Strategizing Against Sweatshops: The Anti-Sweatshop Movement and the Global Economy

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STRATEGIZING AGAINST SWEATSHOPS:
THE US ANTI-SWEATSHOP MOVEMENT AND THE GLOBAL ECONOMY

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Strategizing Against Sweatshops:
The US Anti-Sweatshop Movement and the Global Economy

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In this dissertation, I examine the strategic evolution of the US anti-sweatshop movement, particularly United Students Against Sweatshops (USAS) and the Worker Rights Consortium (WRC). While scholars of social movements have analyzed individual tactics used by movements, they have only recently begun to look at the larger question of strategy--how movements make choices about which tactics to use when and how they link these tactics together into a larger plan to alter macro-level power relations in society. This dissertation is one of the first empirical examinations of the processes by which particular groups have developed their strategy. I look at how ideology and values, a sophisticated analysis of the structure of the apparel industry, strategic models for action handed down from past movements, and the movement’s decision-making structures interacted in the deliberations of anti-sweatshop activists to produce innovative strategies. I also focus on how the larger social environment, especially the structure of the apparel industry, has shaped the actions of the movement. In seeking to bring about change, the anti-sweatshop movement had to alter the policies of major apparel corporations, decision-making arenas typically closed to outside, grassroots influence. They did so by finding various points of leverage--structural vulnerabilities--that they could use against apparel companies. One of the most important was USAS’s successful campaign to get a number of colleges and universities to implement pro-labor codes of
conduct for the apparel companies who had lucrative licensing contracts with these schools. In USAS’s campaigns to support workers at particular sweatshops fighting for their rights, they could then use the threat of a suspension or revocations of these contracts--and therefore a loss of substantial profits--as a means to pressure apparel companies to protect the workers’ rights. This combination of strategic innovation and access to points of leverage has allowed the US anti-sweatshop movement to win some victories against much more powerful foes.
Chapter 1: Introduction

Glimpses of the Anti-Sweatshop Movement

In 1995 and 1996, there were a series of major news stories on the return of sweatshops in the apparel industry. These stories were fueled in part by the sensational nature of the cases involved. On August 3, 1995, The Los Angeles Times broke the story of a factory in El Monte, California where roughly seventy Thai immigrants were being held in conditions of virtual slavery. In 1996, Charles Kernaghan of the National Labor Committee (NLC) and the major US apparel union UNITE revealed that Kathy Lee Gifford, a talk show host who had cultivated a maternal persona, was producing her personal line of clothes in sweatshops employing child laborers, both in Honduras and New York City. The reality was that these sweatshop working conditions were nothing new--they had been becoming increasingly common since the 1970s, both in the US and abroad. The salacious nature of the scandals--modern-day slave labor in one case, a maternal celebrity profiting from child labor in another--however, gave these cases attention that more run-of-the-mill sweatshop cases did not. This was a blessing for groups like the NLC and UNITE who had been trying to call attention to the resurgence of sweatshops for some time, with relatively little success (Ross 2004).

Although conditions certainly vary from one factory to another, it is still possible to broadly describe the conditions that prevail in sweatshops. The workforce consists predominantly of young women, whom employers--seeing them through patriarchal eyes--view as more dexterous and docile, both more skilled as sewing and less likely to rebel than men. A typical workweek is six days a week, twelve or more hours a day. Pay is
minimal, sometimes not even meeting the legal minimum wage of the country where the factory is located, let alone a living wage. Overtime is usually mandatory--again regardless of what the actual law says. At times, when workers must complete large orders, they are forced to get only a few hours asleep underneath their sewing machines. Factories are generally unsafe and unsanitary. Sexual harassment is typically pervasive. Women may be fired for being pregnant, so that their employers do not have to pay for maternity leave. Where racial differences exist, as with East Asian factory owners in Central America, there may be racial harassment as well. Armed guards may be present to keep workers in line, with the police available to back them up when the guards alone cannot bring sufficient force to bear to repress workers (Bonacich et al. 1994; Brooks 2007; Klein 1999; Pangsapa 2007; Ross 2004).

While the El Monte and Gifford scandals called some attention to these facts, media coverage soon petered out. It was enough, however, to spark an interest in anti-sweatshop activism in some sectors, including among college students. Independently, over the course of the 1995-1996 school year, anti-sweatshop groups sprang up on a number of college campuses, fueled by concern that their schools were doing business with companies who profited from sweatshop labor. Eric Dirnbach (interview, 2007), then a graduate student at the University of Michigan, told me,

There was really nothing going on around campus about that [issue] and there was some news coming out, the Kathie Lee scandal and some other things about some Nike problems with sweatshop factories in Indonesia and other Asian countries, so we decided we were going to try to do
something about that. […] We protested at football games, and had some
meetings with the administration, etc. Our demands were a little
incoherent at that point--it basically was drop the Nike contract or get
them to do the right thing. It was not quite clear to us at the time exactly
what the right thing would be.

This lack of coherence appears to have been common among student anti-sweatshop
activists at the time. In addition to being unsure of their exact demands, in many cases,
they did not have a clear plan for pressuring the administrators of their school. They
might organize a piece of street theater on campus to raise awareness of the issue of
sweatshops, but they did not necessarily have a clear idea about how that might translate
into a long-term plan for changing college policy.

Roughly ten years later, over the summer of 2005, a national student anti-
sweatshop group, United Students Against Sweatshops (USAS) convened a meeting,
which included people not only from other US anti-sweatshop groups, but anti-sweatshop
activists from across the globe. Their goal was to come up with a plan that would allow
them to force major apparel companies to change their business practices, particularly the
fashion in which they outsourced their manufacturing, something that lies at the root of
the problem of sweatshops. Their goal, in other words, was to devise a plan that would
bring about major structural changes in the industry. The product of this meeting was the
Designated Suppliers Program (DSP), in which companies doing business with
participating schools would be required to source a certain percentage of their clothing
for those schools--initially 25%, but eventually 75%--to particular factories, which had
been certified by the Worker Rights Consortium (WRC), an independent monitoring organization, as being generally respectful of workers’ rights. While this was certainly ambitious, there was no reason for USAS and its allies to think it was totally unrealistic. They had already pressured over 150 colleges and universities into adopting codes of conduct meant to guarantee labor rights and then persuading those schools to join the WRC, which would act as the enforcer of these codes. Indeed, USAS and its allies had founded the WRC for this very purpose.

Clearly, the US student anti-sweatshop movement had evolved significantly over ten years. They had gone from being a network of somewhat only loosely connected groups on various campuses to a national organization that many considered to be at the cutting edge of the US anti-sweatshop movement as a whole. They had also gone from being unclear on how to effectively pressure the administrators of their own colleges to designing a detailed plan to alter some of the basic business practices of the major firms of the apparel industry, behemoths of the corporate world such as Nike and Reebok.

In seeking to understand how this dramatic development happened, current scholarly theories of social movements offer us little guidance. Quite simply, they have relatively little to say about the ways in which social movements strategize and therefore little to say about how a group’s strategy might evolve so much over the course of ten years. Instead, at least until recently, movement scholars have focused on the individual tactics movements have used—such actions as street theater, rallies, petitions, sit-ins, etc. Much of this work has produced valuable insights into how groups select their tactics and the effects these tactics have. This research has, however, largely neglected the larger
question of strategy, not looking, for instance, at how different activists link different tactics into a larger plan and what the effects of those tactics in interaction with each other are. Without this, it is hard to get a grip on how the student wing of the anti-sweatshop movement evolved from using scatter-shot protests and guerilla theater to devising an ambitious plan on the scale of the DSP. Over the course of this dissertation, I will look at the strategic evolution of the US anti-sweatshop movement, with a particular focus on USAS and the WRC.

Understanding how they developed a coherent strategic plan and how their strategy evolved over time will give us a deeper understanding of not only this movement in particular, but of how movements in general create their strategies. I will also consider why looking at strategy as an integrated set of practices is important--what dynamics it brings to light that considering tactics and other actions by social movements, such as organizing and framing messages, in isolation does not illuminate. The anti-sweatshop movement has been successful in part because they have looked at all these issues in an interconnected fashion--unlike some activist groups (including some activists I interviewed before they connected with the larger movement) who think only tactically, coming up with ideas for creative actions, but not thinking about how they form part of a larger, organized line of attack against those power-holders responsible for the injustices they oppose. Understanding how movements can think strategically is important, for both scholars and activists, since doing so seems likely to dramatically increase their odds of success.
“Tactics” and “strategy” are two terms commonly used in one breath, as if they were largely synonymous. I would argue, however, distinguishing between the two calls our attention to an important aspect of how movements operate. In particular, it can highlight the ways in which activists draw on the diverse range of actions with which they are familiar to craft a larger campaign or plan. A tactic, as I define it here, is a discrete action that a social movement organization (SMO) can take that is modular (that is, standardized and repeatable)--something such as a rally, a sit-in, street theater, or strike. I define strategy, on the other hand, as the process by which SMOs and networks of allied SMOs seek, in the context of unequal power relationships, to develop sets of interlinked practices that will allow them to alter the larger social system, in particular seeking to alter the balance of power in their own favor and in those of the social groups they represent. These interlinked practices include assessing the opportunities and constraints in their larger social environment (Alimi 2007; Koopmans 2005; McAdam 1999; Tarrow 1998), mobilizing people through movement organizations (Morris 1984), forming alliances with other groups (Bandy and Smith 2005; Bystydzienski and Schacht 2001), framing their ideas for a larger audience (Ferree et al. 2002; Ryan 1991; Snow and Benford 1988), and selecting a particular set of tactics to use to pressure authorities (McAdam 1983; McCammon et al. 2008; Tarrow 1998; Tilly 1978). In other words, strategy covers the range of actions, including the individual tactics scholars have long studied, a movement consciously takes to reach its goals--and the process by which movement activists select those particular actions and combine them into a larger whole.
Methods and Data

My analysis draws on two major sources of data. The first is thirty in-depth interviews with activists in the US anti-sweatshop movement, conducted between June and October 2007. Because the people I wished to speak with were scattered across the US, I conducted the majority of interviews by phone, though I was able to do some face-to-face; I noticed no difference in the quality of the interviews—i.e., the interviewees’ willingness to speak freely, etc.—whether they were by phone or in person. My selection of interviewees was guided by the need to create what Robert Weiss (1994) calls a panel of knowledgeable informants—people who have participated in the events I am interested in and have otherwise difficult to obtain knowledge. The intent was also ethnographic, since I wanted to understand not only what happened, but how the interviewees understood the social forces they were up against and the strategic reasons for their actions. I interviewed people from a broad range of organizations, though the focus was on current and former members/staff of United Students Against Sweatshops and the Worker Rights Consortium. My second major source of data was historical research using newspaper articles, various groups’ reports and websites, and other such material to help me reconstruct some events in detail.

For practical reasons of time, finances and linguistic ability, I confined this study to US-based organizations, not attempting to study the entire global network of the anti-sweatshop movement. As should be clear from my analysis though, most of the activists I spoke with had spent a considerably amount of time abroad working with allies in the Global South and many of the actions of the US anti-sweatshop movement were
influenced by feedback from these allies. The activists I spoke with all gave me permission to quote them using their real names; given the small size of the anti-sweatshop movement, trying to protect people’s confidentiality through pseudonyms probably would have been fruitless in any case. In a few cases, however, I have used pseudonyms for particular quotes or citations of interviews because the interviewees are currently in positions where it would be problematic for them to be publicly associated with certain positions they took in their interviews. I have marked such pseudonyms with an asterisk (*) the first time they appear in each chapter.

In doing the interviews, analyzing them afterward and writing this dissertation, I have treated my interviewees as experts on the topic of anti-sweatshop activism. While as a trained sociologist, I bring a particular sort of expertise to these questions my interviewees don’t have, as experienced activists who have often thought a good deal about the causes of sweatshops and the strategy of their movement, they have a practical expertise I lack. In analyzing how the anti-sweatshop movement has strategized and particularly what makes for successful strategy in the social contexts in which they work, I have found their insights invaluable. The theory of social movement strategy and political opportunity I develop here is my own, but it builds upon the practical insights my interviewees shared with me.

**The Current State of Social Movement Theory**

Part of the reason that scholars of social movements in sociology and political science have not closely analyzed strategy until recently is that the field itself is relatively
young, only really taking shape in the 1970s, whereas many other central topics in the
social sciences took shape as subfields in the late nineteenth and early twentieth
centuries. This is not to say that scholars did not study social movements before the 70s,
but, at least in the US, they did so through the lens of collective behavior theory, a
perspective that current scholars (despite the disagreements among themselves that we
will look at below) have largely rejected. Although there were a number of important
variations of the theory, collective behavior theorists generally took a dim view of social
movements, seeing them as irrational, their participants as emotionally disturbed and
socially isolated, and movements themselves as a threat to democracy. US scholars
developed this perspective largely in response to movements they disliked and which
were actually anti-democratic--fascism and Marxist-Leninism. This model did not fit well
with the movements that emerged in the 1960s and 70s, however, which clearly played a
role in deepening democracy in the United States. A new generation of scholars who
were either participants in these movements or broadly sympathetic to them arose and
began developing new theories (Buechler 2000).

Since this time, two distinct camps of thought have developed among US scholars
of social movements--political process theory and cultural constructionism. Political
process theorists have largely emphasized structural and organizational factors in
understanding the dynamics of social movements, while cultural constructionists
emphasize, as one might guess from their name, cultural factors. Despite some broad
areas of agreement between the two camps, there are also many points of difference,
leading to some at times highly contentious debates (e.g., Goodwin and Jasper 2004b). I
will briefly review the main claims of the two schools, before turning to look in depth at those areas of both theories most relevant for understanding social movement strategy.

**Political Process Theory**

Political process theory is the easier of the two schools to provide a clear overview of because the scholars belonging to this camp have produced at least two major volumes that clearly define the central concepts of the theory, synthesizing the work of a large number of scholars—*Comparative Perspectives on Social Movements*, edited by Doug McAdam, John McCarthy, and Meyer Zald (1996b) and *Power in Movement* by Sidney Tarrow (1998). In their introduction to *Comparative Perspectives on Social Movements*, McAdam, McCarthy, and Zald (1996a) lay out the concepts of political opportunity structure, mobilizing structures, and framing as they key concepts in political process theory; in *Power in Movement*, Tarrow adds a fourth key concept, tactical repertoires. I will explain these concepts briefly here, then explore them in more depth as appropriate later in this chapter and throughout the dissertation.

The concept of *political opportunity structure* can be broadly understood as the idea that larger social conditions, many of which movements have little or no control over, help shape the chances for success or failure of a movement. More specifically, political process theorists have tended to focus on the structure of the state and in what instances that structure creates openings for social movements. These can include factors like how open a state is to dissent—something usually connected with the degree of democracy—and the existence of factions among the elite who might be potential allies
for movements. Despite this emphasis on wider structures, political process theory is not
guilty of structural determinism. The actions of movements as they interact with these
structures matter. If they wish to accomplish anything at all, movements must have
mobilizing structures--that is, they must be organized in such a way as to able to recruit
people and then motivate them to take action, action that may put them directly at odds
with authorities. Most movements’ mobilizing structures involve networks that join
together a broad array of groups, which may be organized in a variety of ways (McAdam
et al. 1996b; Tarrow 1998). The anti-sweatshop movement, for instance, includes
mainstream labor unions, with their highly hierarchical structure, and United Students
Against Sweatshops, which is much more decentralized and makes decisions by
consensus, as well as a number of non-profits and churches. Despite these differences and
occasional tensions, they work closely together, sharing ideas, planning strategy together,
and mobilizing their membership to support each others’ campaigns.

