective of corporate management, protecting job seekers and employees from employment discrimination is not only a compliance obligation for enterprises but also a concrete demonstration of respect for human dignity. Especially in the contemporary trend of global governance, gender equality has been transformed into a core indicator of corporate social responsibility (CSR) and deeply integrated with environmental, social, and corporate governance (ESG), becoming a key performance indicator for companies to drive innovation and establish a sustainable growth ecosystem in the era of digital transformation.

In the contemporary labor field, the connotation of the right to equality has evolved from the traditional negative non-discrimination to the active right to protect individual personal dignity and social participation. This study argues that the right to equality should not be limited to the superficial "equal treatment" of legal provisions but should delve into the

"substantive equality" in the power structure. According to the context of international human rights law, the core of the interpretation of the right to equality is to identify and eliminate "indirect discrimination" hidden in the system. This type of discrimination often wears the guise of "neutral norms," but it causes a disproportionate disadvantageous impact on specific groups in practice. As Selmi (2005) pointed out, if legal interpretations only focus on whether there is "discriminatory intent" and ignore "discriminatory results," it will be difficult to eradicate deep-seated structural biases within organizations. The author further analyses the interpretive framework of the right to equality and finds that it is necessary to benchmark against international standards to expand the scope of governance. Therefore, I refer to Fredman's (2011) theory of "multidimensional equality" and advocate that the implementation of equal rights should encompass four major aspects: redistributing resources, recognizing diverse values, transforming organizational structures, and promoting democratic participation. This echoes the spirit of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), emphasizing the obligation of both states and businesses to eliminate existing gender stereotypes in social culture. Through the observations of Cook & Cusack (2011), it can be found that gender stereotypes are often institutionalized and embedded in workplace norms, becoming invisible shackles for women's career development. Therefore, in constitutional practice from an East Asian perspective, the interpretation of equal rights should be in line with the "Transnational Constitutionalism" advocated by Yeh & Chang (2008), which examines local labor policies within the framework of global human rights.

So what does the above meaning of equality have to do with the total equality of labor discussed in this article? The author believes that "labor equality" should be elevated from a simple corporate employment relationship to the level of global human rights governance. In the specific social context of East Asia, the traditional gender division of labor and patriarchy often become the protective umbrella of workplace discrimination, making the law inadequate in dealing with "indirect discrimination." However, through the lens of transnational constitutionalism, local labor policies must be mandatory against international standards. This means that the interpretation of equality at work is no longer based solely on the minimum of domestic law but must be in line with international norms such as ILO Convention No. 190 (C190) or CEDAW, which regards the elimination of workplace violence, harassment, and structural exclusion as a universal legal obligation. This benchmarking process gives "labor dignity" a substantive legal connotation. Following Ronald Dworkin's philosophy of "equal care and respect," this study argues that labor dignity must protect the "authenticity" of workers, ensuring they are recognized as autonomous moral subjects rather than mere factors of production. To ensure that they are not reduced to tools of production because of their gender in the labor field. When local labor policies are examined under the global human rights framework, the level of anti-discrimination is elevated from "formal equal treatment" to "complete protection of human dignity." From an East Asian perspective, this not only helps identify implicit discrimination under the guise of neutrality but also forces companies to reflect on the asymmetry of power structures within their organizations while pursuing ESG performance.

Therefore, the transnational constitutionalism mentioned in this chapter is not only a transfer of legal methods but also a key path to achieving substantive labor equality, ensuring that equal rights in the labor field are truly in line with international standards and achieve the universal practice of labor dignity. In other words, the significance of the right to equality in the workplace is to ensure that every employee can work in an environment free from the fear of stereotypes, compete fairly, and receive compensation and promotion opportunities commensurate with their abilities. This is not only the bottom line of legal regulations but also

the foundation for companies to achieve sustainable development under the ESG wave. By providing a more resilient and inclusive interpretation of equal rights, companies can transform the original discrimination structure from the source of system design, thereby achieving the substantive vision of workplace equality.

