Sweated Labor Then and Now

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Reviewed in this essay:

Daniel E. Bender, *Sweated Work, Weak Bodies: Anti-Sweatshop Campaigns and the Languages of Labor.* New Brunswick, NJ: Rutgers University Press, 2004. 272 pp. $23.95 cloth.

Daniel E. Bender and Richard A. Greenwald., *Sweatshop USA: The American Sweatshop in Historical and Global Perspective.* New York: Routledge, 2003. 300 pp. $26.95 cloth

Marvin J. Levine, *Children for Hire: The Perils of Child Labor in the United States.* Westport, CT: Praeger, 2003. 233 pp. $49.95 cloth.

Jane L. Collins, *Threads: Gender, Labor, and Power in the Global Apparel Industry.* Chicago: University of Chicago Press, 2003. 309 pp. $18.00 paper.

From the first usage in nineteenth-century America of the term "sweatshop," the definition of this emotive term has "reflected social anxiety about global flows and exchange of people, goods, culture, and capital," Bender and Greenwald write in their useful edited volume, *Sweatshops USA.* And if the term sweatshop today connotes a race to the bottom in which a market structure of intense competition reflects the absence, or lack of the enforcement of, effective protective legislation across the relevant market, then there is little basically new in the organization of garment production and the unrelenting pressures on its workers. Essential characteristics of sweated labor in the industry result from structural characteristics which have remained and are only ameliorated by strong unions, public concern for the conditions of labor, and enforced social regulation. While it has often seemed to be an outlier in its exploitative norms, the idea that garment work is totally unique in the flexibility it demands, the excesses and abuses inherent in the contracting system with its pressures to respond to unpredictable and rapidly changing fashion, its production of a labor-intensive product not easily mechanized, and its ability to seek out and control a vulnerable labor force is a misjudgment. It is rather an industry which represents an extreme but not a different form of the way labor markets operate. It is not a vanishing past but a worrisome globalized future of just-in-time production and multisourced internationalized commodity chain organization of production which should be worrying.

Today's globalized garment industry is dominated by transnationalized consumer brands, The Gap, Wal-Mart, The Disney Corporation, and Liz Claiborne,

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dominating terms to producers too numerous to all survive and few of whom are likely to thrive under unrelenting downward pressure on their profit margins with obvious impact for labor. Such factors make it the poster child for what is labeled the antiglobalization movement, better described as the global justice movement. The apparel industry is not alone in seeking to avoid "fixed costs, a fixed labor force and fixed rules," (as Nancy Green writes of the garment trade in her contribution to the Bender and Greenwald collection).

The General Accounting Office (GAO) defines a sweatshop as a workplace where the employer violates more than one federal or state labor law. By such a measure the number of sweatshops is thought to be increasing in this era of neoliberalism with the deregulation and return to a *laissez-faire* climate. Even if the GAO's bland definition does not begin to connote the horrific conditions described by students of sweatshops historically or in today's world of work, it allows for the application of the term sweatshop to describe the work conditions in food establishments, call centers, asbestos removal firms, and flower farms, among other places where the new sweatshops can be found. The garment industry today, as it was a century ago, is likely to have proportionately more numerous sites than other industries that fit this description.

A Department of Labor survey of registered garment firms in Los Angeles in 2000 showed that only one in three was in compliance with Federal minimum wage and overtime laws. Given the pressure such shops are under and lack of enforcement as reigning orthodoxy and practice, it is surprising that the government was able to judge one in three in compliance. The worst abusers are the nonregulated, unregistered workplaces that are numerous, sprouting like mushrooms in the United States and across the terrain of the new world order.

Ironically the apparel industry comes close to the situation of the mainstream economist's ideal of perfect competition. There is a very low level of concentration and costs are driven downward by merciless competition. It has also long been a globalized industry. Apparel manufacturing today employs at least six million globally and there are more than double that in textile manufacturing. In the United States and other economies of the Global North the industry predominantly employs women of the same ethnic background as those it employs indirectly though contracting in the Global South. Apparel workers in different parts of the world compete to perform the same operations for the same firms. There is intense competition among workers, contractors, subcontractors and sub-subcontractors for the business of an increasingly smaller number of brand-name designer and own-label retail chains which source transnationally. This means that while it is often alleged that garment production is a good "starter" industry for developing countries which have an abundant unemployed and underemployed labor supply, this is not the case. And because this is not correct, the condemnation of the anti-sweatshop movement by prominent economists (such as Jeffrey Sachs who has famously said "My concern is not that there are too many sweatshops but that there are too few.") and other opinion molders is highly suspect.