Political process theorists analyze what movements do when they take action
through two main concepts--tactical repertoires and framing. A movement’s tactical
repertoire includes that range of actions with which activists within the movement are
familiar with and will use (McAdam et al. 1996b; Tarrow 1998; Tilly 1978). The anti-
sweatshop movement, for instance, has done everything from gathered signatures on
petitions to doing sit-ins. Despite their willingness to take such highly confrontational,
disruptive actions as sit-ins though, they do not do things such as burning effigies or
suicide bombing--these actions are outside their tactical repertoire. Framing refers to the
cultural work a movement does, in trying to promote their message in wider social
forums, particularly the mass media. Movements use frames to interpret events in the world around them, highlighting issues they see as unjust, identifying social actors who are responsible for this injustice (usually some group in power), and articulating a way that people can collectively work to right this injustice. If frames do not do these things, it is unlikely they will mobilize people--if there is no obvious target for activism, no one to blame, or if there is no clear way to pressure that target, people have little incentive to take action (Gamson 1992; McAdam et al. 1996b; Ryan 1991; Tarrow 1998).

Cultural Constructionism

The cultural constructionist school of thought arose out of the concern that political process theorists were giving short shrift to culture in their analyses. Although political process theorists accept the importance of framing, they have tended not to treat culture as particularly important in understanding political opportunity structures, mobilizing structures, or tactical repertoires. Anthony Oberschall’s (1996) analysis of the pro-democracy movements that lead to the collapse of the Marxist-Leninist regimes of Eastern Europe in 1989 stands out as one of the few analyses in the political process tradition to emphasize the importance of legitimacy (or the lack thereof) in understanding the political opportunities a movement faces. This important cultural dimension of politics is otherwise conspicuous by its absence from most work done by political process theorists. The concept of framing certainly emphasizes the role of culture in social movements, but many political process theorists tend to shoehorn in anything cultural into this concept, rendering it overly broad (Goodwin and Jasper 2004a). In Power in
Movement, for instance, Tarrow (1998) discusses the role of collective identity in movements only briefly and then as a variant upon the theme of framing. Cultural constructionists give far more weight to this concept, treating it as something distinct from attempts to strategically convey a message to a wider audience (that is, framing in the strictest sense of the term) and analyzing it in depth.

It is a bit harder to give an overview of the work of cultural constructionists, as they, unlike political process theorists, have not produced any works that have the ambition of providing a broad overview of the field. The closest to a programmatic statement that this camp has produced is James Jasper’s (1997) *The Art of Moral Protest*; this book, however, is more an overview of Jasper’s own ideas, rather than an attempt to synthesize the work of a large number of scholars, as *Comparative Perspectives* (McAdam et al. 1996b) and *Power in Movement* (Tarrow 1998) were. Nonetheless, a few themes stand out from cultural constructionists’ work. They agree with political process theorists that it is important to look at the ways in which movements interact with their larger social and political environment, but find the concept of political opportunity structure overly narrow in their attempts to do so (Goodwin and Jasper 2004b). Jasper (1997) in particular emphasizes the role movements play in reshaping the larger culture, arguing that their greatest impact comes from their ability to force new issues, such as animal rights, into the wider public discourse, thus changing public consciousness and the terms of the debate. He is rather skeptical, however, of movements’ ability to have a direct impact of state policy. (See also Polletta (2006).)
Much of the work of cultural constructionists has been focused on the inner life of movements, moving beyond political process theorists’ focus on the effectiveness of mobilizing structures. A key concept for many cultural constructionists is *collective identity*, the way in which movements forge a common sense among their members of belonging to a larger collectivity, with which they identify and care deeply about (della Porta 2005; Jasper 1997; Kurtz 2002; Taylor and Whittier 1999). Both Winifred Breines (1989) and Francesca Polletta (2002) has done extensive work on participatory democracy in social movement organizations, while both Jasper (1997) and Paul Lichterman (1995, 1996) have examined in depth the ways in which activists create a sense of community. These concepts all overlap in important ways—participatory democracy may be an important element of a group’s collective identity and a sense of community certainly reinforces any collective identity that exists. All these things can play an important role in terms of mobilizing people, but cultural constructionist theorists emphasize that activists do not simply create collective identities or communities for strategic reasons. Instead, they value community or participatory democracy in and of themselves, seeing them as much a part of their movement’s *raison d’être* as achieving external goals. Cultural constructionists have also showed a greater sensitivity to the roles race, class and gender play in the internal dynamics of a movement than political process theorists have (Breines 2006; Kurtz 2002; Lichterman 1995, 1996; Polletta 2005). Finally, cultural constructionists have emphasized the role emotions play in social movements, both in the internal dynamics of the movement and in their interaction with their foes (Goodwin et al. 2001; Jasper 1997).
**New Developments**

Recently, prominent theorists from both camps have attempted to break with their own past work, crafting new paradigms, ones in which the concepts they spent much of their careers developing apparently do not play a central role. Doug McAdam, Sidney Tarrow, and Charles Tilly (2001)—three of the most important political process theorists—produced the book, *The Dynamics of Contention*. Here political opportunity structure, mobilizing structures, tactical repertoires and framing disappear from the picture. Instead, they attempt to build a theory of movements using Robert Merton’s concepts of mechanisms and processes, two key terms they never successfully define in a clear way. In doing so, they state that their purpose is to create a more dynamic and relational approach to the analysis of social movements. From the cultural constructionist camp, James Jasper (2006) wrote *Getting Your Way*, the central concern of which is strategy as a social process. Here Jasper makes his central concept a series of strategic dilemmas that not only social movements but a broad range of social actors must address as they take action in the wider social world.

While these books both introduce some useful new concepts, their authors’ attempt to break with their previous work and create completely new paradigms, more or less from scratch, is in my mind an odd choice. Whatever the problems with both the political process and cultural constructionist paradigms, they both offer invaluable insights into understanding the dynamics of social movements. In this dissertation, I attempt to build on the work of theorists in both schools of thought. My work can
probably best be seen as within the political process tradition, but reformulating it in a way that takes into account and synthesizes in many of the issues raised by cultural constructionist theorists.

**Tactics and Strategy**

*The Current Literature*

In analyzing the tactics and strategy of the anti-sweatshop movement, the obvious starting point in the current literature is the concept of tactical repertoires, the collection of actions with which a movement is familiar and will use. What makes is possible for a movement to have a repertoire of tactics which they can deploy in similar ways in different circumstances is that each particular tactic takes a certain modular, standardized form. This means that not only can the same tactics be used in different situations, but that they can be passed from one movement to another, sometimes even to a movement’s adversaries, since the standardized form eases the process of learning (McAdam et al. 1996b; Tarrow 1998; Tilly 1978). One classic example of a tactic being learned and adopted by one’s enemies is the use by the anti-abortion movement of civil disobedience, long a tactic exclusively of the left, in order to blockade clinics where abortions are performed.

In addition to learning elements of other movement’s repertoires, movements may also innovate and create new tactics for their own repertoire. McAdam (1983) documents this at work in the civil rights movement. Each time activists would deploy a new tactic--the bus boycotts, the sit-ins at lunch counters, the Freedom Rides, the city-wide
campaigns of the sort held in Albany, Birmingham, and Selma--they would temporarily baffle authorities, frustrating their attempts to maintain their social control. Eventually, however, the police and government officials would find effective ways to defuse the power of the tactic in question, leading to a downturn in civil rights activism until activists came up with a new tactic that the authorities were once again unfamiliar with. Part of the reason for the civil rights movement’s eventual long-term decline was that its leaders were eventually unable to come up with new, innovative ways to frustrate the authorities. It seems likely that every movement will reach such a point at some time, if for no other reason that the authorities have far more in the way of resources and the entire weight of the social structure and normal social routines to bring to bear against activists. Over the longer run as well, according to Tarrow (1998), movements’ tactical repertoires can change dramatically as they adapt to larger social conditions. The rise of the modern nation-state is the most important example, radically changing the nature of collective action, leading from a situation where brief, isolated local uprisings were the norm to the contemporary social movement, with its long-term goals and national--or increasingly transnational--orientation. As with the sharing of tactical repertoires, this involves a gradual, historical learning process as activists try new tactics under new conditions and one movement learns from the successes and failures of another.

Implicit in much of the political process theorists’ analysis of tactical repertoires is that the development and deployment of tactics is largely an instrumental matter. Jasper (1997), however, emphasizes that movements do not use purely instrumental grounds to evaluate which tactics they use in any specific case from among the range
they are familiar with. Different groups have distinct “tastes” in tactics--what tactics a group uses is in part determined by the culture of the group. Tactics have a symbolic as well as strategic value, saying something about the collective identity of the group. Within the same broad movement, some individual groups may gravitate towards direct action and away from lobbying or vice versa; doing so helps define them respectively as radicals and moderates. Jasper doesn’t deny that the effectiveness of any given tactic does play a role in determining whether a group will adopt it, but insists that the group’s values and collective identity are equally if not more important.

Some theorists (e.g., Downey 1986; Ferree 1992) have tried to take into account both the more instrumentalist approach of political process theorists and the cultural approach emphasizing collective identity by arguing that when movements strategize, they take into account both instrumental and ideological or value-rational concerns, engaging in a trade-off between the two. Polletta (2005), however, argues that this is a false dichotomy. Rather, what activists see as instrumentally effective involves a value-laden process of cultural interpretation. Rather than there being a trade-off between ideological and instrumental concerns, they are two sides of one and the same process, as activists use their beliefs to make sense of what impact their tactics will have on the world--and therefore what will be effective.

Among social movement theorists, there is a fair amount of consensus about what makes a movement’s choice of tactics effective--that they generate large-scale social disruption, which puts pressure on authorities to resolve the crisis in order to restore business as usual. The risk is that these authorities may respond with repression, but in
the right circumstances (that is, given the right political opportunities), they may instead make concessions to activists in order to restore social peace (Flacks 1988; Gamson 1990; McAdam 1983; Piven and Cloward 1977; Tarrow 1998). Jasper (1997), however, argues that social movements have their primary impact not through the pressure they put on authorities by means of the disruption they generate, but through the changes they bring about in the wider public discourse, putting on to the agenda previously neglected issues, such as animal rights.

As already noted, it is only recently that some scholars have begun to shift away from the exclusive focus on tactics to broader questions of strategy. Eitan Alimi (2007) has shown that some Palestinian nationalist groups actively analyze their political environment, particularly the political alignments in the occupying power of Israel, looking at the opportunities and constraints, to decide when it is appropriate to mobilize and which tactics they should use. In their study of groups advocating women’s inclusion in juries during the early twentieth century, Holly McCammon and her colleagues (2008) found those SMOs that were most successful were those that took the time to stop and reflect on their strategy, assessing the causes of their failures and reading “signals” from their social environment, then modifying their tactics and framing in light of this. In other words, both emphasize that a movement that is strategically savvy does not just deploy tactics from a repertoire in a rote manner, but analyzes what tactics will have the greatest impact, given the political opportunity structure.

While both Alimi and McCammon et al. emphasize the importance of the decisions movements make about strategy, they do not analyze the process of making
decisions. In his study of the United Farm Workers, Marshall Ganz (2000, 2009) sheds some light on this, specifically what types of organization and leadership give rise to good strategy. He emphasizes the importance of an organization that promotes deliberative decision-making and in which the leadership is accountable to the members; and leadership drawn from a range of backgrounds, thus bringing a range of social networks and activist knowledge to the process of strategizing.

A New Approach to Strategy

While the work of Alimi (2007), McCammon et al. (2008), and Ganz (2000, 2009) provides an important starting point in the analysis of strategy, they still leave much unexplored. In particular, they do not look into the process of how social movement organizations and networks formulate strategy. Both Alimi and McCammon et al. stress the importance of a movement taking the time to analyze the social environment--but they do not explore the interpretive process by which movements do so. This is not a simple matter, however, and there are no guarantees that a movement’s analysis of its environment will be either terribly accurate or useful. Ganz, on the other hand, presents us with a model of a social movement organization that can successfully strategize--but, while he recounts the events of meetings where activists debated strategy, he does not explore this process theoretically. In this dissertation, I wish to begin exploring the process behind formulating strategy in more depth. Below, I present a model of how movements strategize, one which I will apply to the anti-sweatshop movement in the rest of this dissertation.
To understand how a movement organization or network thinks about strategy, we must start with the systems of ideas through which they make sense of the world around them. Despite its centrality to the anti-sweatshop movement and other movements, ideology has been a largely neglected topic in the study of movements. Somewhat recently, however, a few respected social movement scholars (Ferree and Merrill 2004; Oliver and Johnston 2000; Zald 2000) have suggested reviving the concept of ideology in the study of movements, emphasizing the need to distinguish it from the more commonly used--and, as already discussed, overextended--concept of frames. While movements deploy frames for strategic purposes--to persuade people to support them and counter their foes’ claims (Ferree and Merrill 2004; Ryan 1991; Snow and Benford 1988)--ideology is what guides a movement’s actions (Zald 2000). Here, I wish to follow Pamela Oliver and Hank Johnston’s (2000) definition of ideology--a core set of values, a set of theories (not necessarily coherent) about how the social world works, and norms for taking action in the world in the light of those values and theories. (A frame, on the other hand, focuses in on an issue, defining it in a specific way, with the hope of appealing to people who do not necessarily share the movement’s larger ideology, in order to build broader public support (Ferree and Merrill 2004).) Of the three elements of ideology, the most important, according to Oliver and Johnston, are the movement’s values. While movements may change their values, this is relatively rare and a long, difficult process, involving much reflection and discussion. Although also an involved process, movements are more likely to change their theories and norms, doing so in light of their successes and failures, but also in ways consistent with their values; theories and norms change as
movements seek to better understand how to see their values realized in the larger social world.

While values, social theories, and norms may broadly guide a movement’s actions, if a movement is to act strategically, they must think through their actions at a more specified level, relevant to whatever campaign they are undertaking. In designing their strategy, the anti-sweatshop movement has drawn on the lessons of past campaigns and movements. Just as individual tactics are modular and can be passed on, so are strategies. Movements link together tactics, frames, mobilizing structures, etc. in relatively standardized (though not necessarily dogmatic or static) ways—models of strategic activity that can be passed from one movement to the next and one generation of activists to the next. Activists do not blindly cling to or apply these principles and models though. As they encounter obstacles, they learn from experience and innovate, adapting their social theories and strategic models. In this dissertation, I will explore in depth the strategic models of the anti-sweatshop movement and how they have evolved over time. In particular, I will look at the models USAS has developed to wage campaigns on campus to get college administrators to give into their demands; and that the US anti-sweatshop movement as a whole has used to organize successful solidarity campaigns in support of workers on the ground in sweatshops across the world.

This process of innovation involves a continuous dialectic between action and reflection (Ryan and Jeffreys forthcoming; Ryan et al. forthcoming), experience and ideology. When developing an initial strategy, activists will reflect on the world about them, using their ideology as a means to interpret that world and understand it. Based on
this understanding, they develop a strategic model, which they then put into action. No strategic model will be perfect, however, and even the most successful one will run into limits, as authorities figure out how to respond to it and blunt its impact. When members of a movement realize that this is occurring, they will then start a new cycle of reflection, including an examination of their experiences in taking action. Indeed, even a movement just getting started will draw on the experience of other movements in the past, particularly their strategic models, reflecting on the successes and failures of the past to better understand how to best achieve success in the present. In this dissertation, we will see the anti-sweatshop movement do this repeatedly, both in small ways as they formulate strategies on different college campuses, and in large ways, as they develop major innovations like the Worker Rights Consortium and the Designated Suppliers Program, both meant to fundamentally alter the landscape of anti-sweatshop activism.

The articulation of ideology, the learning and adaptation of strategic models are not things that happen spontaneously. The process of interpreting the social environment and taking action occurs in the context of SMOS and the networks between them. Social movement organizations and networks play two critical roles in strategizing--creating a system of institutional memory, whereby the knowledge of strategic models is passed onto new generations of activists; and facilitating a process of deliberative decision-making, in which activists actively interpret their social environment, decide how to apply their existing models and what innovations to adopt. Over the course of this dissertation, I will look at how USAS has drawn on the strategic knowledge of older SMOs, such as UNITE HERE (the major US apparel union) and the United States
Student Association (USSA), a student organizing group. I will also look at how USAS has passed on its knowledge to new members through annual conferences, something especially important for student groups like USAS, which, by their very nature, have extremely high turn-over rates as more experienced members graduate and new students join. I will also look at how activists made decisions at various key points in the evolution of the movement’s strategic models, as well as somewhat more routinely in campus-based and international solidarity campaigns, and how these decision-making processes shaped the resulting strategies.
**Political Opportunity Systems**

It would be a mistake, however, to analyze the anti-sweatshop movement’s strategy in isolation. The movement’s strategy was born out of both activists’ analysis of their social environment and their attempts to alter that social environment—particularly, the conflicts they had with powerful foes, ranging from college administrators to transnational apparel corporations. Given this, to understand how the anti-sweatshop movement has strategized, we must understand how their interaction with their social, political and economic environment influenced their choices—how it constrained them, where they found opportunities, what their analysis of the social forces they were up against was. In other words, we need to understand what political process theorists would refer to as the political opportunity structure of the anti-sweatshop movement.