## *2.2. Human Labor Behaviour and Dignity*

Under the expansion of contemporary capitalism, the nature of labor behavior is undergoing drastic changes. Dignity at work is no longer just a negative right to be free from physical exploitation but has shifted to the protection of workers' psychological integrity and subjectivity. Contemporary scholars, such as Sayer (2020), pointed out that under the neoliberal economic framework, labor behavior is increasingly oppressed by "performanceism," leading to individual dignity being reduced to a quantifiable indicator of output. In addition, with the rise of "woke capitalism," although companies ostensibly promote diversity and inclusion policies, in the absence of a substantial power structure shift, this "branded" equality often becomes another form of organizational control (Rhodes, 2022).

From a legal point of view, the core of labor dignity lies in resisting the commodification and alienation of labor. Bolton (2007) demonstrated how "emotional labor" in the contemporary workplace erodes individual dignity, especially when gender stereotypes require specific genders to take on more responsibilities for emotional regulation, leading to deep discriminatory oppression in labor behavior. Therefore, protecting labor dignity must go beyond formal compliance and instead establish an "inclusive ethical governance system." This requires companies to re-incorporate people-centered evaluation criteria into the capitalist logic of profit maximization and regard gender equality as an inseparable moral foundation in labor behavior.

### *2.3 Overview of Labor Dignity in East Asia*

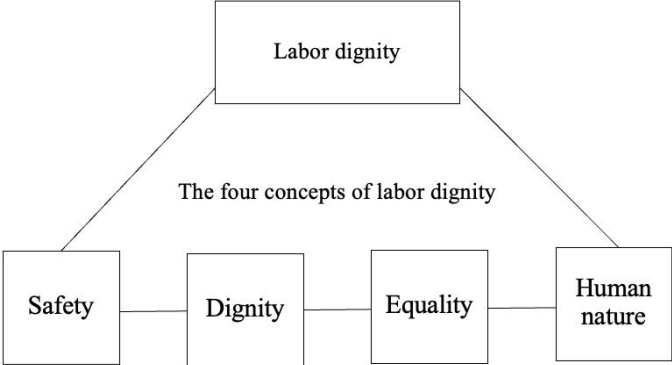
The importance of labor dignity in today's world trend has evolved from traditional occupational safety to the "Decent Work" framework advocated by the International Labour Organization (ILO). According to the ILO, decent work must be productive and carried out under conditions of freedom, equality, safety, and dignity, ensuring that workers' rights and interests are protected and remuneration is sufficient to sustain their livelihoods. However, from the perspective of critical capitalism, contemporary global economic competition is constantly eroding this ideal. Although companies emphasize compliance with the "Working Environment Indicators" (WEI) in the report, driven by profit maximization, workers are often reduced to digital production units, and their dignity is reduced to quantifiable technical indicators, ignoring the deep personality value and emotional integrity of labor behavior.

Therefore, the real vision of the contemporary world trend lies in treating labor dignity as a "non-negotiable benchmark." This requires legal interpretation to be in line with transnational constitutionalism, break away from the simple logic of employment contracts, and instead focus on "human rights subjects" to establish a substantive and equal environment that can truly resist capital erosion and protect the personal dignity of employees. Only through continuous criticism and reflection on the existing mechanism can the labor field be transformed into a dignified, safe, and inclusive life practice for diverse subjects.

Turning to East Asia, the practice of labor dignity presents a unique characteristic of "compressed modernity." In the process of economic transformation in East Asian countries (such as Taiwan, Japan, and South Korea), the labor field has long been limited by a mixed system of "developmentalism" and "authoritarian capitalism," with a high emphasis on absolute allegiance to the organization. In their study of East Asian labor systems, Gottfried and Chun (2018) found that this system is deeply integrated with traditional patriarchy,

resulting in women not only facing wage inequality in the workplace but also facing institutional degradation of labor dignity. Although governments in East Asia have initiated legal amendments in recent years to align with international ESG norms (such as Taiwan's amendments to the three gender equality laws in 2023), such "top-down" rule of law transformation often encounters strong cultural inertial resistance.