Jane Collins usefully points out the "troubling contradiction" in such think-

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ing. Improvement in wages and working conditions leads to disinvestment since operations are dependent on maintaining a maximally exploitative situation if they are to compete in global garment manufacturing. Workers and indeed countries cannot easily "move up." Only communities of accountability, enforcement of labor standards everywhere as part of a protected right to organize, and a realignment of class power domestically and globally can bring sustainable gains. Otherwise the barbarianism of "free" markets erodes claims workers are able to make on employers and their individual governments. As the contributors to these volumes agree, in confronting highly mobile and typically geographically distant decision makers, the "new" forms of global and local organizing of which some write, need to be expanded and strengthened. However, as the historical research amply demonstrates, much current thinking in the anti-sweatshop and union movements today would have been familiar to activists of a century ago.

What has changed with the current extent of globalization is the more territorially extensive pattern of sourcing dry goods. The widely accepted estimate is that more than half of all American exports and imports are transferred within global corporations from enterprises in different countries. When captive or long term relational arrangements are included, the figure moves to over two-thirds. There is actually very little of the arm's length spot exchange between countries presumed by conventional trade theory. In many of these globalized industries the sweatshop model plays a significant role. Andrew Ross writes in the Blender-Greenwald collection (in an essay drawn from his 1997 book, *No Sweat: Fashion, Free Trade, and the Rights of Garment Workers*). "Subcontracting, disdained by early twentieth-century apostles of scientific management, has become a standard principle of all post-Fordist production, used in auto parts, building maintenance, data processing, electronic assembly, public-sector work, and every other industry restructuring itself away from central economies of scale and mass production."

Immigrant Sweatshops on the Lower East Side

Historians find a remarkable degree of back to the past in much of the discussion of sweatshops and the organization of production. By 1890, as Daniel Bender reports, most retailers contracted out bundles, pre-cut garments to be assembled. "Inside" shops dealt directly with retailers and Bender tells us a handful of these shops on New York's Lower East Side oversaw the entire manufacturing from cutting to final inspection of garments. "Outside" shops bid for bundles and, as is the case today, the number of such subcontractors was so large that profit margins were thin indeed encouraging exploitation and self-exploitation of subcontractors and their families. The division of labor included men as bosses and more skilled (or at least better paid) workers, and women, young girls and children at the bottom. Workers averaged over eighty hours a week, more in season and on rush orders.

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Early twentieth-century sweatshops, often in tenement apartments "that featured the labor of men, women, and children in the most immoral and appalling surroundings," were contrasted at the time Bender writes, with idealized images of "American factories. Thus sweatshops were understood to be foreign to the way Americans produced manufactures." Indeed, there was a sense of "a foreign menace among us" well captured in remarks by Frank Sargent, the Commissioner General of Immigration in 1905 (quoted in Bender and drawn from Hingham's *Strangers in the Land*), "Today there is an enormous alien population in our large cities which is breeding crime and disease . . . Unless something is done . . . it is my fear and belief . . . the alien population of the country, or rather cities, will contribute to a downright peril."

Bender studies the way efforts to define and eradicate sweatshops revealed the dynamic relationships across lines of class, gender, ethnicity, and race in an era when factory inspectors "worried about workers as vectors of disease, policy makers viewed immigrant groups as distinct and debased races, and male workers saw women as transients who would work only until marriage." He reports that the factory inspectors of the time saw sweatshops as a reflection of Jewish racial inferiority and potentially as a cause of their racial degradation. But perhaps somewhat in contradiction to this unqualified generalization he also tells something of the story of George Price, an Eastern European Jew, who arrived from the Ukraine to be taunted for his beard and clothes that marked him as an Orthodox Jew and who went on to earn a medical degree from New York University and start his own School of Sanitation which trained hundreds of students to become factory inspectors. It is a wonder that all factory inspectors, despite such possible training and inspiration can be characterized without exception as Bender does.

The Industrial Commission on Immigration classified immigrants by race and not nationality and discussed the hierarchy of races. Bender might have spent a little space explaining the different meaning of race in the minds of his readers today so that the earlier usage could be contextualized better even as he does a good job in discussing the complex racial vision that described Jews as both a degenerate race and also capable of progress and advancement as well as the relation of racial stereotypes to reform efforts and contemporary explanations of garment labor. Most of the book is devoted to gender presumptions and their effects, including in the struggles within the International Ladies Garment Workers Union, strategies of organizing, union factionalism, class background and their consequences for such organizations as the Joint Board of Sanitary Control whose goal of industrial decency, "not revolution" but the "humanizing of modern industrial processes," a preference scoffed at by Bender. He also participates in a discussion found in much of the literature, the tension between the use of images of victimhood used by anti-sweatshop crusaders and the focus on class resistance by workers. More broadly Bender's historical work demonstrates the many parallel s between sweatshop discourse then and now and that much is not new in the present conjuncture. He reminds readers, for example,

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that by the end of the 1880s New York City was an outpost of a transnational garment industry.