**The Current Literature**

The main obstacle to the anti-sweatshop movement achieving its goals has been the structure of the international apparel industry. Given the way USAS has sought to use the licensing programs of colleges and universities as a way to exert influence on the apparel industry, the power structure of higher education also played an important role in defining their political opportunities. In seeking to understand how these structures have affected the anti-sweatshop movement, we find surprisingly little guidance in political process theory and the concept of political opportunity structure. As not only cultural constructionist critics of the political process model (Goodwin and Jasper 2004a), but even some of its major proponents (Gamson and Meyer 1996; McAdam 1996), have
admitted, the concept of POS remains vague, more of a sensitizing concept that anything else. William Gamson and David Meyer (1996), for instance, argue that it is often “defined exclusively ad hoc and after the fact” (p. 276) and that “[i]t threatens to become an all-encompassing fudge factor” (p. 275). One telling sign of this vagueness is that Richard Healey and Sandra Hinson (personal communication, 2008) of the Grassroots Policy Project, two activists with an extensive knowledge of academic theories of social movements, which they seek to use to help movement organizations develop more effective strategy, have said that they have found it impossible to operationalize the concept of political opportunity structure in a way that is useful to activists. Instead of developing a coherent definition of POS, too many scholars have simply identified what aspects of the social environment are most relevant to the success or failure of the movement they are studying and labeled those the political opportunity structure, leading to a bewildering variation of definitions from one scholar to the next (Meyer 2004).

Several leading political process theorists have, however, attempted to synthesize those definitions to capture the most commonly cited--and presumably therefore most important--factors. McAdam (1996) names the following four factors as the crucial ones:

1. The relative openness or closure of the institutionalized political system;
2. The stability or instability of that broad set of elite alignments that typically undergird a polity;
3. The presence or absence of elite allies; and
4. The state’s capacity and propensity for repression” (p. 27).
Tarrow (1998) divides the POS into the stable, institutionalized aspects of the political system and those that are more likely to change in the short-term. In the stable category he includes state strength, the state’s prevailing strategy for dealing with movements, and typical modes of repression; in the less stable category, the degree of access movements have to the political system, shifting political alignments, divisions among the elite, the existence of elite allies, and whether elites choose to repress movements or facilitate them. Gamson and Meyer (1996) place elements of the POS along two axes--stability vs. volatility and institutional vs. cultural--then proceed to place a wide range of social phenomena, including many identified by McAdam and Tarrow, as well as other scholars, at various points along these two axes.

I would argue that, while all these definitions highlight important factors, they all remain somewhat ad hoc and not easy to operationalize. Where, for instance, does one look for “openness [in] the institutionalized political system”? One could look for whether a system is democratic or not, but in the experience of anti-sweatshop activists, this does not necessarily correlate with openness. Indeed, most anti-sweatshop activists, while hoping to change government policy at some future date, have concluded that, for the time being, governments are so committed to neoliberal policies that they are, for all intents and purposes, largely closed to movement influence. Instead, they have found effective ways to pressure major transnational corporations, among the least democratic organizations on the planet; while even authoritarian governments may hold sham elections in the hopes of shoring up their legitimacy, the bodies that run the world economy do not feel the need even for such pretense. Yet, this is where the anti-
sweatshop movement has been able to pry open some opportunities and begin to alter policy.

Two major cultural constructionist theorists, Jeff Goodwin and James Jasper (2004a) (see also Jasper (1997)), while agreeing that it is important to look at the social environment movements operate in, would have us dispose of the concept of POS entirely. They argue that when we speak of a political opportunity structure, the metaphor of structure can sometimes obscure as much as it reveals. Though social scientists are, in principle, all perfectly well aware that social structures change over time, the metaphor of structure tends to make us focus on what is fixed in the social environment, not what is undergoing transformation. This tends to obscure the fact that movements can, by their actions, change the political opportunities and constraints they face—a rather odd thing to obscure when one considers the fact that the very goal of movements is to transform their social environment. The metaphor of structure also tends to obscure the fact that the structures with which movements interact are not passive—they consist of elite social actors (Jasper and Poulsen 1993; McAdam 2004), such as corporations and governments, that respond to movements, sometimes in ways that harm movements (repression or countering their messages), sometimes in ways that help (whether through concessions or strategic blunders). The definitions of POS we have reviewed try to take into account elite actors and changes in structure, but Goodwin and Jasper (2004a) argue that in all too many analyses, they are not evident and POS is treated in a static—as well as ad hoc—fashion.
One notable attempt to give the concept of political opportunity more definition is Myra Marx Ferree, William Gamson, Jürgen Gerhards, and Dieter Rucht’s (2002) analysis, which focuses on movements’ interactions with the mass media. As such, they focus on developing the concept of a discursive opportunity structure (DOS), which they succeed in defining with more precision than anyone up till now has defined political opportunity structure. They argue that in public life, there are any number of arenas where social movements and other groups fight frame battles (Ryan, 1991)--that is, they come into conflict over the proper framing of the issues, each side struggling to ensure that their frame will prevail as the one through which a particular issue is generally understood. The most important such arena in contemporary society is the mainstream mass media--which frame prevails in the mass media has consequences far beyond it, helping to define the larger public agenda. As Steven Lukes (2005) argues, the ability to get issues on the public agenda--or keep them off--and help define the terms in which they are understood is as critical to exercising social power as actual control over political decision-making processes.

Unlike a real arena, the terrain in the mass media is uneven, with some groups having a structural advantage over others, features that help define the DOS. Journalists and editors do not act as neutral referees, but are themselves active participants in the conflict. They in turn are guided by journalist practices and norms, which can shape which actors and frames can gain access to the arena--and how much access to it they can get. Related to this, is what Ferree et al. (2002) call standing--essentially a form of status (in Max Weber’s (1946) sense), defining whether or not a social actor can expect to be
quoted in the media and how likely this is to happen. Standing is shaped by not only
different journalist practices, but by political structures and the “characteristics of the
actors who compete for standing including their goals, resources, and professionalism”
(p. 87). (See also Ryan (1991).) Social actors must also contend with the various themes
and counter-themes that exist in any society--what values and ideas are typically
emphasized in public discourse (themes) and those that, while not dominant, may still
sometimes be emphasized as a countering set of values. Those whose frames resonate
with the dominant themes are much more likely to be taken seriously by mainstream
journalists; and will have a much easier time conveying their meaning to a larger
audience. In other words, they face a more open discursive opportunity structure (Ferree

A New Approach to Political Opportunity

In this dissertation I will build a more fleshed out model of political opportunity,
that builds on the work already done by political process theorists, but takes into account
the critiques raised both within that camp and by cultural constructionists. Taking into
account Goodwin and Jasper’s (2004a) criticisms of the limitation of the metaphor of
structure, I choose to speak not of a political opportunity structure, but of a political
opportunity system (POS). This system includes both stable and dynamic elements,
structural and cultural factors, and elite social actors--that is social agents, as well as
social structures. Following Ferree et al. (2002), I wish to speak of arenas--but not only of
the discursive arenas that they focus on, but decision-making arenas as well. I propose
that we think of the POS as made up of a series of interlocking, sometimes hierarchically arranged arenas, both discursive and decision-making. These arenas are social structures—they are certain durable patterns to the macro-level social relations that make them up, rules which social actors are expected to follow as they press their case in these arenas. (Social movements, of course, have a tendency to break these rules, especially when they rules stack the deck against weaker social actors.)

It is important to note that these arenas are not just structures, but also social actors. For instance, an apparel corporation is a social structure, with its own relatively stable patterns of macro-social relationships, based on hierarchical chains of command, oriented towards maximizing profits; a decision-making arena, in which the leaders must decide on which actions they wish to take in the wider world—including in response to pressures from social movements; and a social actor, as the leaders oversee their subordinates carrying out the decisions they have made. This three-fold character is true not only for major corporations, but for many other social phenomenon—a college administration or a national government is also simultaneously a social structure, a decision-making arena, and a social actor.

While it is useful to analytically distinguish between discursive and decision-making arenas—and most arenas are principally discursive or decision-making—all arenas have both discursive and decision-making elements. In the mass media, the social actors fighting the frame battles must deal with the decisions made by journalists and editors in terms of what to cover and how; they may even lobby these decision-makers to cover certain stories in certain ways. In decision-making arenas, social actors must make their
case, framing their arguments in ways that will persuade others—even if they are also bringing other pressures to bear, such as the threat of a strike or sit-in.

In conceptualizing the POS, we need to think about how different social movement actors are related to these arenas. Differences in social location give social movement actors access to different social institutions—i.e. different discursive and decision-making arenas—and thus widely varying political opportunities (Piven and Cloward 1977). Sweatshop workers and student anti-sweatshop activists, despite belonging to a common transnational movement, have very different relationships to apparel companies. The workers are at the bottom of this social structure, interacting with their employers, contractors to whom the major apparel firms have outsourced production and who consequently have relatively little power in the larger picture. Students, on the other hand, are consumers—and a particularly valued set of consumers at that, at which a great deal of marketing is targeted. The profits of the brand-name corporations depend on their reputation with consumers such as college students. Given this, the brands worry far more about the attitudes and actions of students than they do workers, giving students openings that workers do not have, a point we will explore in more depth throughout the dissertation. Therefore, we must conceive of the POS always in relation to particular social actors, never simply in generic form (although, in some cases, it is certainly possible to make generalizations).

This structure in turn has consequences for both workers’ and students’ ability to form independent organizations. There is a broad consensus among social movement theorists that, for movements to effectively exercise power they must be able to organize
With the exception of Meyer (2004), there has been less attention to the fact that different social conditions create different opportunities and constraints on movements’ ability to actually form such organizations, what I am referring to as organizing space. Workers in third-world sweatshops typically have very little space to organize, facing repression--ranging from firing of leaders to death squads--when they try to do so (Armbruster-Sandoval 2005). US activists working on college campuses, by contrast, are far freer to organize without fear of unpleasant consequences. They may be arrested, even threatened with expulsion (though this is rare), but they do not need to fear for their lives or livelihoods.

Just as workers and students must deal with different degrees of organizing space, they have different degrees and types of leverage. By leverage, I mean those points in the social structure that activists, with the proper tactical skill, can manipulate to their advantage to bring pressure to bear on those with more power than them. While the power of elites rests on the normal routines of social institutions, because movements almost by definition lack large degrees of institutionalized power, they must exert leverage through the opposite means--finding ways to disrupt the normal functioning of social institutions (Flacks 1988; Piven and Cloward 1977; Tarrow 1998). When such disruption is sufficient that elites feel their interests are threatened, they will respond--hopefully with concessions, but also possibly with repression and counter-mobilization (see below). The anti-sweatshop movement has attempted to exert leverage both in the factory, with the workers striking at individual sites of production, and in sites of consumption, such as college campuses.
Unfortunately, corporations have not simply responded to pressure from social movements by giving into their demands. Instead, they respond to movement pressures by developing *counter-measures* against movements. In the case of the anti-sweatshop movement, their first line of defense has been repression--firing and attacking workers when they attempt to unionize. As the anti-sweatshop movement has successfully exposed these labor rights violations and forced companies to recognize unions, the companies have responded by engaging in a counter-mobilization effort (Jasper and Poulsen 1993), developing their own counter-frames and organizations that ostensibly foster corporate social responsibility. These counter-mobilization efforts have been as much an obstacle to the success of the anti-sweatshop movement as the brute repression of workers.

The rest of this dissertation will analyze these matters in more depth. In the next chapter, we will take a look at the structure of the global apparel industry and how this structure is responsible for the pervasiveness of sweatshops. We will then move on to look at the origins of the anti-sweatshop movement, looking at the historical roots of some important elements of their strategic models. From there, we will turn out attention to the movement itself. We will start with an examination of USAS and the political opportunity system it faces on college campuses. Then we will look at the origins and operations of the WRC. After this examination of our two major SMOs, we will examine how they conduct international solidarity campaigns. And we will finish by looking at the
latest development in the anti-sweatshop movement’s strategy, the Designated Suppliers Program, which the movement is still in the process of attempting to implement.
Chapter 2: The Globalization of the Apparel Industry

The Phillips-Van Heusen/ Camisas Modernas Campaign

In some ways, the Camisas Modernas factory owned by Phillips-Van Heusen (PVH), a major producer of men’s shirts, in Guatemala was a model factory. According to a report by Human Rights Watch (HRW),

The company’s employee welfare programs […] were widely viewed by independent observers as exceeding the norm and arguably at the forefront of the maquila [production for export] sector. Managers expressed pride to Human Rights Watch in the company's support for a lunch room, at which the PVH subsidized hot lunches; a store, at which workers could make subsidized purchases; a clinic providing free medical attention on the plant's premises (which we were told is to include dentistry in the near future); a provision for interest-free loans; and generous provisions for ad hoc payments to be made to staff members or their families in the case of deaths and other family emergencies (Human Rights Watch 1997).

Despite these perks, there were serious issues at the factory. The wages, at roughly 75-90 cents an hour (pay was actually based on a piece-rate system), were only half of what was required to put a family of five over the poverty line (Armbruster-Sandoval 2005; Bounds 1997a). There was also a long history on union-busting by management.

PVH opened up two Camisas Modernas factories in 1988, later merging them in January 1997. The first organizing campaign began in 1989, after management lowered the piece-rate payments, meaning workers would have to work longer and/ or faster--
producing more garments—to make the same pay as before. There was also a general atmosphere of disrespectful treatment by management, such as restrictions on access to bathrooms. It was in response to this organizing campaign that management began to put in place the socially responsible policies listed above, at the same time as they fired union supporters, hoping to undermine the union. In 1991, the organizing campaign took off again, leading to the formation of the Camisas Modernas Workers’ Union (Sindicato de Trabajadores de Camisas Modernas or STECAMOSA). They made contact with several US labor rights groups, including the US/ Guatemalan Labor Education Project (USGLEP, now the US Labor Education in the America Project or USLEAP). The company responded by essentially bribing the union’s leaders to resign, offering them extremely generous severance packages if they did so, at the same time that they put them on poorly working machines, thereby dramatically lowering the money they could make through the piece-rate system if they remained employed (Armbruster-Sandoval 2005; Human Rights Watch 1997).

The HRW report documented the result—an unusually high turnover rate among union members:

According to the company, union and labor inspectorate, forty-six of the 131 union members registered with the labor ministry as of August 1995 had quit the company by August the following year: an attrition rate of 34 percent. This contrasts with company information from past years citing a turnover of from 2 percent to 5 percent overall (Human Rights Watch 1997).
In all this, the Guatemalan government, including the Ministry of Labor, remained complicit, refusing to grant legal recognition to STECAMOSA. USLEAP and several other US groups, however, was able to pressure the US Trade Representative (USTR) to review the case, which might have lead to the suspension Guatemala’s privileges under the Generalized System of Preferences (GSP). Faced with this, the government recognized STECAMOSA (Armbruster-Sandoval 2005) (Coates, interview, 2007).

The union still, however, needed to prove it represented at least 25% of the workforce in order for PVH to be legally required to bargain with it. This was not easy to achieve as management continued with their union-busting tactics. In August 1996, however, STECAMOSA undertook a clandestine organizing campaign, visiting workers at their homes. On September 2, in a surprise move, the union officially let management know that it had achieved the necessary 25% level. Rather than bargain, management refused to recognize that the union had gained the necessary number of employees, a move in which they were again supported by the complicity of the labor ministry. The company also hired armed security guards--an extremely intimidating move in the context of the pervasive political violence in Guatemala. Union members were forced to work at broken machines, a move that pushed twenty of them to quit so they could find jobs elsewhere (Armbruster-Sandoval 2005; Human Rights Watch 1997).