Chow (2002) pointed out that in East Asia's highly competitive workplace culture, women are often expected to make a difficult choice between the "ideal worker" model (i.e., working long hours without family worries) and "traditional motherhood." This invisible pressure not only leads to serious statistical discrimination but also sacrifices labor dignity under the capitalist logic of the pursuit of efficiency. Therefore, the outlook for East Asia lies in how to deconstruct power hierarchies within the workplace through the penetration of transnational constitutionalism and transform global gender governance standards into localized organizational change dynamics. The author believes that the implementation of labor dignity in the future should not only be limited to the improvement of the physical environment but should also touch the redistribution of power in the labor field. Especially in East Asia, the combination of authoritarian capitalism and digital surveillance poses severe challenges to the vision of "decent work." We must critically point out that if gender equality and labor dignity are only seen as "decorative assets" for companies to obtain ESG evaluations, rather than fundamentally deconstructing gender hierarchies and labor alienation in the workplace, then so-called affirmative action policies will become a slogan under neoliberalism. The following is a diagram of labor dignity. I put labor dignity at the top, and below are safety, dignity, fairness, and humanity.



**Figure 1:**

*This study is self-drawn*

**3. The Importance of Gender Inequality at Work**

*3.1 Analysis of Gender as an Organizational Power Structure*

In fact, the difficulties women encounter in the labor market have long gone beyond the differential treatment of superficial labor conditions (such as wages or benefits), and the deeper challenge lies in the "glass ceiling effect" that lingers in their careers. In the academic context of human resource management, barriers to promotion and career development have always been at the core of gender issues, and scholars often use this concept to describe women's obstacles in the path to power advancement (Huang, 2007). The term "glass ceiling" first appeared in the Wall Street Journal's "Women in Business" column in 1986 to reveal the seemingly transparent but actually indestructible organizational barriers women face when trying to enter the top of the company. From a critical perspective, this effect is not accidental

but the product of long-term complicity between the capitalist labor system and the traditional gender division of labor. Eliminating the glass ceiling effect caused by gender factors will be one of the most difficult challenges in management in the 21st century (Huang et al., 2011). When women try to move up the organizational ladder, they often encounter a layer of "invisible barriers" that prevent them from entering the core of decision-making. Even if you try to break through this layer of glass, you will immediately collide with another "invisible wall" constructed by traditional concepts and stereotypes (Espinosa & Ferreira, 2022). This wall essentially reflects the "ideal worker" bias under East Asian authoritarian capitalism, where organizations assume that senior managers must be "full-time committed" and "free from family responsibilities." This mechanism not only leads to statistical discrimination but also makes women have to bear the double tear between social reproduction and career development during the promotion process. Therefore, the existence of the glass ceiling is not only a setback in the development of individual women but also a concrete manifestation of structural inequality in the organization, and the power asymmetry behind it is the fundamental reason that hinders the organization from achieving substantial sustainability and diversity and inclusion (DEI).

The construction of the global gender equality legal system originated from the systematic attention of international organizations to labor rights in the mid-20th century. For the first time since the adoption of the Convention on Equal Remuneration for Men and Women by the United Nations in 1951, the discourse on gender equality has shifted from an abstract moral dimension to a concrete guarantee of economic rights. Subsequently, the "Women's Decade" program launched by the Second World Conference on Women in 1975 and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the United Nations General Assembly in 1979 jointly laid the institutional foundation for the abolition of discriminatory laws. This process of legalization was further extended to the care of family and occupational balance between workers after the International Labour Organization (ILO) adopted the Convention on Family-Responsible Labor in 1981, indicating that the international community has begun to face up to the structural factors that hinder women's labor participation.

In the late 1980s, affirmative action strategies underwent a qualitative shift. In 1985, the Third World Conference on Women first proposed the concept of "gender mainstreaming," which was officially recognized as the core model of global governance at the Fourth Beijing Conference in 1995. The establishment of this concept symbolizes that gender equality is no longer just a compensatory marginal policy but requires governments to restructure the existing system from the perspective of resource redistribution and policy reversal (Liu & Pai, 2008). In the 21st century, the ILO's definition of equality has been further expanded to include "labor dignity" and "psychological safety." In 2019, the 108th International Labour Conference (ILC) adopted the "Declaration on the Centenary of the Future of the World of Work" and simultaneously promulgated the "Convention against Violence and Harassment in the Workplace" and Recommendation No. 206, marking a new milestone in global labor governance. The Convention clearly states that "freedom from violence and harassment" is the universal right of every worker and profoundly criticizes the devastating impact of gender-based violence and harassment on individual dignity, physical and mental health, and the social environment. From the perspective of organizational management, workplace inequality and violence will seriously damage corporate reputation, productivity, and public service quality. Therefore, contemporary international trends have elevated gender equality from simple legal compliance to a strategic height of maintaining sustainable development and human dignity in the working world.