Sweatshops in the US of A

The rhetoric and tactics of today's activists in responding to the reality of sweatshops and the Pollyannaish presentations of the Thomas Friedmans of the world echo their predecessors of the start of the last century in important regards and shocking disclosures are showing situations as bad as those found a hundred years ago. The essay by Peter Liebhold and Harry Rubinstein in the Bender-Greenwald collection tell the story of the raid on the El Monte sweatshop in 1995 whose operators at the time held seventy-two Thai workers in slavery, having mislead their countrymen (women) with promises of good pay, work in a clean factory and weekends off to get them to sign contracts (indenture agreements) committing payment of thousands of dollars in return for being smuggled into the United States. As it turned out they worked from seven in the morning to around midnight with breaks for lunch and dinner for an average wage of sixty-nine cents an hour. From this they not only had their debt subtracted but the exorbitant price of food sold on site. The clothing they produced was sold with famous labels in major chain stores. Another contractor, unable to compete with such a setup, called the Immigration and Naturalization Services (INS) to report the operation. They also tell the less well known (and fascinating) story of the Smithsonian's exhibit on American sweatshops which sought to promote a better understanding of "this difficult topic" by presenting material from different perspectives and concerns. The curators had endless political difficulties and were forced into extensive compromises and despite support from more enlightened industry participants. The fears of industry associations were warranted to the extent that any discussion of sweatshops in a public venue, no matter how fair and balanced, creates an opportunity for public discourse on an important topic, something the hardliners in the industry well understand.

Richard Greenwald's chapter tells us that garment unions and their allies shifted their "weapon of choice" in combating sweatshops and capital movement from organizing workers to government legislation and regulation and "in the end" garment workers relied on the powers of the state to curb producers and protect their industry and that this has been a failed policy. He tells us these "international unions failed to see the problem in either regional or global terms" and thereby "in the end, resorted to protectionist arguments, which, in an age of growing global trade, seemed out of step . . ." There is of course no "in the end" to labor's story of struggle. The organizers in the industry I know have a hard task and when they succeed shops shut down and open elsewhere. They know all about globalization and have for a very long time. The international campaign for labor workers rights is knowledgeable and works for a leveling up and the encouragement of unionization in the Global South against all odds including the collusion of foreign governments, US clothing seller trans-

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nationals and, of course, those politicians in Washington who fear above all else being called protectionist. That such a campaign is desperately needed is certain.

I would urge readers who have not yet done so to download the AFL-CIO's Section 301 Petition before the US Trade Representative, a first class piece of work by Mark Barenberg of Columbia University's law school. It makes the case for the need for enforceable basic labor rights in order to discourage the race to the bottom which China's industrial relations model is intensifying and makes the argument that only trade sanctions can be effective in changing these policies. While many activists here and some unionists abroad argue sanctions hurt workers they are meant to help (in a way a reprise of the logic used by the Reagan administration in resisting a boycott of the racist South African government under apartheid), the AFL-CIO argues that in the case of China it is the only way to promote the struggle for workers' rights and the ability to form free trade unions in China. This is a debate absent from all of the books under review. Greenwald's discussion of the International Ladies Garment Workers Union (ILGWU)'s protectionist history gives pause to putting too easy a faith in the contemporary campaigns for workers' rights as not being veiled protectionism. However this cannot be the end of the debate since merely saying as Greenwald does that we must "tap the power of worker organization both here and abroad" is not enough. There is yet to be, as far as I am aware, the sort of nuanced, specific and comprehensive strategic design that is so badly needed.

Some of the flavor of the industry's transformations are conveyed by Kenneth Wolensky's discussion of the migration of Pennsylvania's garment factories and Xiaolan Bao's report of interviews with workers and visits to a number of shops in the Sunset Park area of Brooklyn, the latter originally published in ILWCH 61. Wolensky is good on why garment manufacturers chose the Pennsylvania towns they do (availability of desperate pools of unemployed and underemployed labor with a strong work ethic who have been stranded by the decline of other local industries in ethnically diverse and depressed towns). Bao gives a feel for garment production and why primarily undocumented and non-English speakers are suspicious of outsiders claiming to want to help them and put up with long hours and not getting paid as promised in a section of the essay headed "Co-Ethnic Conspiracy?" She is critical of what is described as the parochialism and culture of UNITE!'s business unionism shared with other traditional trade unions.