The irony in all this is that Bruce Klatsky, the CEO of PVH, considered himself a human rights advocate. He sat on the board of Human Rights Watch and was involved in the Clinton administration’s efforts to create a coalition of apparel companies committed
to socially responsible labor practices. Jeff Hermanson (interview, 2007), a board member of USLEAP, told me,

During the meeting of USLEAP in New York City—a board meeting—it came to our attention that Klatsky was scheduled to give a keynote speech at a fundraiser for Human Rights Watch at the … it was at the Museum of Natural History if I’m not mistaken—[...] so we actually told Human Rights Watch that we were going to picket their fundraiser. And they [PVH] called us—called Stephen Coates, the director of USLEAP—and said, “What can we do to avoid this?” So we said, “Well, you can agree to send a Human Rights Watch investigation team to Guatemala and we'll rely on their findings. If they find that Philip-Van Heusen has violated Guatemalan labor law and international worker rights, we would call upon you to recognize the union and bargain.” And they said, “OK, we'll do that.” And they did that. And, lo and behold, the investigation disclosed that rights had been violated.

Klatsky reluctantly agreed to bargain with the union, while expressing the usual concerns that a union would somehow be an outside force interfering with management’s relationship with its workers, saying, “When you can't have a direct dialogue with your own associates, then you get a labor problem” (Bounds 1997a, 1997b). He even went so far as to tell workers that they did not have to join the union if they did not want to, when he visited the plant (Ortiz 1997).
Fifteen months later, in December 1998, PVH closed the plant. They claimed to be doing so for economic reasons unrelated to the presence of a union, specifically the loss of a major client for the goods produced at Camisas Modernas. Many labor activists, however, regarded this claim with suspicion, seeing it as a move to eliminate the only factory in the Guatemalan maquila sector that had successfully unionized (Armbruster-Sandoval 2005; Greenhouse 1999d) (Hermanson, interview, 2007). “Upon examining PVH’s 1998 Annual Report, U.S./GLEP found that its profits on men’s dress shirts, which were produced at Camisas Modernas, increased from $45 million to $50 million” (Armbruster-Sandoval 2005). Additionally, the work that workers had been doing at Camisas Modernas was now being outsourced to four other factories, with far worse conditions, including lower pay, longer hours, and none of the perks that Camisas Modernas had had (Armbruster-Sandoval 2005).

It is entirely possible that the decision was a strictly economic one and, at the same time, inspired by the presence of the union. The situation with Camisas Modernas was unusual not only in the benefits the workers received from the company, but in the very fact that PVH actually owned the factory. Most apparel companies actually manufacture very little of the goods they market and sell. Instead, outsourcing to contractors, often small companies barely scraping by, is the norm in the industry. In closing down Camisas Modernas and switching to outsourcing, PVH was simply following this established pattern. One of the reasons that most companies prefer outsourcing is that it is cheaper. One of the reasons it is cheaper is that contractors generally do not have a unionized workforce--and therefore do not have to pay high
wages, provide benefits, or respect health and safety standards. Indeed, when contractors do recognize unions, they--like Camisas Modernas--are usually forced to shut down in a year or two. This is not because the major apparel companies are punishing the contractors in some knee-jerk anti-union response. In fact, under pressure from the anti-sweatshop movement, the major apparel companies have sometimes played a role in pushing their contractors to recognize the union in the first place. It is simply that, once the contractor recognizes the union, their costs of doing business go up and the major companies take their business elsewhere, to contractors who can produce for less--by ignoring workers’ rights.


**A Brief History of the US Apparel Industry**

To understand why the answer is no and why outsourcing is so prevalent, we need to understand the structure of the international apparel industry, which necessitates understanding some of its history. Early on in the development of the apparel industry--in the late nineteenth century--New York City became the fashion capital of the United States, with most apparel manufacturing concentrated there. Even at this early date, however, there was a ruthless search by garment manufacturers for ways to lower costs, driven by the competitive pressures of the market. There was also a need to keep
production flexible, that is to be able to switch what was being produced and the quantities in which it was produced very rapidly. This is an artifact of the changing trends in fashion, where manufacturers must constantly adapt, abandoning one line of goods for another as popular tastes change. These problems persist to the current day; indeed, if anything, the speed with which fashions change has only accelerated, creating ever greater pressures for flexibility. Then, as now, apparel manufacturers looked to the outsourcing of production as a solution to both cost reductions and flexibility (Green 1997).

When a firm outsources production, it hires another firm--the contractor or supplier--to produce the goods for it. Contractors may, in turn, hire subcontractors do some of the production they have been hired to do. In the eyes of the lead firms--that is, the companies who do the outsourcing--this system has two virtues. If a contractor’s production costs grow too high, they may simply switch to a cheaper firm, without any financial loss resulting from giving up their own factories. And, as fashions change, they may switch suppliers, finding ones better suited to produce the new goods. Then, as now, this system fostered rampant labor abuses. The workforce consisted--once again, then as now--primarily of young, immigrant women. Perhaps the most well known symbol of these abuses is the March 25, 1911 Triangle Shirtwaist Company factory fire, where a dropped cigarette started a conflagration. The owners of the factory kept the doors locked, in violation of safety codes, trapping many of the workers inside, with no way to escape. Some leapt out of the building to escape the flames, only to plunge to their deaths
below. The fire department came, but their ladders could not reach the top floors. In all, 146 workers, mostly young women, died in the fire (Green 1997; Ross 2004).

Such pervasive abuses fostered a strong labor movement in the industry, spearheaded by the International Ladies Garment Workers Union (ILGWU). The unrest included two major strikes—the “Uprising of the Twenty Thousand” (composed mainly of women workers) in 1909 and the “Great Revolt” of sixty thousand, mainly male cloak-makers in 1910. Indeed, the Triangle Shirtwaist factory was one of the targets of the Uprising of the Twenty Thousand, though it was defeated there by the owners’ union-busting tactics; the doors of the factory were locked on the day of the fire, in part, to keep union organizers from entering the building to speak to workers. Continued labor organizing, with the support of middle-class reformers from the Progressive movement, eventually lead to changes in public policy in New York State that better protected workers. These policies were rolled back during the highly conservative political atmosphere of the 1920s, following upon the Red Scare of 1919, which involved the mass deportation of immigrant labor leaders. With the rise of the New Deal in the 1930s, however, a system of reforms took hold again, this time at the federal level. Indeed, some of the key New Deal officials, such Labor Secretary Frances Perkins and President Roosevelt himself, had been among those reformers who had helped put into place the New York State reforms decades earlier. The combination of New Deal labor legislation and the post-war period of prosperity strengthened labor’s hand greatly (Ross 2004).

Because of the peculiar nature of the garment industry, the ILGWU was able to successfully lobby for it to be exempt from the generally anti-labor 1947 Taft-Hartley
Act’s ban on secondary boycotts, that is boycotts that targeted companies not directly involved in a labor struggle in an attempt to place indirect pressure on the main target. The Garment Industry Proviso allowed the unions to treat the lead firm and its contractors as effectively one unit, allowing them to simultaneously tackle all of them. Using this proviso, the ILGWU was able to force the lead firms to agree to outsource only to suppliers that were unionized, thus guaranteeing that much of the garment industry was covered by collective bargaining agreements. Conditions were hardly idyllic though. The apparel industry was part of the lower tier of the economy, with low pay for its primarily female, African-American and Puerto Rican workforce. Some sweatshops remained, though far fewer than before. The operations of the union became increasingly top-down, with many members having little real connection to the union. Often ILGWU representatives worked more closely with the contractor than the actual workers. Still, overall, conditions for workers were much improved (Bonacich 2002; Ross 2004).

Given the long use of outsourcing in apparel, it is perhaps natural that the industry was one of the pioneers in pursuing relocation to poorer regions with weaker labor laws as a way to avoid labor unions and cut costs. In many ways, the model for other companies was Nike, which has never manufactured anything itself, but got its start importing running shoes from Japan, and then came to give orders on the design of the shoes as its profits increased in the US (Korzeniewicz 1994). As early as the 1950s, however, well before the rise of Nike, many lead apparel companies were relocating production to the southern US states, where they could find a union-free--and therefore more easily exploited--workforce. Even as they relocated to the US south, some lead
firms began outsourcing production to companies in Japan, South Korea and Taiwan, where labor costs were considerably cheaper than the US. This was encouraged by the Truman and Eisenhower administrations, which wanted to foster the growth of the apparel industry among its allies in East Asia as a way of stimulating economic development and thus limiting the influence of Communist, mainland China. Such overseas outsourcing, however, was strongly opposed by the apparel industry’s traditional contractors in both New England and the South, who lobbied the government for protectionist legislation; in this, they had some success, as there was a strong protectionist bloc in Congress. The lead firms were also initially limited in how much they were willing to outsource overseas, due to the lower quality of Asian goods. By the 1960s, however, Asian contractors had significantly improved the quality of the goods they produced. Thus, in the 1970s, overseas outsourcing increased dramatically as a cost-cutting response to the economic downturn of that era (Bonacich et al. 1994; Rosen 2002).

The conflicts between those supporting overseas outsourcing--both the lead apparel firms and the executive branch--and those supporting protectionism--the contractors and their Congressional allies--produced a series of compromises. These consisted of a succession of multilateral agreements--the Short-Term Arrangement Regarding International Trade in Cotton Textiles (1961), the Long-Term Arrangement Regarding International Trade in Cotton Textiles (1962-1973), and the Multifber Arrangement (MFA) (1974-2004)--regulating overseas apparel outsourcing by setting quotas for different countries, which determined how much apparel they could export to
the US--and thus how much US firms could outsource to that country for production for the US market. These proved inadequate as protectionist instruments though and apparel imports in the US grew steadily. As Japan, South Korea and Taiwan began to meet their quota limits, firms began turning to other countries as well. It was not only US-based firms that did this; many of the Japanese, Korean and Taiwanese suppliers also began moving their production to other countries, seeking to escape the growing power of labor unions, which had successfully raised wages in Japan, South Korea and Taiwan. While the contractors might directly set up their own factories in these new countries, they often subcontracted out production to new, local manufacturers in turn (Bonacich et al. 1994; Rosen 2002).

One of the main driving forces behind such outsourcing and movement overseas was the class conflict between the companies’ owners and the unions representing (however problematically at times) apparel industry workers (Ross and Trachte 1990). The lead US apparel firms wish to escape the marginal improvements the ILGWU had won for garment workers--or more exactly, they wished to escape the extra costs such improvements entailed--and the easiest way to do this was to go to locales where the labor movement was weak and in no position to challenge apparel manufacturers. The southern states of the US, with their anti-union, “right-to-work” laws were only the first step in this process. Third-world countries, particularly non-democratic ones where governments had no qualms about violently repressing the labor movement, were a natural next step. This trend continues today, with contractors increasingly setting up shop in China and Vietnam, two countries where independent labor unions are totally
illegal, with only those controlled by and serving the interests of the nominally Communist governments allowed.

Beginning in the late 1970s and accelerating in the 1980s, a dramatic shift happened in the policies of the US and other first world countries that, among other things, facilitated the ability of US and European firms to follow this pattern of outsourcing anywhere in the world. This was the rise of neoliberalism, which, though marked by a rhetoric of “free trade” and deregulation, is characterized more by a reorientation of the economic regulatory system, both domestic and international, in ways that undermines what collective power labor and other vulnerable social groups had built up in favor of multinational corporations. Although, in the US, many of these changes were initiated by the Republican administrations of Ronald Reagan and the elder George Bush, they were continued and strengthened by the Democratic presidency of Bill Clinton. Exploring them in full is beyond the scope of this dissertation and I will only highlight those aspects most relevant for understanding the rise of outsourcing here. It is important to stress that the picture painted of neoliberalism by many writers, especially those sympathetic to it (i.e., Castells 2001; Friedman 2000)—that it is the natural result of the growth of global markets and advances in telecommunications technology, a rising tide governments cannot control or hope to turn back—is grossly misleading. Neoliberalism, rather, is the result of policies deliberately pursued by corporations and governments, particularly US corporations and the US government. Different countries took different paths towards neoliberalism, some more ideological, some viewing it as a
matter of pragmatic adaptation to the global economy (Fourcade-Gourinchas and Babb 2002), but it involved deliberate policy decisions by elites across the globe.

One of the major events that allowed the US and Europe to successfully push nations in the third world to adopt outsourcing-friendly, neoliberal policies was the third-world debt crisis, in which developing countries found themselves increasingly unable to manage the loans they had taken out to promote development over the course of the 1960s and 70s. While countries were having trouble paying off their loans as early as 1979, the debt crisis officially broke in 1982 when Mexico publicly announced that it was in danger of defaulting on its debts. Many more countries soon followed suit. The US Treasury Department worked together with the major commercial banks and the International Monetary Fund (IMF) and World Bank--sister organizations, the two major multilateral organizations charged with ensuring the stability of the international economy and promoting development respectively--to arrange a bail out of the debt stricken countries. Most of the debt ridden countries were ordered to take out loans from the IMF; when they were unable to pay off these, they had to take out yet more loans; and the cycle continued on, as the supposed solution to the debt crisis drove them into ever deeper debt. In return for these loans, the IMF required that the recipient countries implement a set of economic reforms known as Structural Adjustment Programs (SAPs), which prescribed restructuring state policies along neoliberal lines (Babb 2009; Weaver 2000; Wood 1986).

These neoliberal policies in particular emphasized making the countries more open to investment by first-world corporations and in general re-orienting the economy
towards production for export. One major aspect of this was the rewriting of labor laws, to allow companies more “labor flexibility”—that is, an easier time firing workers, greater ability to hire contingent (part-time and temporary) workers, less need to recognize labor unions, more freedom in forcing workers to perform overtime, etc. Even where labor laws remain strong, governments often simply choose not to enforce them, in order not to alienate foreign investors (Moody 1997; Robinson 2003). The World Bank and US Agency for International Development (USAID) also promoted the creation of Export Processing Zones (EPZs), also known as “Free Trade” Zones. Within these zones, even such labor laws as remain on the books do not apply; and companies are exempted from all taxes for periods as long as ten years. The hope is that this will result in them putting down roots in the country, resulting in long-term economic growth. However, not only are abuses of labor rights rife, but companies frequently close down and then open up under a new name when their tax holiday comes to an end (Bonacich et al. 1994; Klein 1999; Robinson 2003).

These policies have strongly benefited core firms that use outsourcing as one of their main cost-reduction strategies—and also have contributed significantly to the problem of sweatshops. Contractors producing apparel for sale in the first-world fit right in with the emphasis on exports that underlies much neoliberal policy. The promotion of “labor flexibility” and EPZs create ideal conditions for contractors to keep down costs (by paying their workers as little as possible) and thus making themselves attractive to first-world companies—a dynamic we will look at more below. This method allows corporations or industries to play governments (not only national, but local as well) off
against each other, pressuring them to compete to create “business-friendly” climates that will attract investors (Ross and Trachte 1990; Silver 2003). This results in what is popularly known as a “race to the bottom,” where governments progressively lower their worker, consumer, and environmental protection standards, each government hoping that by having the lowest standards than the next they can attract investment (Brecher and Costello 1998).