### 3.2 *The Dialectic of Gender Pay Inequality*

Gender pay inequality in East Asia has long been seen as a phenomenon that has been "modernized and diluted but is still highly structured." On the surface, most East Asian societies have made significant progress in women's educational achievement, labor force participation rates, and legal equality, but the gender gap still persists in terms of actual wage distribution results and even shows a trend of structural rigidity in some countries. This gap shows that gender wage inequality does not simply stem from differences in human capital but involves the interaction between labor market systems, family gender division of labor, cultural norms, and national policies, constituting a social relationship that needs to be dialogically understood.

Existing studies have pointed out that in industrialized East Asian societies such as Japan, South Korea, and Taiwan, the gender wage gap has not been narrowed while women's years of education and professional skills have increased rapidly. Scholars generally believe that this is highly related to "gendered segregation" in the labor market. Female workers tend to focus on low-paid, informal jobs lacking promotion channels, especially in sectors such as services, care labor, and administrative support. Relatively speaking, high-paying and decision-oriented positions are still dominated by men. This occupational segregation is not a natural occurrence but a result of long-term institutional arrangements and corporate personnel logic, resulting in a systemic wage disadvantage for women even under similar educational conditions (Miron et al., 2025).

In South Korea and Japan, the gender pay gap is particularly significant, and research shows that one of the key factors is the high concentration of women in informal employment. Informal labor not only has lower wages but also lacks seniority accumulation and promotion mechanisms, further widening the lifetime income gap between men and women. This institutional arrangement is often rationalized as "flexible choice for women's family responsibilities," but from a critical political economy perspective, it is actually the result of institutionally transferring family care responsibilities to women and translating them into wage inequality through labor market structures. The situation in China presents another dialectical tension. On the one hand, the legacy of the socialist system has formally narrowed the gender gap; On the other hand, after market-oriented reforms, gender pay inequality has widened again, especially in the private sector and urban areas. Large-scale meta-analytical studies have pointed out that the formation of gender wage gaps in China not only comes from differences in education and work experience, but also significantly from "residual gaps" that cannot be explained by human capital, indicating that discrimination and institutional biases still exist (Iwasaki & Ma, 2020). This phenomenon highlights the potential for gender inequality to be re-embedded in the salary structure after the state's role shifts from "equal protectors" to "market facilitators." Further, the dialectical core of gender pay inequality in East Asia is also deeply influenced by family systems and cultural norms. The division of labor modeled by the Confucian gender order makes it easier for women to interrupt their careers during the childbirth and caregiving stages, affecting their accumulated years of work and promotion opportunities. Even if the state promotes ostensibly gender equality policies, if corporate working hour culture, childcare responsibility allocation, and social care systems are not changed simultaneously, wage inequality will continue in the form of "rationalized differences." From this perspective, the gender pay gap is not the result of a single act of discrimination but a structural inequality co-produced by culture, institutions, and markets.

Therefore, gender pay inequality in East Asia should not be seen as a technical problem but should be understood as a social dialectic involving labor, family, and national governance models. If policies to improve the wage gap only focus on anti-discrimination legislation or women's personal empowerment, it will be difficult to get to the heart of the

problem. Only by restructuring the labor market system, redistributing care responsibilities, and challenging societal perceptions of the value of gendered work can gender pay inequality be substantially loosened.