Edna Bonacich and Richard Appelbaum, long time important contributers to this literature might have been asked to update their essay on offshore production for this collection. For a book bearing a 2003 copyright to be asking "Is Guess's departure indeed the beginning of the end, the start of NAFTA's 'giant sucking sound,' that Ross Perot predicted?" could be supplemented with more recent data on the closings of *maquilas* as Mexican production declines and production moves to China. The essay is nonetheless very helpful for understanding the fundamentals of the industry. Writing today we might note that in July 2004 the *Financial Times* quotes Bob Zane, who is in charge of global sourcing

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and manufacturing for Liz Claiborne, to the effect that as quotas end his company is halving the number of countries and of factories it uses over the next three to four years. The expectation according to a study by McKinley, the consultancy, is that China will become the supplier of half of the world's clothing exports by 2008, raising questions that go well beyond those raised in any of these books, a testament to the lengthy lag between research, publishing, and reviewing.

Immanuel Ness's reporting on the devastation to the Chinatown industry as a result of 9/11 and the larger hemorrhaging of garment production in New York City over several decades invites perspective, in a globalized world, of critiques of the failures of UNITE! in efforts to organize locally. What is now different from the situation at midcentury as Ness writes is "a deceasing capacity to translate worker power and militancy into enduring improvements in the conditions of labor." At the same time Ness deals fairly with the condemnations of a range of the union's critics.

Italian garment workers, who are given very short shrift by Bender, are the subject of Jennifer Guglielmo's chapter on "Sweatshop Feminism" which discusses Italian women's political culture in New York City's needle trades between 1890 and 1919. The story offers a different understanding to that of male union leaders of the time who described Italian immigrant women as under the control of "old customs and traditions." "Femininismo" was creatively alive in the "lavoratrici cosciente" movement of political community she describes and later in Italian participation in Popular Front groups in the Harlem represented by Vito Marcantonio as part of wider interethnic coalitions offer a very different perspective.

The return to purchasing power as a weapon to promote social justice is documented in Eileen Borris's "Consumers of the World Unite!" an essay discussing campaigns against sweating, past, and present using common tactics: codes of conduct, "No Sweat" labeling, labor standards and other solidarity measures as we have moved from "Shame on you, John Wanamaker" to "Nike, Just don't do it." The concern of today's college activists who see themselves not merely as enlightened reformers but true allies of labor reflects a not unfamiliar tension. Such concerns are also taken up in Andrew Ross's essay on the rise of the second anti-sweatshop movement (which draws on his 1997 book, *No Sweat: Fashion, Free Trade, and the Rights of Garment Workers*). It is perhaps the most politically astute in this collection of mostly strong contributions. He raises the important issue which occurs throughout this literature: "Installing proper fire exits may turn a sweatshop into a legal workplace but it remains a low-wage atrocity." The goal must be to end all exploitative labor conditions and provide a living wage.

In a somewhat different tone Ethel Brooks argues that when "the egregious abuses—lack of bathroom breaks, physical abuses—are taken away, scholars accept the continuation of long hours, low pay, and high production quotas." They accept them because they are seen as normal and the only alternative to no work. There is no doubt some scholars may take this view but as in some of the other

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essays in this collection the painting is done with a broad brush. Brooks also sees anti-sweatshop activists using women's bodies and attitudes of patriarchy to portray women workers, denigrating their agency by portraying them only as victims. "In the standard conception of transnational labor campaigns, consumers and activists band together to defend workers, while hierarchical relations of class, gender, race, nation, and language within production and protest can be overlooked." Yes, they can be overlooked. But are they always ignored? In fact there is active struggle, criticism, and self-criticism in the movement and among progressive researchers. In her estimation, the concluding essay of the book, such relying on gendered and racialized stereotypes and implicit acceptance of hierarchies is "for the benefit of US leftists."

Collegiate apparel is a two and a half billion dollar business and the Workers Rights consortium investigating worker complaints (rather than certifying specific factories or companies as "sweat free") is forging closer ties with workers and the labor movement, acting out of a sense of privileged outrage perhaps, but also working not on behalf of workers but in solidarity with their struggles, as Liza Featherstone reports. The United Students Against Sweatshops (USAS) is sharpening a critique of the employer-run, Clinton White House-brokered competitor which inspects only on invitation and with notice and does not disclose its findings (except to the firm itself). USAS knows that the code of conduct approach is no substitute for worker self-organization. The Featherstone piece might have been a better choice for the concluding essay.