Even as these events happened internationally, the rise of neoliberal ideology among conservatives in the US lead to the disintegration of the protectionist bloc in Congress during the 1980s; the promotion of neoliberalism (so-called “free trade”) became normative in the US government, among both Republicans and Democrats. Thus, Reagan was able to throw his full weight behind promoting the interests of the lead apparel firms in expanding the opportunities for overseas outsourcing. Reagan sought to promote such outsourcing not only in East Asia, but in Central America and the Caribbean as well. As with the US government’s promotion of outsourcing in East Asia in the 1950s, this was in part motivated by anti-Communism; Reagan hoped outsourcing would foster economic development, which would defuse the leftist insurgencies in the region. Lead apparel firms were among the first to take advantage of such Reagan-initiated polices as the Export Processing Zones promoted by USAID and the World Bank; and the Overseas Private Investment Corporation, a US government agency which provided companies doing business overseas with various services such as insurance, loans, investment missions, and information, thus encouraging them to invest abroad. Additionally, the Reagan, Bush and Clinton administrations signed various international
agreements, which encouraged US firms to outsource to different parts of Latin America—the Caribbean Basin Initiative II (CBI II) in 1986, the Enterprise for the Americas Initiative in 1990, and the North America Free Trade Agreement in 1994. These encouraged not only US firms to outsource to the Caribbean Basin, Central America and Mexico respectively, but the Asian firms to whom they outsourced to set up shop there as well. As a result, the networks making up the apparel industry span the entire Pacific Rim, plus the Caribbean. Finally, as part of the creation of the World Trade Organization in 1994 (a process fostered by the Clinton administration), it was agreed that the quotas of the Multifiber Arrangement would be gradually phased out over ten years; thus in 2004, any country could export unlimited amounts of apparel to the US (Bonacich and Waller 1994; Rosen 2002). This has lead to heightened competition among countries to attract apparel production, leading them to push down wages even more, in an effort to make themselves attractive to the lead firms (Clean Clothes Campaign 2008b).

Since the 1980s, the US apparel market has grown ever more stratified; US consumer markets have become increasingly fragmented so that different firms market to different populations, based on not only tastes but cost. Some firms such as Liz Claiborne focus exclusively on high fashion items, affordable only by the most affluent; others, like the Gap, market popular brand names to a wider market; while yet others—Wal-Mart, for instance—focus on producing cheap, often generic clothes whose main virtue is their low cost. These different sectors in turn have different strategies for outsourcing production, contracting with firms in different sets of countries. Much production for high fashion items remains located in such first-world countries as the US, France, Italy and Japan,
where they remain close to research centers, world-class input suppliers, and sophisticated consumer markets, all sources of their competitive edge. The production of lower quality goods for more popular brands or mass-merchandising firms is outsourced to what are generally increasingly low-income countries, ranging from the newly industrialized countries of East Asia through locations like China, Bangladesh and Central America, to the most marginal countries like Burma and Vietnam. Firms outsourcing to such countries seek to keep competitive through low production costs, in the form of both labor and materials (Appelbaum et al. 1994; Cheng and Gereffi 1994; Gereffi 1994). It should be noted that that production which remains in the US--primarily in the traditional centers of New York City and Los Angeles--is hardly free from exploitation. As in the early twentieth century, US apparel contractors tend to rely heavily on easily exploited immigrant labor and operate outside the law, resulting in highly exploitive conditions similar to production sites overseas, driven by the same need to keep down costs (Bonacich et al. 1994; Esbenshade 2004b; Ross 2004).

These developments are not solely confined to the US. The MFA covered not only imports to the US, but Western Europe as well. European apparel firms have also made extensive use of outsourcing, relying on contractors in South and Southeast Asia, Central America, Africa and Eastern Europe. Many West European governments, such as that of Germany, have actively encouraged such outsourcing as far back as the 1970s. While their geographic range may be somewhat different than (though overlapping with) US lead firms, their practices are largely identical. Thus, European firms and governments contribute equally to the sweatshop problem (Clean Clothes Campaign
Some of the competitive pressures to produce overseas can be seen in the experience of Levi Strauss. In 1990, the company—which was committed to keeping production in the US—dominated the jeans market, controlling a 48.2% share. As its competitors moved production abroad and were able to produce similar goods for less, Levi Strauss saw its market share shrink. Finally, in 1998, now with only 25% of the market, Levi Strauss felt compelled to move production to Mexico, resulting in mass layoffs in the US (Rosen 2002). Thus, it would be difficult for any one company to buck the trend by trying to be socially responsible—they would simply not be profitable enough. In other words, the problem is a structural one. It is, however, a structural one of the apparel companies’ own making—they pushed for the neoliberal policy reforms that facilitate outsourcing and have actively resisted any changes to these policies that would limit the potential for the abuse of labor rights. The apparel industry remains, therefore, collectively morally culpable for prevalence of sweatshops.

The Structure of the Apparel Industry

The apparel industry’s extensive use of outsourcing results in a very complex set of relationships and hierarchies between firms. As a way of helping us make sense of this complexity, I will use the concept of “commodity chains” (Appelbaum and Gereffi 1994; Gereffi 2001; Gereffi and Korzeniewicz 1994). This concept has its roots in world-system theory, an approach that focuses on the ways in which global inequalities in power between nations and regions have been both reproduced and transformed from the
initial era of European expansion and imperialism in the 1500s to the present. Most world-systems theorists have focused on the way some countries—what they refer to as the core or metropolitan countries—have exploited other countries—those on the periphery. Additionally, many world-systems theorists speak of semi-peripheral countries, which have an intermediate status, exploited by the core and exploiting the periphery in their turn. In today’s world, the core roughly corresponds to the nations of the first-world, the semi-periphery to those third-world nations such as Brazil or South Africa that are regional powers, and the periphery to the rest of the third world (Arrighi and Silver 1999; Chase-Dunn 1998; McMichael 2004; Robinson 2003; Ross and Trachte 1990; Silver 2003; Wallerstein 2000). The concept of commodity chains was developed by a group of world-system theorists who were discontented with that theory’s focus on the capacity of nation-states in definitions of the core-periphery hierarchy. Instead, they sought to develop an analytic tool that would let them focus on core-periphery relations within systems of production (Korzeniewicz and Martin 1994), an approach more consistent with world-systems theory’s Marxist provenance.

A commodity chain refers to the extended system involved in producing any commodity, running all the way back to the harvesting of raw materials, through the various stages of production, with various types of labor contributing at each step, to the marketing of the finished product. These individual steps in the process are referred to as a nodes (Appelbaum and Gereffi 1994; Hopkins et al. 1994). In analyzing a commodity chain, one should look at 1) their input-output structure, that is the various goods and services that go into producing a profitable product; 2) territoriality, that is the geographic
distribution of production networks; and 3) governance structures, that is the system of power and authority within the commodity chain (Gereffi 1994). In analyzing the power structure of any industry, it is important to look both at the organization of each particular node, particularly capital-labor relationships (Appelbaum and Gereffi 1994; Dolan 2004; Hopkins et al. 1994), and the relationship between nodes (Gereffi 1994). In the case of the apparel industry, the latter has a major effect on the former, resulting in sweatshops being pervasive in the production process. Because each node is a site of capital-labor relations, it is also a decision-making arena in the political opportunity system--each node contains managers making decisions about what to produce and how to treat their workers. The relationship between the nodes tells how the different decision-making arenas are interlocked, particularly the hierarchy among them--which arenas are subordinate to others and which arenas can command decision-makers in the subordinate arenas.

Power in a commodity chain is determined by which nodes have the highest barriers to entry and are the most profitable (Gereffi 1994). Different nodes in the production process have different rates of profit--the most profitable ones are the core nodes, the least profitable the peripheral nodes, and those of intermediate profitability the semiperipheral (Appelbaum and Gereffi 1994; Hopkins et al. 1994). The core nodes tend to have the greatest concentration of firms, i.e. a small number of companies dominate the market from that position (Gereffi 2001; Ross 2004). What part of the production process is most profitable varies from industry to industry.
The most familiar sort of commodity chain is what Gary Gereffi (1994, 2001) calls a *producer-driven* commodity chain, which are found in capital- and technology-intensive industries, such as automobile, computer and electronics production. In such industries, the actual production of goods—or least certain stages in that process—remains the most profitable part of the process. Such industries tend to be highly centralized, with vertically integrated firms remaining dominant, though they may subcontract out the less profitable steps in the production process, such as making component parts. The apparel industry is, however, what Gereffi (1994, 2001) calls a *buyer-driven* commodity chain—one in which the chain is dominated not by producers, but by retailers, marketers and merchandisers. This arrangement is typical of most labor-intensive, consumer-goods industries, such as apparel, footwear, and toys. The greatest profits are to be made not in actually producing the goods, but in designing and marketing them. Thus, these firms maintain control of advertising and retail while farming out production. There are also driven to constantly innovate—producing new styles of clothing, for instance—because their products are so easily imitated by competitors (Korzeniewicz 1994; Rabach and Kim 1994). As a result of this, for many core firms in buyer-driven commodity chains, their major asset is their brand image and identity, which is best understood as a non-material form of capital. Much of the brand-name firms’ work becomes not about managing labor, but managing consumers, shaping how they use products and attempting to colonize ever more spheres of social life in a quest to increase the value of their brands (Arvidsson 2006; Klein 1999). Additionally, while the retailers, marketers and merchandisers were once largely distinct entities, with rise of retailers’ own private labels.
(store brands) on the one hand and brand-name chain stores such as Nike Town on the other, the boundaries between the two have become increasingly blurred (Armbruster-Sandoval 2005).

It is this low profitability of actual manufacturing that leads the core apparel firms to outsource most, if not all, of the production to smaller companies (Gereffi 1994; Ross 2004). While the resulting production process is highly decentralized, power remains concentrated in the retailers, marketing and merchandisers who control the most profitable part of the production process (Moody 1997). Retailers may charge as much as a 55-60% mark-up from what they pay the manufacturers/contractors (Appelbaum and Gereffi 1994). Some of the contractors who do the actual production are themselves large, transnational firms, based out of Taiwan and South Korea, although they may do much of their production in other, lower cost countries (Gereffi and Pan 1994). Most contractors, however, are small operations, often owning only a single factory. In seeking to manufacture goods for the brand name companies, these contractors are essentially in a bidding war with each other--whoever can produce the goods for the lowest cost while maintaining a certain quality will get the contract. Most contractors operate at very slim profit margins, often just scraping by (Bonacich et al. 1994; Ross 2004).

This relationship between the firms at the different nodes in the production process in turn defines the relationship between the owners of the contracting firms and their workers (Dolan 2004) and thus the sort of decisions management is likely to make within these arenas. Because the contractors operate at such slim profit margins, they in turn must shift the burdens of the drive to cut costs onto their workers, thus producing
sweatshops. These asymmetries of power between the brands and their contractors and between the contractors and their workers have important consequences for the anti-sweatshop movement. On those occasions where suppliers have been successfully pushed to recognize unions, raise their wages, and improve working conditions, these victories have proved short-lived. Typically, we see the same pattern as in the Camisas Modernas factory--the factories that make such deals shut down within a year or two, since they can no longer afford to stay open. When contractors improve conditions for their employees, they raise their own costs of production--and consequently lose out in the bidding war to do business with the brands. The suppliers are simply not in a structural position to change the way business is done and how labor is treated. That power lies with the brand name companies that dominate the commodity chains, which thus have become the focus of the anti-sweatshop movement’s campaigns (Armbruster-Sandoval 2005; Esbenshade 2004b) (multiple interviews, 2007).

**Implications for Activists**

The neoliberal restructuring of the global economy in general and the rise of outsourcing in the apparel industry in particular have major implications for activists--the ease with which they can gain access to different social arenas, what forms of leverage and standing they have, what grievances and demands are seen as legitimate, the degree to which their frames are considered credible. With the rise of neoliberalism, many elite actors have become openly hostile to labor unions and other economic justice advocates.
Even mainstream left-of-center parties, while maintaining their ties with the labor movement, have embraced neoliberal policies that actively erode unions’ power.

In general, economic justice activists have the sense that they have less access to the major social arenas where decisions about global governance are made. Anti-sweatshop activists have thus tried to develop strategies that bypass government enforcement. According to Jessica Rutter (interview, 2007), a USAS organizer from Duke University:

I would say a lot the anti-sweatshop stuff that has been done has been because of a lack of government regulation or any kind of framework to look at labor standards in terms of free trade stuff. […] Generally the governments, both the US government and national governments of places where a lot of this stuff is being produced, were actually pretty much working against improved labor standards. So this was definitely a campaign that looked at companies as the decision-makers and was done because we thought it would be easier than using government as a target in terms of legislation, especially because it was so global. I would say the campaign itself really didn't address any kind of government regulation and did that on purpose because of the ineffectiveness of government to regulate this kind of stuff.

Most of the anti-sweatshop activists I spoke with would like to see governments take a more pro-labor stance in their regulations, whether at the national level or through multilateral agreements. They have concluded, however, that, given the dominance of
neoliberal strategies on the part of governments, such regulation will not come about any time soon. They have also concluded that they actually have more leverage over private, for-profit corporations than they do over nominally democratic governments--a striking sign of the shallowness of democracy under neoliberalism.

Which decision-making arenas have access to and/or leverage over is important, because not all decision-making arenas are created equal. Just as sites of production may be core, semiperipheral or peripheral, so may discursive or decision-making arenas. The major brand-name firms are core decision-making arenas, while their contractors are at best semiperipheral, if not peripheral decision-making arenas. Thus, activists have to find ways not only to influence decision-makers’ choices, but the choices of those decision-makers who occupy core arenas. Sweatshop workers and consumers are incorporated into the commodity chain at very different locations; while the workers are a peripheral population, consumers, depending on which market niche they represent, may be a semiperipheral or core population. The workers are at the bottom of this social structure, interacting with their employers, contractors who themselves have relatively little power in the larger picture. Both the workers and contractors are, essentially, disposable--the core firms can always find others to do their work. Consumers, on the other hand, have some potential leverage over the brand-name firms; the profits of these corporations depend on their reputation with consumers. And some groups of consumers, such as college students, are particularly valued. Given this, the brands worry far more about the attitudes and actions of students and other consumers than they do workers, giving students leverage that workers do not have.
This structure in turn has consequences for both workers’ and students’ ability to form independent organizations, i.e. in how much organizing space they have. Workers in third-world sweatshops typically have very little space to organize, facing repression—ranging from the firing of leaders to death squads—when they try to do so (Armbruster-Sandoval 2005). As already noted, the contractors who employ the workers are not really in a position to collectively bargain with the workers even if they wanted to. Thus, contractors, due to their structural location, have many incentives to repress unions and few to tolerate them. US activists are far freer to organize without fear of unpleasant consequences, even in the case of students, who are subject to school administrations that are highly anti-democratic in their organization. Student activists may be arrested, even threatened with expulsion (though this is rare), but they do not need to fear for their lives or livelihoods. United Students Against Sweatshops has used this relative freedom to act in solidarity with workers, bringing pressure on companies to recognize workers’ independent unions—thereby altering the political opportunity system, creating greater organizing space for workers, something I will explore in more depth in chapters twelve through fourteen.
The Rise of Transnational Activism

The rise of outsourcing and sweatshops did not go unchallenged by social justice activists. And, given the global nature of the problem, they found that they needed to organize globally themselves to have any hope of successfully challenging such labor exploitation. More precisely, sweatshop workers have found themselves in a position, where, even if they are well organized, they can do little to exact concessions from their employers. As we discussed in the last chapter, these factory-owners are not in a position to make concessions, since any increase in the cost of doing business could well put them out of business. The real power to improve conditions lies with the lead apparel companies in the Global North, who are the ones demanding that these factories they production keep costs as low as possible. Thus, sweatshop workers need to challenge these core companies as much as their own, peripheral employers if they wish to improve their working conditions. Unfortunately, there is little they can do to exert direct pressure on core firms. All too often, the major apparel corporations respond to labor disputes at their contractors by “cutting and running”--moving production to another factory where there is no open labor conflict which might attract unwelcome media attention. Therefore, if sweatshop workers want to successfully fight to improve their conditions, they have to find allies in the home countries of the apparel firms--that is, in the US and Western Europe--who may be able to find ways to successfully exert leverage over these companies. The result was the birth of transnational anti-sweatshop alliances and campaigns, which we will examine both below and in chapters twelve through fourteen.
This rise of the transnational anti-sweatshop movement was part of a larger trend of transnational movement-building, as more and more activists in more and more movements came to see this as the most viable means to exert leverage over their foes. Such transnational relationships within social movements go back as far as the nineteenth century, with the global anti-slavery movement and the frequent communication that happened between the feminist and labor movements in different countries. Transnational ties increased dramatically, however, in the late twentieth century, facilitated by advances in telecommunications and transportation technology that made forging and sustaining such ties easier. The first such transnational movements formed around human rights issues in the 1970s. Activists in countries such as Chile and Argentina that were ruled by utterly ruthless military governments who were willing to kill and disappear any and all dissenters found that they had little or no leverage over their own governments. They could, however, pass information on human rights violations to allies in the US, one of the main backers of these repressive regimes. US activists could in turn publicize this information and put pressure on their own government to withdraw support from the Chilean and Argentine juntas. Such activism seems to have played a rule in reducing US support for such governments and facilitating the transition to formal representative democracy (Keck and Sikkink 1998).