#### **4. Prevent Discrimination and Injustice**

The core of the contemporary labor rule of law lies in the implementation of "decent work" advocated by the International Labour Organization (ILO). This concept was first proposed by Juan Somavia in 1999 and is defined as obtaining jobs with productive benefits, adequate remuneration, and social security under conditions of freedom, equality, security, and human dignity. Subsequently, dignified labor has further evolved into four strategic axes, namely "promoting labor rights," "expanding good employment," "strengthening social security protection," and "deepening social dialogue." This framework not only calls for the elimination of employment discrimination, slave labor, and child labor, but also emphasizes freedom of association and the right to collective bargaining as prerequisites for practicing equality. In the highly competitive global market of capitalism, the significance of dignified labor lies in resisting the risk of alienation brought about by the commodification of labor and elevating labor behavior from mere economic output to the practice of "personality value."

From a critical perspective, the importance of dignified labor is reflected in the reflection on contemporary economic governance models. In the past, countries tended to support enterprises in anticipation of "trickle down" growth dividends, but the phenomenon of "jobless growth" that is common in various countries proves that economic expansion may not necessarily develop in tandem with employment quality. Therefore, dignified labor advocates that the government should shift its policy focus from consortia to the protection of "decent life" and establish a strong social safety net to combat the risk of poverty caused by work-related injuries and diseases. Through social dialogue through tripartite partnerships between labor, capital, and government, the need for workers to participate in decision-making is regarded as a key indicator of justice within the organization. Ultimately, dignified labor is not only a way to enhance the resilience of the labor market but also a universal rule of law benchmark that curbs multinational corporations from racing to the bottom through the exploitation of low labor costs, ensuring that workers around the world can build a sustainable labor field in an environment of psychological safety and dignity.

##### *4.1 Measures to Prevent and Control Unfair Practices*

The International Labour Organization (ILO) has always regarded youth unemployment and the optimization of women's human capital as core issues in responding to global labor market changes. For these two groups, although strengthening "lifelong skills learning" is a basic strategy to enhance employment resilience, for female workers, the key to their smooth development in the workplace often depends on the actual integration of "family-friendly" programs. Compared with the deep integration of family and work balance in the international community, Taiwan is still limited to the traditional, isolated "friendly workplace" isolated thinking. To overcome this dilemma, Blustein, Lysova, and Duffy (2023) operationalized labor dignity; this study advocates for the "4Rs" framework (Recruitment, Retention, Restart, and Representation) as a structural mechanism to overturn gender hierarchies and institutionalize DEI within East Asian corporate cultures. To reimagine the development path of female human resources from a systemic perspective. In the recruitment stage, efforts should be made to eliminate statistical discrimination and ensure gender neutrality at the entry threshold. Second, strengthen childcare support and flexible working hours through retaining mechanisms to reduce career interruptions caused by women's family responsibilities. Furthermore, for women returning to the workplace, we provide a restarting transition plan and skill reengineering. The most important thing is to improve the representation of women

at the decision-making level, thereby overturning the organizational power structure. This strategic shift from micro skill improvement to macro system change is not only a necessary path to achieve labor dignity but also a core vision for enterprises to implement social responsibility and enhance organizational governance resilience under the ESG framework.

#### *4.2 Constructed from the Perspective of Labor Law*

In the contemporary labor field, the realization of equality and labor dignity is no longer just a question of legal compliance or the existence of anti-discrimination provisions but a deep structural flip that points to the allocation of power and cultural imagination within the organization. Observing from the East Asian context, the labor field has long been influenced by the interweaving of authoritarian capitalist development models and Confucian patriarchal value systems, forming a highly institutionalized but often naturalized power asymmetric structure. Under this structure, the image of "ideal workers" preset by enterprises and organizations is often based on a male-cantered work model with full-time commitment, long working hours, and high mobilization. This norm not only excludes the legitimacy of the system for those responsible for care but also transforms gendered lifestyles into implicit standards for measuring labor value and professional commitment.

From the perspective of the "ideal worker" model, it operates in the name of neutrality, efficiency, and professionalism on the surface, but in fact it constitutes a structural exclusion mechanism for female workers. Even if women enter the formal employment system, they often encounter an invisible but stable "glass ceiling" in promotion, evaluation, and career development, and their workplace subjectivity is constantly weakened in the process. In other words, the question is not whether women are capable enough but rather that the organizational system itself presupposes an exclusive labor paradigm that makes those who do not meet that paradigm considered "exceptional," "unstable," or "inferior labor." Therefore, the core meaning of labor dignity is not limited to freedom from exploitation or formal equality, but also to whether to recognize workers as subjects with multiple social roles and complete personalities, rather than just as alternative production tools in the process of capital accumulation.