Threads

Jane Collins offers a multi-sited ethnography of the global garment industry in a book which reports on four locations from a New Jersey corporate headquarters, a knitting mill in southern Virginia, to plants in Aquascaliente, Mexico, tracing the flow of power relations, people, material, and products to tell us what it means to be a worker in the global labor market. As in the other studies reviewed here, her worker is gendered, racially, ethnically, culturally, and spatially located. She sees these complex identities as important for organizing and is critical of the all-too-frequent treatment of workers as generic beings. Collins is also aware that transnational organizing needs to transcend not only protectionist impulses but be grounded in an understanding of the economic forces which sometimes link workers' interests and sometimes divide them and consider long run as well as short run impacts. It is grounded in an understanding of the uses firms make of competition among workers.

Michael Burowoy's descriptor, hegemonic despotism (the situation where the arbitrary tyranny of the overseer over the individual laborer is replaced by the rational tyranny of mobile capital over the collective worker), frames her treatment of plant closure and capital flight as a way of helping us understand that practically every company in the textile and apparel industry in the US suffers from foreign competition and high cost relative to lower cost venues in the Global South. Collins tells the reader that separating workers from employers

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in space and through layers of contractors makes it more difficult for moral economies to emerge and therefore working people have to establish deterritorialized community. She also demonstrates the manner in which workers gain strength from local roots, dense fabrics of social intercourse, extended families and local institutions.

Collins writes that male-dominated unions have historically given many of the concerns of community and especially of women inadequate attention, health and reproductive freedom, for example, and she credits women's organizing with making these connections, holding firms accountable, and establishing alliances between labor and community groups. This is especially important in this industry where organization has always taken place in the community as well as, and often more effectively than on the shop floor. She reports, "When maquiladora workers have come together in organizations, they have been just as like to address concerns about urban services, clean water, and day care as about their wages."

In addition to her richly textured ethnographic reportage, she has an excellent chapter on the emergence the twenty-first century apparel industry with a review of relevant literature. This is a nicely nuanced and well rounded book taking up a number of perspectives on her topic and weaving these threads together effectively.

Child Labor in the United States

The US Department of Labor's Bureau of International Labor Affairs publishes volumes on child labor through out the world. It does not include the United States. Marvin Levine fills this lacunae with an excellent report on the child labor situation in this country. His coverage is not only of the obviously important areas, such as migrant labor, but is quite comprehensive. He is good on the law and its (non)enforcement and takes up the issue of the extent to which this society thinks almost any kind of work is a positive value for young people. After a careful definition of child labor (harder than one might think) and of legal protection under the 1938 Fair Labor Standards Act, he reports that despite child labor laws, children in America are being killed and injured on the job at much higher rates than their adult counterparts.

Beginning with the colonial period he reviews the history of child labor in this country, in the mines, mills, and canneries, through the first child labor law (Massachusetts, 1836), and through the legal set backs of laws struck down by the courts. He is very good on the legal context and in detailing the costs to child workers of their laboring. His chapter on sweatshops and corporate codes of conduct is better and certainly more detailed than coverage in any of the other books here under review. I found his chapter on the impact of child labor upon education and development particularly insightful and powerful. Levine writes in an unadorned prose but offers an impressively extensive review and commentary. The cumulative impact is more powerful than many more sensationalist treatments.

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Summing Up

The books under review, while they cover overlapping ground, have different foci and meet different needs. Bender's is primarily a historical study of Jewish sweatshops in the late nineteenth and early twentieth centuries with a focus on gendered social relations within the shops and movement organizations. The Bender and Greenwald collection covers the organization of production, the diversity of the work force and its experiences, as well as resistance by both workers and the anti-sweatshop movement. It would make a good text in undergraduate courses. The same is true of the Collins study of gender, labor, and power in the global apparel industry. It is theoretically rich and intellectually demanding (and rewarding) with a keen appreciation of the dialectics of globalization while its stories are rooted in a textured ethnography of locale. Levine admirably brings together vast literatures on child labor in the United States. This quartet adds to the already voluminous literature on sweatshops (readers wishing to know more of this literature can refer to http://www.willamette.edu/~mhaugh/sweatshop_books.htm) and each makes a contribution that contemporary scholars and activists are likely to appreciate.

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