Activists’ hopes that such formally democratic governments would be friendlier to them were soon dashed though. Constrained by IMF/ World Bank conditionalities as a result of the debt crisis and often dominated by internationally oriented sectors of local capital, many, if not most, of these governments had neither the power nor the interest in
implementing social-democratic reforms (Robinson 2003). Faced with such conditions, activists continued to rely on transnational networks. Indigenous rights activists, for instance, formed alliances with first-world environmentalists to pressure the World Bank to modify its lending policies. These campaigns had only a limited impact on the ground, but did result in the Bank at least formally committing to reviewing projects it lent to for environmental sustainability and respect for indigenous peoples’ rights (Keck and Sikkink 1998).

In the 1980s, most of these transnational networks were formed on an ad hoc basis, focusing on specific campaigns. In the 1990s, these networks began to take on a more permanent character. Perhaps the most visible sign of the thickening of these networks were the major conferences that activists held, unified around a broadly defined opposition to neoliberalism. While activist groups had long used UN conferences as an opportunity to hold parallel conferences of their own and form ties with each other (Smith et al. 1997), the mid-1990s saw activists begin to set up their own conferences entirely independent of the UN. More radical groups who would not be caught dead at UN-sponsored conferences not only attended these, but often played a key role in them. The first such independent conference was the 1996 Encounter for Humanity and Against Neoliberalism or encuentro, organized by the Zapatistas, a radical indigenous movement based in Chiapas, Mexico. During this meeting, activists from around the world came to desperately poor Mayan Indian communities in the middle of the Lacandon Jungle, far from any urban center of power, to network with each other. A series of other encuentros followed, some in Zapatista territory, others elsewhere. The encuentros were eventually
succeeded by the World Social Forums, the first of which was held in 2001 in Porto Allegre, Brazil, attracting a somewhat wider range of groups—including more moderate ones—than had attended the Zapatistas’ gatherings. Both the encuentros and World Social Forums served as sites for left-wing activists from around the world to build ties and trade ideas with each other. Another sign of the thickening of transnational left networks was the rise of several permanent activist groups that are transnational in scope and goals. Among the more significant are Jubilee 2000, a predominantly church-based network dedicated to the total cancellation of third-world debt, with many of the more radical member groups calling for reparations from the former colonial powers to their ex-colonies; People’s Global Action, a worldwide alliance of radical leftists, ranging from small anarchist groups in the US to massive grassroots organizations like the Movement of the Landless Workers from Brazil; and Via Campesina, an international alliance of small farmers and peasants, opposed to both the WTO’s agricultural policies and agribusiness in general.

While people in the Global South were well aware of this rising transnational activism, it did not really gain visibility in the US—even among leftist circles—until the massive protests against the World Trade Organization in Seattle, Washington in late 1999. It seems to be around this time that people began defining a wide range of left-leaning networks and campaigns as constituting a unified, if very multifaceted and heterogeneous, movement. Some, particularly the movement’s critics, have referred to it by the rather inappropriate name of the anti-globalization movement; its supporters are more likely to speak of a globalization from below, the global justice movement or the
alter-globalization movement. Regardless of what one wishes to call it, the anti-
sweatshop movement was one of the activist networks that arose within this context of
growing transnationalism and became one of the constituent movements of the larger
global justice movement. Although much of this dissertation focuses on the student wing of
the anti-sweatshop movement, its origins actually lie in international labor and
religious networks; students were only brought into the movement later in the game.

During the Bretton Woods era, the major US labor federation, the AFL-CIO had
seen itself as business’s junior partner, identifying with its interests in many ways, a
strategy known as business unionism (Moody 1997). One aspect of this was that it
generally sided rather blindly with the US government during the Cold War, including
offering it support for the often violent repression of progressive unions by governments
allied with the US, all in the name of anti-Communism. As a result, the US labor
movement had very poor relations with all but the most conservative unions in much of
the third world (Armbruster-Sandoval 2005). The AFL-CIO’s leadership’s understanding
of themselves as business’s junior partner left them unprepared for the neoliberal assault
on the New Deal social compact. Instead of fighting against the concessions business
demanded from labor, the AFL-CIO’s leadership grudgingly backed them. They bought
into business leader’s arguments that such concessions were necessary to make US
business competitive in the age of globalization. They also tended to assume that such
austerity would be a temporary phenomenon, lasting until US businesses regained their
footing, and that the era of generous wages and benefits would eventually return
(Fantasia and Voss 2004; Moody 1997).
This, of course, never happened. The old guard leadership of the AFL-CIO was seemingly incapable of understanding that a fundamental shift in capital’s relationship with labor had happened and responding accordingly. Fortunately, however, there had always been progressive currents pushing for a reform of the labor movement from within the movement. The set-backs due to globalization gave the reformers more credibility and the culture of the US labor movement gradually began to change, taking on a more confrontational, progressive character. Among their major strategies were community-based campaigns, in which unions forged ties with non-labor groups, such as religious congregations and students, and framed their struggles in terms of a broad, social justice-based agenda, as opposed to a narrower one focus on union members’ interests alone (Fantasia and Voss 2004; Moody 1997).

Nonetheless, some of the labor movement’s early responses to globalization were embarrassingly protectionist and conservative in nature. Brooks (2005, 2007), for instance, critiques a campaign in the early 1990s by the AFL-CIO and some of its allies, supposedly focused on ending child labor in the Bangladeshi garment industry. They organized the campaign, however, without actually consulting Bangladeshi labor and children’s rights activists. In these activists’ eyes, the legislation, which would have banned imports made with child labor, would do more harm than good, because it failed to address the root causes that lead families to be desperate enough to send their children to work in factories. They saw it the campaign as a thinly veiled push for protectionist legislation by the US labor movement. As a result, the Bangladeshi activists ended up in a strange alliance with Bangledeshi factory-owners in opposition to the legislation.
Brooks concludes that, while the reforms that eventually resulted from this campaign had some positive impact, they ultimately left much to be desired. (We will discuss this campaign in more depth in chapter fourteen.)

Happily, the US labor movement began to move away from such protectionist impulses to strategies more genuinely based on solidarity, in large part due to face-to-face contacts between US labor activists and those from various parts of the third-world, often at the rank-and-file level. Such contacts were actively encouraged by reform groups within the US labor movement. For instance, *Labor Notes*, a left-wing labor periodical, helped facilitate ties between reformist currents in the United Auto Workers (UAW) of the US and the Ford Worker’s Democratic Movement, an independent labor union in Mexico’s maquila sector (Moody 1997). Particularly relevant for the roots of the anti-sweatshop movement was the involvement of labor activists in the Central American solidarity movement of the 1980s. This primarily church-based movement opposed the Reagan administration’s numerous and bloody proxy wars in the region, pushing for the US to cease supporting repressive military governments in El Salvador and Guatemala, and, in Nicaragua, the Contras fighting against the socialist Sandinista government. Among other things, the churches involved sent missions to Central American countries to see the effects of the war firsthand. Some of the church members who went on such delegations were also labor activists. Their experiences there lead them to question the AFL-CIO’s blind support for US foreign policy. They also observed the ways in which the Guatemalan and Salvadoran governments repressed progressive labor unions and promoted Export Processing Zones—and thus fostered a climate in which sweatshop labor
was rampant. These religious and labor activists became instrumental in forming some of the first US anti-sweatshop organizations, such as USLEAP and the National Labor Committee (NLC) (Brooks 2007; Seidman 2007).

As these things were happening at the grassroots level of the US labor movement, shifts were also happening in its national leadership. Even during the heyday of business unionism and Cold War loyalties, there had been some union locals with progressive leadership. Ironically, these unions tended to the older, traditionally more conservative craft unions, which were often highly decentralized, giving room for more diversity in local leadership. As it became clear that simply clinging to old-style business unionism was getting the labor movement nowhere fast, reformers began to exert more influence, coming to assume positions of leadership in some national unions. This culminated in the 1995 election of the New Voices slate, lead by John Sweeney, to the national leadership of the AFL-CIO. Sweeney and his allies began to push for a more confrontational approach to dealing with business, more aggressive organizing strategies, and building ties with non-labor movement groups. The new leadership was only partially successful in this since many of the national leaders of the AFL-CIO’s constituent unions were still part of the old guard, unwilling to change and risk losing the base of their power. Still, significant shifts in the US labor movement were taking place (Fantasia and Voss 2004).

Among the sectors where these changes took place was the apparel industry. There were two major unions in this sector--the ILGWU, whose membership consisted primarily of poorly paid immigrant workers; and the Amalgmated Clothing and Textile Workers Union (ACTWU), whose membership consisted of somewhat better paid native-
born white and black workers, working in the less fragmented parts of the industry. With the movement overseas, both saw their memberships dwindling. In response to this, in 1995 the two unions engaged in a somewhat messy merger, forming the Union of Needletrades, Industrial, and Textile Employees (UNITE); and began undertaking aggressive community-based campaigns, trying to form alliances with non-labor groups such as religious congregations and students, in their campaigns to pressure apparel firms such as Guess (Bonacich 2002).

Another important development at the national level was Sweeney’s attempt to break with the AFL-CIO’s Cold War past in its relationship with third-world unions. In 1997, Sweeney shut down the American Institute for Free Labor Development, which had worked closely with the US government in promoting its Cold War policies, and reopened it as the American Center for International Labor Solidarity (ACILS), popularly known as the Solidarity Center. Although still criticized by those to its left, the new Solidarity Center has played a much more constructive role in promoting labor rights globally and building alliances between the AFL-CIO and independent labor unions in the third world.

**International Labor Solidarity in the Apparel Industry**

Before turning to the rise of student anti-sweatshop activism, it is worth considering in some detail the strategic models that were already present in the anti-sweatshop movement, when it consisted mainly of labor and religious groups. These
models, sometimes in modified form, became integral to the strategy of United Students Against Sweatshops, so it behooves us to look at their evolution.

While the ILGWU had developed the strategies it needed to pressure both lead firms and their contractors into accepting the unionization of their workforces during the New Deal era, they faced increasing problems as the apparel industry globalized. In short, they were faced with the problem that many firms, rather than deal with a union, would threaten to move production overseas. In the early 1990s, they undertook a campaign against the brand-name firm Guess and its contractors in Los Angeles. Drawing on the strategic model of community-based campaigns, they not only organized workers to strike at the companies producing clothing for Guess, but worked with student groups to target Guess’s retail outlets for a boycott. The campaign failed for a number of reasons. One was that, in the midst of the campaign, the merger between the ILGWU and ACTWU happened; UNITE’s new leadership (primarily from the ACTWU) undertook a new direction in the campaign, following a more legally oriented strategy, leading to the resignations of Jeff Hermanson and David Young, who had been coordinating the campaign (Bonacich 2002). Second, as we will see later, boycott campaigns carried out by individual consumers are not actually a terribly effective tactic in most cases. Third, was that, while the union was certainly aware that Guess was threatening to move production to Mexico, they were not actually prepared for that eventuality. Hermanson (interview, 2007) recounts:

At that time, I tried to convince our union leadership to follow the work and go to Mexico and assist Mexican workers in organizing.
Unfortunately, our leadership did not see the virtue of that—we basically had to drop the campaign.

Hermanson, who had been an organizer with the ILGWU since 1977, just as overseas outsourcing was beginning to pick up, moved on to work with the AFL-CIO Solidarity Center.

During this period before the merger of the ILGWU and ACTWU, the two unions were, however, involved in a more successful campaign, one which focused on overseas solidarity. Much of what was involved in this work was adapting the model that the ILGWU had used successfully in organizing apparel domestically within the US to the global stage. The campaign targeted Bibong, a Korean-owned factory in an EPZ in the Dominican Republic (DR), which produced raincoats for London Fog, Capezio, British Mist and (their largest customer) Misty Valley. Beginning in 1992, thanks to the efforts of the Dominican Secretary of Labor, Rafael Albuquerque, a pro-union reformist, employers operating in Dominican EPZs were legally required to recognize independent labor unions. In practice the members of the employers association, the Dominican Free Trade Zone Association (Asociacion Dominicana de Zonas Francas de Exportacion or ADOZONA), refused to do so; the labor courts which were supposed to enforce labor rights were completely corrupt and complicit with ADOZONA, much to the frustration of Albuquerque. According to the law, any union with at least twenty members was supposed to receive legal recognition, though the factory-owners were not required to negotiate a collective bargaining agreement unless at least half the workers voted for it.
Instead, they fired and blacklisted union leaders with impunity (Jessup and Gordon 2000).

In was in this context that, in 1992, the workers at Bibong tried to organize a union, in response to such conditions as physical abuse by managers, sexual harassment, inadequate sanitation, and forced overtime without pay. Unfortunately, the National Federation of Free Trade Zone Workers (Federacion Nacional de Trabajadores de Zonas or FENATRAZONAS) had a poorly thought through strategy. As soon as they had the legal minimum number of twenty members for the Bibong Workers Union, they publicly announced this; Bibong’s management responded by promptly firing these workers. It was at this point that FENATRAZONAS contacted the AFL-CIO Solidarity Center, the ILGWU, and the ACTWU for help. Twenty-five people from the Bibong plant and FENATRAZONAS came to the US for a training on organizing strategy, lead by Hermanson and other staff from the ILGWU and ACTWU. Upon their return, they undertook a second organizing campaign, recruiting 318 out of the 565 workers, meeting the 50% requirement that would legally require management to bargain with them. Rather than bargaining, Bibong’s management responded with firings and various forms of intimidation. Their tactics, compounded with a highly publicized case of sexual harassment, were so aggressive that they backfired, causing a wave of bad publicity for the company in the DR. Meanwhile, the ILGWU and ACTWU were busy in the US. They brought Bibong workers to testify before Congress; turned up the pressure on the Bibong’s customers, particularly London Fog, which had a contract with the ACTWU in the US; and pressured the US Trade Representative (USTR) to do a review of the
Dominican Republic’s status under its trade agreement with the US. While initially reluctant to do so, the USTR concluded the labor rights violations were so flagrant, a review was warranted. As a result of these actions, Bibong finally agreed to sign a collective bargaining agreement with the union in 1994. This set an important precedent, enabling FENATRAZONAS to organize a number of other factories in Dominican EPZs (Jessup and Gordon 2000).

One important thing to note here is that this was a solidarity campaign. The US labor movement did not go in and try to start a union where there was none. Instead, it worked to support an already existing union. As we shall see later, across the board, the anti-sweatshop activists I interviewed emphasized that such activity on the part of the workers is necessary for the success of a campaign. A solidarity campaign cannot succeed if there is no one to act in solidarity with.

As for the US allies’ tactics such as pressuring London Fog, according to Hermanson (interview, 2007)

[T]hat was a tactic that we in the [International Ladies] Garment Workers Union had been using for twenty years, long before I got there. […] If we wanted to organize a subcontractor, we could not do it without putting pressure on the brand that was ordering the work. Otherwise, even if you successfully organize that subcontractor, the brand would just take the work out and put it somewhere else. We basically had to look at this as a system of production, not as a single workplace. […] The subcontractor is
vulnerable to a work stoppage, but the brand is not; the brand is vulnerable to public pressure, image pressure.

Hermanson noted, however, that this has become much harder in the era of globalized production. For one thing, when most of the contractors were primarily in the US, it was sometimes possible to coordinate the actions of workers at multiple contractors, so that they could strike simultaneously. This would cut off all the brand’s production, leaving it with no goods to sell. Pulling this same thing off on a global scale is quite another matter. One of the struggles of the anti-sweatshop movement has been to find ways to adapt this old strategic model of organizing and pressuring the lead firms to deal with the problem not simply of outsourcing but global outsourcing.