The lack of dignity is further manifested in the institutional deviation of labor value evaluation. In most East Asian workplace cultures, women are often expected to undertake a lot of "emotional labor," including emotional regulation, conflict mitigation, relationship maintenance, and organizational climate management. However, these indispensable contributions to organizational operations are regarded as women's "natural nature" or additional behaviors under the logic of capital oriented towards quantitative performance and visible outputs, rather than professional labor that can be valued and recognized. As Selmi (2005) points out, this phenomenon is a typical "indirect discrimination," and its danger lies not in explicit exclusion but in the systematic disregard for gendered labor by the institutional design itself.

Such a legal construction, while seemingly neutral, systematically marginalizes individuals based on their socio-spatial positioning. This institutional exclusion is often compounded by contemporary policy shifts that prioritize technological or market transitions without accounting for their structural fallout. For instance, recent scholarship suggests that state-led drives toward digital entrepreneurship and AI integration can trigger 'unintended and undesirable effects' if implemented through a top-down approach (Attia, 2025). Within the labor market, these interventions risk devaluing traditional labor and widening the mismatch between institutional expectations and the lived realities of workers. Integrating these perspectives allows for a more critical legal assessment of how dignity is undermined when public policy inadvertently reinforces the very structural barriers it seeks to overcome."

When women's implicit labor in organizations cannot be translated into formal evaluation, salary rebate, or career capital, labor behavior itself has a profound "alienation" effect. Labor is no longer a way of self-realization and social recognition but has become a depersonalized and devalued giving. In this context, the vision of "Decent Work" advocated by the ILO on dignity, equality, and humane labor is prone to symbolic language and is difficult to implement in the actual labor field. Therefore, the first prerequisite for improving labor dignity is to break the institutionalized and normalized organizational power structure of gender division of labor and redefine what "valuable labor" means so that labor value can reflect its diverse forms and social significance. With the rise of global ESG (Environmental, Social, and Corporate Governance) governance frameworks, gender equality has gradually shifted from marginal ethical demands to core issues in corporate sustainability and risk management. However, in the process of aligning with international norms, it is still necessary for East Asian companies to maintain a high degree of critical awareness of this trend. As Rhodes (2022) warned of the phenomenon of "woke capitalism," if companies only regard gender diversity as part of their brand image or performance indicators, without touching the logic of power allocation and labor distribution within the organization, the discourse on affirmative action is likely to become a depoliticized governance tool.

Therefore, in this context, the perspective of transnational constitutionalism provides an important theoretical approach. By placing domestic labor laws within a comparative framework of global human rights and labor standards, gender equality is no longer just the result of corporate self-discipline or state goodwill but a normatively binding institutional obligation. Furthermore, if the "4Rs" governance framework—Recruitment, Retention, Return, and Representation—can be integrated into the institutional design of the entire life cycle of the organization, the existing gendered power order can be truly shaken. Therefore, when gender equality at work is regarded as a fundamental condition for organizational governance and social sustainability, rather than an additional goal, and the gender power hierarchy in the workplace is completely deconstructed through the institutional hierarchy, it is possible for the East Asian labor field to break free from the historical shackles of authoritarian capitalism and patriarchy and move towards a labor dignity system that combines international resilience and universal personality values.

The core significance of labor dignity in a contemporary society governed by the rule of law should not be regarded as merely an instrumental guarantee of suitable labor conditions but should return to the deep moral argument of "human dignity" and "equal status" in the philosophy of law. As Ronald Dworkin said, the legitimacy of law is ultimately based on the "integrity" of political morality, requiring the system to give "equal care and respect" to every individual. In the labor field, this means that workers should not be regarded as mere factors of production or economic resources but as personality subjects with autonomy (authenticity). Dworkin argues that human dignity includes two pillars: one is "self-respect," that is, workers have the right to demand that the value of their labor be seriously recognized in the design of the system. The second is "authenticity," which emphasizes the right of individuals to independently determine the path of their life practice in an environment that is not oppressed by gender prejudice (Chuang, 2012).