**Anti-Corporate Campaigns**

Another strategic model that has been important to the development of the anti-sweatshop movement has been the anti-corporate campaign. While targeting lead firms in order to organize their contractors is a long-standing tool of the trade for labor organizers, at least in the apparel industry, anti-corporate campaigns are relatively new. Indeed, activists, both inside and outside the labor movement, developed them in the context of the decline of the New Deal social contract and the rise of neoliberalism. As the US government became increasingly conservative, it became increasingly difficult for activists working on a wide range of issues to pressure it to enact new legislation or enforce existing regulations in a way that might help them achieve their goals.
Increasingly then, activists turned to directly targeting corporations they regarded as guilty of labor abuses or other offenses.

In the mid-1970s, an activist group called the Corporate Data Exchange (CDE), influenced by the work of New Left sociologist C. Wright Mills, began looking at the connections between corporations, attempting to determine the power relations between them and other institutions in US society. In doing so, these activists began doing careful research not only on interlocks between boards of directors, which Mills had emphasized, but which other companies they were dependent on for finances, for component parts, or as customers who bought their products. In other words, they were looking at the power relations within commodity chains. This was not intended to be merely an intellectual exercise, but a means to finding points of leverage over various corporations. CDE’s work influenced the National Council of Churches in their efforts to use their stock ownership to pressure corporations to withdraw from doing business in apartheid South Africa (Manheim 2001).

The anti-corporate campaign really began to come into its own though during a campaigns by the ACTWU to organize two southern, anti-union companies--the Farah Jeans company in El Paso, Texas and J.P. Stevens, a major textile manufacturer. As part of these campaigns, the ACTWU hired Ray Rogers in 1973 as lead organizer; Rogers in turn hired Michael Locker, one of the members of CDE who had developed their method of power analysis. In these two struggles, Rogers and Locker developed the first full-blown anti-corporate campaigns. The campaign against Stevens involved not only a strike and a boycott of the goods produced by the company, but boycotts against companies
with ties to Stevens, such as Manufacturers Hanover Trust (on whose board Stevens’
chairman sat) and the banks that financed Stevens. Faced with the threat of an
institutional boycott—specifically the withdrawal of $1 million in union pension funds—
Manufacturers Hanover Trust ousted Stevens’ chairman from its board (Manheim 2001).

While tactics like these were effective, they were also a bit much for the old guard
labor leadership which then headed the ACTWU. They fired Rogers, but he went on to
work with other groups. As labor’s political influence eroded and more progressive
leaders came to the fore in some unions, anti-corporate campaigns became increasingly
common in the labor movement. Non-labor groups also increasingly waged anti-
corporate campaigns. Rainforest Action Network, for instance, targeted the Japanese
conglomerate Mitsubishi for its destructive logging practices in the tropics. In many
cases, where the targeted companies were well known brand names, part of the anti-
corporate campaign would involve getting exposés of the company’s offences into the
mass media, thereby damaging its image (Manheim 2001). Perhaps one of the classic
examples this is also an early example of a major transnational campaigns—the “Nestlé
Kills Babies” campaign, launched in the mid-1970s; this targeted the food company for
unethically marketing its baby formula to poor women in the third world as a substitute
for the much healthier practice of breast feeding (Keck and Sikkink 1998). As noted
above, in certain industries, such as toys and apparel, where the core firm is a marketer,
not a manufacturer, the company’s brand image is often their main asset; such attacks on
brands can be especially damaging.
Some of the most striking examples of this come from the early stages of the anti-sweatshop movement itself. In 1995, Charles Kernaghan and his organization, the National Labor Committee, launched an anti-corporate campaign in support of workers at the Mandarin International factory in the San Marcos EPZ in El Salvador. The main target of the campaign was the Gap, which supplied Mandarin International with 80% of its orders; the Gap had also attempted to cultivate a reputation of being socially conscious, making it somewhat more vulnerable to charges of connections with sweatshops.

From the moment Mandarin opened up [in 1992], workers complained of poor working conditions, such as forced overtime, regulated bathroom breaks, lack of drinking water, and poor ventilation. Mandarin workers also stated that the company’s personnel manager, a retired army colonel, verbally and physically abused them, hitting them on the top of their heads with his fists for alleged “mistakes” and “poor quality work” (Armbruster-Sandoval 2005).

As a result of this, Mandarin workers made several attempts to organize a union. The first two attempts came to nothing, as a result of such union-busting techniques as firing organizers and bribery. In 1995, Mandarin workers founded their third attempt at a union, the Mandarin International Workers Union (Sindicato de Empresa de Trabajadores de Mandarin International or SETMI). The company responded both by setting up a company union and firing SETMI members. SETMI members responded with a strike
that shut down not only Mandarin International, but the entire San Marcos EPZ (Armbruster-Sandoval 2005; Brooks 2007).

Meanwhile, the NLC started a campaign against the Gap; this included the production of a movie on EPZs and child labor called *Zoned for Slavery: The Children Behind the Label* and an NLC-sponsored speaking tour by some of the young woman working at Mandarin (Armbruster-Sandoval 2005; Brooks 2007). Such “information politics”, especially the speaking tour, can be a powerful framing strategy for movements. Not only does it put a human face on the struggle of the workers, but the testimony of the workers themselves lends an authenticity and legitimacy to the campaign that US activists, no matter how dedicated, could not give it themselves (Armbruster-Sandoval 2005; Keck and Sikkink 1998). The NLC also launched the campaign during the Christmas shopping season, when the Gap felt particularly vulnerable to bad publicity. It also coincided with a raid by the Department of Labor on a garment factory in El Monte, California where Thai immigrants were being held in what was essentially slavery. All this resulted in a wave of media coverage on sweatshops that put the Gap on the defensive. As a result, they suspended their orders with Mandarin International and pressured the contractor to improve working conditions. As a result, not only did Mandarin make some concessions to the union, but they also agreed to a system of independent monitoring (Armbruster-Sandoval 2005; Brooks 2007); this was a first for the garment industry and something we will explore in more detail below.

Another important case was the Kathie Lee Gifford scandal. As briefly mentioned in chapter one, Gifford was a prominent celebrity and talk show host, who had cultivated
a wholesome, maternal image; she sponsored her own line of clothing sold through Wal-Mart, half of the proceeds from which would go to charities that benefited children. In 1996, Charles Kernaghan of the NLC, while visiting Honduras, learned that workers at the Global Fashions factory were producing goods for Gifford’s line--and working under sweatshop conditions. Kernaghan brought this information back to the US, where he publicized it. A few months later, UNITE revealed that workers in a New York City sweatshop had contacted them for help--and that they too were produced for the Gifford line. Given the contrast between Gifford’s maternal image and the charges against her--including use of child labor--the media had a field day with the case, running a number of salacious stories. The success of the story caught Kernaghan by surprise; he had simply been following the model of a classic anti-corporate campaign, looking for any and all vulnerabilities that he could exploit. It quickly became clear to the NLC and UNITE that Gifford’s image was her main vulnerability and they ran with the media coverage. Gifford’s initial reaction was one of outrage and denial. After a number of meetings, to her credit, she changed her position and came around to supporting independent monitoring of the factories producing her clothes. By contrast, a number of other celebrities, such as Nike sponsor Michael Jordan, continued to avoid the issue, saying such policy issues were outside their purview (Brooks 2007; Ross 2004).

Many of the activists I spoke with saw this burst of media coverage as essential to the take off of the movement. Eric Dirnbach (interview, 2007), a researcher and campaign coordinator for UNITE, said
The media played a vital and essential role from ’96 up through the next five years. […] There were a few early scandals in the mid- to late 90s that got a lot of media attention. I’ve seen studies that looked at the mention of the word sweatshop in media reports and there were hundreds if not thousands of hits a year in various news articles. […] Without the media really propagating that, we wouldn't have had the success that we had. What apparel firms like the Gap found so threatening about the media coverage is that it negatively affected their brand image, by associating them with sweatshops. As discussed in the last chapter, for many apparel firms, their brand image is their most valuable asset, their main form of capital (as opposed to more traditional forms of capital, such as factories). This is particularly damaging when, as Gifford had done, the company sought to build a socially responsible image. What activists discovered through these anti-corporate campaigns was that attacking a brand’s image in the arena of the mass media not only gave them an advantage in terms of framing and boosted their legitimacy, but actually gave them structural leverage over the company. By threatening a company’s image, they were potentially threatening its profitability, giving them a certain amount of power they could use against it.

Such coverage, alas, was not to last, due to the rules that govern the mass media as a social arena. One of the norms of mainstream news-reporting is that a journalist cannot simply cover an issue. They must cover an event—that is, there must be a “hook,” a story, which one can cover, in order to raise a larger issue. And such hooks must be new and fresh—once something becomes “old news,” the mainstream media will
generally cover it only rarely, even if it is still a serious social issue (Ryan 1991). After a few years of salacious celebrity and brand-name scandals, the issue of sweatshops became “old news” and reporting on it decline dramatically.

Even when the media reported on such things as the Kathie Lee Gifford scandal, there were many problems with the coverage. Journalists consistently framed sweatshops not as a systemic problem, but as an aberration, the result of a few bad apples (Brooks 2007). In the case of US-based sweatshops, such as the El Monte slave labor case, the media frame frequently put the blame on immigrants and immigration for making sweatshops possible, by creating a pool of easily exploited labor, rather than looking at the policies of the lead firms in the apparel industry (Ross 2004), a bizarre reversal of responsibility. This is part of a wider pattern in which journalists as social actors, positioned comfortably in the professional-managerial class and socialized in mainstream institutions, tend to assume that the social system as it exists is basically sound. Thus, while they may call individual corporations to account for particular scandals, they rarely articulate a larger critique of the system in which corporations are embedded and which shapes their choices, pushing them to maximize profits by any means they can (Ryan 1991).

The media also consistently depicted sweatshop workers as victims, rather than active agents, fighting for their rights. In the case of this last problem, many have argued the NLC shares some of the blame, actively choosing sensational issues like child labor over the right to organize and freedom of association (Brooks 2007). The rules that govern the mass media arena, however, gave the NLC incentives to do so. Marion Traub-
Werner (interview, 2007), a USAS member who spoke critically of “National Labor Committee-type victimhood stuff,” captured some of the dilemma faced by anti-sweatshop groups in dealing with news reporters and media audiences: “The victim stuff is just the easier sell, right? You know, people have forced overtime, beatings, all the sort of sweatshop horror stories that happen. […] But even if they didn’t happen, the system is still totally fraught and fucked up.” She pointed to the Camisas Modernas case as an example--there were no horror stories to tell, but workers’ rights were nonetheless being violated when the factory’s management resorted to union-busting. And, in terms of the bigger picture, while narratives of sweatshop workers as victims may generate media coverage, they obscure the systemic nature of the problem. USAS member Ken Abrams* (interview, 2007) said such early emphasis on victimhood “makes it harder, in some ways, to get press around stuff that is more common […] like [violations of] the right to organize. It’s like this race to the bottom in terms of the most salacious thing which is needed to get media attention.”

Nonetheless, whatever its problems, the press coverage of the mid-1990s helped the anti-sweatshop movement grow considerably. It also made clear to activists the power of attacking a brand-dependent company’s image, a tactic that was to remain a critical part of activists’ repertoires in future campaigns. Finally, the strategic model of the anti-corporate campaign, which helped generate this coverage, has remained central to the anti-sweatshop movement. Indeed, as we shall see, USAS’s origins lie in UNITE’s attempts to apply the anti-corporate campaign model in innovative ways.
**Independent Monitoring**

Out of the agreement between the NLC and the Gap that ended the former’s campaign against the latter came the industry’s first agreement to set up an independent monitor to check on the conditions in a factory. Although this agreement has been criticized on a number of grounds, independent monitoring has become a central strategic model for the anti-sweatshop movement, with USAS and the WRC considerably refining it beyond this first attempt.

As popular awareness of the many environmental and social problems caused by TNCs under neoliberalism grew, calls--both from within and outside of the corporate sector--for corporate codes of conduct and programs to monitor their implementation grew in a wide range of industries. Advocates of monitored codes as a means of promoting corporate social responsibility point to the Sullivan Principles, a code of conduct which applied to US firms doing business in apartheid South Africa, as the first instance of such a program and a model for others. There is some irony in this, since both the US and South African anti-apartheid movements took a dim view of the Sullivan Principles, regarding them as a way for companies to save face while avoiding what the movement actually wanted them to do--pull out of South Africa altogether. Additionally, companies’ compliance with the Sullivan Principles was measured by Arthur D. Little, an accounting firm with no expertise in human rights, by means of a process that even the firms involved complained was non-transparent. At the end of the day, it appears that beyond encouraging companies to contribute to charities in black neighborhoods, the Sullivan Principles had little real impact on the situation in South Africa. The real change
came when the threat of divestment by colleges (under pressure from student activists) caused companies to completely withdraw from the country. It was the resulting economic crisis that lead white South African business leaders to pressure the apartheid government to negotiate an end to the racist system with the African National Congress (Seidman 2005, 2007).

Despite this lack of apparent effectiveness (or perhaps because of it), codes of conduct and monitoring programs have become popular among corporations who want to make a show (whether serious or superficial) of being socially conscious. There is, however, a great deal of variation in such codes and monitoring programs. Some are little more than a façade, simply meant to allow an industry to present itself as socially responsible while doing very little. Other monitoring programs are genuinely independent affairs that have brought pressure to bear on companies to address labor rights abuses among their suppliers (Esbenshade 2004b; Seidman 2007). We will explore this more in the chapters nine and ten, when we look at the differences between the corporate-sponsored Fair Labor Association and the independent Worker Rights Consortium.

In the wake of the bad press generated by the Gifford and other, similar scandals, a number of core apparel companies began to adopt codes of conduct for their suppliers. Most lead corporations initially claimed that they had no responsibility for the working conditions at their contractors’ factories. These contractors were, after all, independent businesses and the lead firms could not very well be expected to know what went on there--or such was their argument (Klein 1999). They soon recognized that these claims would not only fail to appease the anti-sweatshop movement, but even many average
consumers concerned about the reports they saw in the news. Thus, many brand-name firms such as Nike and the Gap began to adopt codes of conduct as a way of protecting their brand image. Even in the best of cases, however, the follow-through on implementing them has been uneven, while in the worst cases, it has been virtually nonexistent. Still, such codes can give activists some framing advantages in the mass media--if they can argue that a company is failing to live up to its own proclaimed standards, that can be especially damaging to the company in question (Esbenshade 2004b).

Independent monitoring of such codes entered into the strategic conversation of the anti-sweatshop movement as a result of the campaign targeting Mandarin International and the Gap described above. As noted, the Gap was one of the many firms that had adopted a code of conduct for its suppliers; the NLC used the failure of Mandarin to live up to the Gap’s code as one of the weapons in its framing campaign against the Gap. And part of the agreement the NLC reached with the Gap as a result of the campaign was the creation of an organization--the Independent Monitoring Group of El Salvador (Grupo Monitoreo Independiente de El Salvador or GMIES)--to monitor whether or not Mandarin was actually complying with the Gap’s code. GMIES itself consisted of four local, Salvadoran organizations--the University of Central America Human Rights Institute, the Legal Aid Office of the Archbishop of El Salvador, the Archdiocese of San Salvador, and the Center for Labor Studies. These in turn reported their findings to a number of US organizations, including the NLC and the Independent Monitoring Working Group, which included the Gap. GMIES was able to make regular,
unannounced inspections and met with workers privately (off of company grounds), both important conditions for getting an honest sense of what is actually happening in the factory. Most of the fired SETMI members were rehired and many of the more abusive conditions they had to endure were brought to an end (Armbruster-Sandoval 2005; Brooks 2007; Esbenshade 2004b).