However, in the labor system from an East Asian perspective, this human dignity is often dissolved under the complicity of capitalist efficiency logic and the traditional patriarchal system. The long-standing "glass ceiling" and "statistical discrimination" against women are essentially an infringement on the Dworkin view of dignity—it denies the ability of female workers to be independent moral subjects and take responsibility for their career development and life plans. Therefore, the legal legitimacy of implementing gender equality at work and labor dignity does not only come from aligning with international ESG norms or

improving organizational performance but also from the moral protection of the highest legal value of "personality rights." This requires us to go beyond mere economic instrumentalism and internalize "equal care and respect" as the soul of organizational governance when constructing labor policies. Only by ensuring that workers can maintain their subjective dignity in the process of pursuing self-realization through laws and systems can the labor field be transformed from an alienated production space into a place of dignity practice with moral power.

The implementation of the '4Rs' governance framework—Recruitment, Retention, Restart, and Representation—is not merely a management strategy but a realization of Dworkin's 'integrity' in political morality. By ensuring representation at the decision-making level, organizations can effectively dissolve the 'glass ceiling' and transition from symbolic 'affirmative action' to the substantive protection of human dignity.

## 5. Conclusion

Through observations of the East Asian labor field, the study concludes that achieving substantive equality requires transitioning from "woke capitalism" to an inclusive ethical governance system that validates diverse labor values and protects the psychological integrity of all workers. Even though the legal provisions have established an anti-discrimination defense line, the "ideal worker" model unique to East Asian workplaces, that is, the masculine model of excluding social reproductive responsibilities and working around the clock, still systematically marginalizes female workers through statistical discrimination and the glass ceiling effect. This structural exclusion not only damages women's economic rights and interests but also fundamentally dissolves their personal dignity as labor subjects.

### *5.1 Jurisprudence Sublimation: The Enlightenment of Dworkin's View of Dignity on Labor Equality*

This study emphasizes that the implementation of labor equality cannot be limited to output efficiency or ESG compliance indicators but must return to the "equal care and respect" advocated by Ronald Dworkin. The core value of labor dignity lies in maintaining the "self-respect" and "authenticity" of individuals. When laws and organizational systems can ensure that workers are not trapped by established labels because of gender, labor behavior can break free from the instrumental alienation under capitalism and transform into an autonomous process of practicing the life plan. Therefore, the true meaning of the gender equality at work legal system is to protect the "dignity and integrity" of every worker as a moral subject, which is also the core standard of labor human rights under transnational constitutionalism.

### *5.2 Policy Dialectic: from "Washing Equal Rights" to Substantive Governance*

In response to the amendments to Taiwan's Three Gender Equality Laws in 2023, this study argues that while simply strengthening administrative penalties and employer responsibilities can help establish external deterrence, if there is no overturning of the organization's internal power structure, affirmative action policies may become a public relations label under "woke capitalism." The conclusion suggests that East Asian companies should adopt South Korea's "4Rs" governance framework (recruitment, retention, restart, and representation) and incorporate gender equality into the core strategy of corporate governance. The role of the law should not only be punishment after the fact but should actively promote organizational transparency (such as salary transparency) and diversity at the decision-making level and implement the slogan of "friendly workplace" as an institutional guarantee of "distributive justice" and "recognized justice."

### *5.4 Final Outlook: Dignified Life Brought About by Dignified Labor*

Looking ahead, the realization of labor dignity in East Asia depends on the redefinition of "labor value" by the state, businesses, and civil society. Gender equality in work should not be seen as a cost burden for companies but as a foundation for achieving labor market resilience and social sustainability. When countries can benchmark the International Labor Organization (ILO) standards of "decent work" and supplement it with a profound philosophy of human dignity, they can curb the exploitation caused by the competition for capital. This study ultimately echoes that only by giving individuals true equality and dignity in the workplace can workers have a quality "decent life" so that work is no longer just a means of survival but a concrete practice of personal dignity in a contemporary society governed by the rule of law.

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