There have been, however, a number of criticisms of the agreement that produced GMIES and GMIES itself. While SETMI signed the final agreement that created GMIES, it was not part of the negotiations leading to that agreement, which took place solely between the Gap and the NLC. Additionally, because the Gap’s code of conduct does not provide for a living wage, workers are still paid only the inadequate Salvadoran minimum wage. Most problematically, SEMTI has never been able to conclude a collective bargaining agreement with Mandarin International. As a result, GMIES has to some extent displaced the union, as workers bring their complaints to GMIES, which then speaks to Mandarin’s management. Unlike a union, however, GMIES is not structured in a way that it is accountable to the workers; as part of maintaining its independence, it must be formally neutral between management and labor (Armbruster-Sandoval 2005; Brooks 2007; Esbenshade 2004b). Future attempts at creating independent monitoring organizations, such as the WRC, would try to address these faults.

Conclusion

This, then, was the state of anti-sweatshop around 1996. They had a keen understanding of the structural problems that lay at the root of sweatshops, but were still
searching for strategies with which they could successfully bring pressure to bear on the core firms of the apparel industry. We have reviewed some of the more successful campaigns above, but there were many others that were less successful. And, even in cases of relative success, the story we saw with the Camisas Modernas plant is all too common—the union will win a victory, only to see it evaporate in a year or two as the factory is closed down, often to be reopened under a different name, sometimes elsewhere, sometimes in the very same EPZ (Armbruster-Sandoval 2005). And for every factory where there is an international campaign to support workers, there are certainly many more where a workers’ struggle never gets off the ground or where they have no international contacts and must fight alone, an almost certain recipe for failure. On the other hand, there was an increasing popular consciousness about the sweatshop problem among consumers in the US. Even before USAS was founded, students on many college campuses were engaging in anti-sweatshop activism. And organizations such as UNITE were searching for new strategies they might use in the struggle. In the coming chapters, we will look at how UNITE and USAS essentially stumbled on a new method for fighting sweatshops, using the leverage of colleges as institutional consumers over the brand-name companies that had licensing contracts with them.
Chapter 4: The Political Economy of Higher Education

The Corporatization of Higher Education

The media coverage of sweatshop scandals discussed in the last chapter did not go unnoticed on college campuses. Student groups on a number of campuses began engaging in anti-sweatshop activism. Over the course of the 1997-1999 school years, this lead to the formation of a national organization, United Students Against Sweatshops. They proved to be dynamic force, dramatically changing the landscape of anti-sweatshop activism, putting apparel companies on the defensive. Before exploring USAS’s history and the strategy they pursued, however, we first need to understand the power structure and the political opportunity system on college campuses, how they work as both decision-making and discursive arenas. Just as it is necessary to understand how the structure of the apparel industry shapes the options open to workers and their allies, we must understand how the structure and culture of higher education shapes the possibilities for student activism.

As part of this, we need to examine the increasing corporatization of higher education. The corporatization of higher education—the penetration of neoliberal ideology and practices into the academy—is a significant part of the context in which student activists must operate. On the one hand, it creates an atmosphere on campus that is not conducive to activism, as administrators focus on maximizing revenues and students focus on training for jobs after graduation and the enticements of consumer culture. On the other hand, this very corporatization is what has given students a potential point of leverage over the apparel industry, for it is the very ties that apparel companies have
formed with colleges and universities that students are turning against the brands to pressure them.

Corporatization refers to the fact that school administrators have increasingly adopted both the values and the techniques of big business in managing their campuses, students, faculty, and other employees such as janitorial and food-service staff. In many ways, schools are increasingly operating as if they were for-profit organizations, while still maintaining their formal non-profit status (Rhoades and Slaughter 1997; Slaughter and Rhoades 2004; White 2000). Ties between the academy and business are nothing new. In the nineteenth century, colleges served essentially as finishing schools for the children of the nation’s elite. In the early twentieth century, as the industrial revolution came into its own and scientific research became of more importance to business, the first US research universities began to develop. Much of the work they did was with the goal of providing knowledge that was valuable to business; during the Cold War, universities also received extensive subsidies from the Pentagon to develop knowledge that would be of benefit to military leaders. Nonetheless, prior to the 1970s, both business and the Pentagon had a relatively hands-off attitude towards academic research. Not that this was a halcyon period--the Pentagon could and did demand loyalty tests from academics, for instance. And it was expected that academic would contribute to the good of business and the military--but they expected them to do so as much by pursuing knowledge for its own sake as by working on specific projects favored by the military or specific companies.

There was an understanding that enlarging society’s pool of knowledge would, in the
long term, produce work that was of benefit to elite institutions (Aronowitz 2000; Slaughter and Rhoades 2004).

Corporatization has altered this equation, so that now schools have much closer ties with not just the business community as a whole, but specific businesses, for whom they specifically perform research. Thus, instead of encouraging scholars to perform general research to expand the pool of knowledge on which business can draw and benefit from in the long run, the focus has increasingly become on producing knowledge that will immediately turn a particular company a profit. Schools have also increasingly come to regard their purpose vis-à-vis students not as providing them with a broad education that will allow them to be informed citizens, but as training them quite specifically for administrative and technical positions in TNCs (Aronowitz 2000; Slaughter and Rhoades 2004).

The on-going corporatization of higher education has taken place in the context of the rise of neoliberalism, described briefly in chapter two. Part of the reason for the shift lies simply in the shift in the larger ideological climate of the country (Aronowitz 2000). There are two other important sources for the change though--changes in government policy and the flow of ideas from the businesspeople sitting on schools’ boards to school administrators. In the 1970s, Congress dramatically changed national policies on financial aid for higher education. While formerly federal money had principally been used to subsidize colleges and universities as a whole, now federal money would be channeled in the forms of grants and (mainly) loans to individual students, based on the neoliberal rationale of empowering students as consumers. This lead, however, to
increased focus by schools on marketing to students, with all the deceptions that involves; and the growing stratification of higher education, as students from poorer families could less and less afford to go to elite schools (Rhoades and Slaughter 1997; Slaughter and Rhoades 2004).

In the 1980s, Congress enacted a number of laws to promote “national competitiveness” in the globalized economy. Much of this legislation provided incentives for research universities to develop ties to individual businesses, in order to develop goods that could turn a profit for both the school and the company. The decline in government funding has also encouraged schools to form close ties with business as a way of raising money. As the norms of the business world increasingly became the norms of society as a whole and ties between higher education and big business tightened, the corporate executives who had long sat on school boards were increasingly able to implement policies at their schools that came out of the for-profit world (Rhoades and Slaughter 1997; Slaughter and Rhoades 2004).

It should be emphasized that corporatization is an uneven process, the depth of which varies considerably from school to school, some having become more deeply committed to it, while others retain more of an affinity for older ideals of academic autonomy and the pursuit of knowledge for the common good. Even in schools that are deeply corporatized, many members of the faculty may still adhere to older ideas, resisting the new imperatives the administration tries to impose of them. Administrators themselves may often try to reconcile the two contradictory ideals (Slaughter and Rhoades 2004).
The corporatization of higher education is evident in a number of ways. It can be seen in changing patterns of employment of faculty. Administrators on many campuses have made moves to reduce the number of tenure-track positions, instead hiring adjunct instructors, who are little better than academic temps. This follows the increasingly corporate practice of replacing full-time employees with various forms of contingent labor. The use of adjuncts allows administrators to save a great deal of money, since they are paid far less than full-time faculty for the same work and they do not get benefits.

School administrators have also increasingly chosen to outsource such things as janitorial and food services. Again, this follows the practices of the corporate world and is a means of cutting costs. The companies to whom such services are outsourced typically pay lower wages, provide fewer benefits, and engage in union-busting activities. As noted, research universities are increasingly encouraging their faculty members to work in partnership with big business. They also may encourage faculty to create their own start-up business. In both cases, the tie to business is built on the ability of faculty to develop products that can both be patented and turn a profit, a share of which goes to the school. Patents, however, privatize knowledge, contradicting the traditional academic ideal of the pursuit of knowledge for the common good (Slaughter and Rhoades 2004; White 2000).

Perhaps the most significant part of corporatization for the anti-sweatshop movement is in the procurement contracts that most schools now have with corporations in a wide number of industries. As of 2000, Barnes and Noble operated roughly 350 campus bookstores, often displacing independent bookstores that had run them previously. Food services have long been outsourced; but, while they were once
outsourced to low-profile companies like ARAMark and Soxeho-Marriott, such high-profile brands as Taco Bell, Pizza Hut and Starbucks are increasingly taking over the campus. The Coca-Cola and Pepsi soda companies now compete with each other for exclusive contracts on campus. All of these companies have tremendous labor problems in one form or another. And they all see students as a captive audience for marketing, among whom they can build brand loyalty (Klein 1999; Kniffin 2000b). Colleges have also built such relationships with apparel corporations—and, since it is these relationships which the anti-sweatshop movement has focused on, we will look at them in more depth here.

Anyone who has set foot in a college bookstore has probably noticed the numerous items for sale, including t-shirts, baseball hats and other forms of apparel, with the school’s logo imprinted on them. The schools do not produce these goods themselves. Instead, they typically sign a contract with an apparel company to produce these goods for them, giving them a license to use the school’s logo; as with normal apparel production, the lead firms then outsource the production of the licensed goods to contractors throughout the world. Such licensed apparel constitutes a $2.5 billion market, one that is highly lucrative for both the colleges and universities and the apparel firms involved. The company pays the schools 7.5-8% of the revenue from the sales of the licensed goods, providing additional income for the schools (Ross 2004). Some licensees are less visible companies, such as Champion and Russell, while others are high-profile brand-names, such as Adidas, Nike and Reebok (Benjamin 2000; Kniffin 2000b; Slaughter and Rhoades 2004). About 180 schools, including many of the biggest, operate
though the Collegiate Licensing Corporation (CLC), which negotiates and manages these licensing relationships for them (Ross 2004).

In total, school-licensed apparel constitutes only 1-2% of the apparel market (Ross 2004). Because of the advertising and branding potential of this market, however, the lead apparel companies value it highly--well beyond any revenues they may bring in--and would be loathe to simply give it up. Having a license with a college essentially gives them a captive audience to which to advertise, an audience whose long-term brand-loyalty they hope to build up. Licenses with big-name sports schools are particularly sought after, because this gives the brands an opportunity to create synergy between their own brand and that of the school’s sports team, boosting their caché further. Additionally, when the games are broadcast, the television audience will see the brand’s logo alongside the school’s on the players’ uniforms, giving them free advertising of the most sought after sort (Slaughter and Rhoades 2004) (Dirnbach, Nova, Rutter; interviews, 2007). It is worth reiterating the critical point here that, for companies such as Nike and Reebok, their brand is their most valuable asset, so their ability to build their brand image through relationships to schools is particularly important to them. It also gives them an opportunity to manage consumers’ preferences, something as central to their operations, if not more so, than managing their employees.

The licensed goods are not produced in specific factories; like any other product produced by contractors for apparel firms, the production of such goods is scattered over the world in numerous factories, alongside non-licensed goods, both by the same brand and by others. Given this, the anti-sweatshop movement has sought to use this licensing
relationship as a point of leverage, which they can use to pressure licensees to change the way they produced not only licensed goods, but all of their apparel. Specifically, the movement seeks to force the licensees to abide by codes of conduct when producing licensed goods, which, given the dispersed way they are produced, could potentially affect working conditions in the apparel industry beyond the narrow 1-2% over which schools have direct influence. As Jessica Rutter (interview, 2007), a USAS organizer at Duke University, noted, “It's definitely a niche market, but it's also a market that universities have almost total control over, because they can say yes or no [to the licensing agreement]. The stuff is made or it's not made. So that's a very powerful relationship, one that doesn't necessarily exist in regular purchasing.” As we shall explore in chapter six, colleges’ and universities’ status as institutional consumers gives them leverage far greater than that of any individual consumers, even if the latter pool their efforts into a boycott.

In addition to reshaping school’s relationships with corporations themselves, corporatization has also had a substantial impact on how schools treat their student body. Administrators have become less concerned with a broad-based education that allows students to be active citizens and more in training students to take administrative and technical jobs with large corporations. They have come to see school as a place where students can gain the skills they need to succeed in the corporate world--an attitude students facing an increasingly competitive job market easily buy into (Aronowitz 2000). In general, education is seen less as something that contributes to the common good and instead as an individual good which students as consumers purchase. Thus, it should not
be surprising that the campus culture encouraged by school administrators also socializes students into thinking of themselves as consumers, not only of education, but in general. The high profile presence of brands such as Taco Bell, Coca-Cola and Nike on campus all help reinforce the consumerism of the surrounding culture (Klein 1999; Slaughter and Rhoades 2004).

The role such major companies play on campus can have a stifling effect on activism. Students may be so invested in having brands they identify with on campus, that they may be indifferent to the labor rights violations and other abuses committed by the companies involved, whether on or off campus. Amanda Plumb (interview, 2007), recounted a story from USAS’s efforts to keep the anti-union fast-food chain Wendy’s from setting up shop on the campus of Duke University: “I remember when we were petitioning against Wendy’s being so mad when I tried to get one of the Duke basketball players, a freshman, to sign the petition and he was like, No, I want my Frosties, I care about Frosties. I said, You care about Frosties from Wendy’s more than you care about workers rights? That’s insane.” Scott Nova (interview, 2007), the executive director of the WRC, told me,

> We operate in an intellectual, moral culture where it is difficult--not for working people--but difficult for the educated classes to recognize corporate malfeasance, because we've been trained by our educational experiences and the media to cut corporations a great deal of slack and to find it difficult to conceptualize that they're capable of violating the law and basic human rights. So the brands are able to behave in ways that if it
was a behavior carried out by an individual, people would immediately recognize as illegal and morally offensive but are much less prone to recognize that when it's done by a corporation.

As we will see below though, activists have been able to turn the tables in some cases, using the emotional attachment people feel to brands against the brand-name companies. When consumers find out that a company such as Nike that likes to portray itself as socially conscious is actually complicit in sweatshop exploitation, they may feel betrayed, fueling activism against the betraying company. This, in turn, becomes an avenue for activists to more widely educate new-comers to the movement about the realities of the global economy (Klein 1999). It remains, however, an uphill battle.

**Campus Governance and Student Activism**

Perhaps the most obvious challenge students face in influencing decision-making on campus is the highly authoritarian, anti-democratic nature of campus governance, where power is centered in the hands of administrators who are not formally accountable to students. Traditionally, however, because administrators were mostly former faculty members, there was a good deal of accountability on the part of administrators to the faculty. As the campus becomes corporatized though, this limited accountability has also growing weaker, as school administrators become increasingly accountable mainly to the nation’s business elite (Waugh 2003). The boards of trustees of private schools and the boards of regents of public schools--the people who get to appoint school administrators--are not composed primarily of those with the most obvious connection to higher
Instead, they are—and long have been—dominated by corporate executives. College and university presidents themselves frequently sit on corporate boards; when they do not do so in order to avoid any semblance of impropriety, less visible administrators may sit on corporate boards instead. School presidents may also form ties with the corporate world by acting as consultants and sitting on the boards of non-profits alongside corporate executives (Kniffin 2000a; Rhoades and Slaughter 1997). Corporatization has produced significant changes in the structure and culture of school administrations. An increasing number of school administrators come not from within the ranks of the faculty, as is traditional, but from outside academia, often the business world. As a result, they have little understanding of academic values or culture, imposing in their place the technocratic norms of the business world—norms that such administrators tend to see as value-neutral, not an ideology in their own right. Such administrators, in addition to applying for-profit standards to academic work—valuing departments based on how much revenue they bring in, for instance—but also have little patience with faculty’s expectation that they should get to participate in school governance. The norms of the business world are, after all, even more authoritarian than those of higher education, with administrators from business backgrounds used to imposing their decisions from the top-down and having little patience for opposition (Steck 2003; Waugh 2003). And, if such administrators have little patience with faculty’s traditional prerogative to play a role in campus decision-making, one may imagine they have even less patience for students’ demands for such a role. In other words, as schools
grow more corporatized, college and university presidents--particularly those at the upper echelon schools--are increasingly seeing their primary loyalty as being to the business world--and not the academy.

William L. Waugh, Jr. (2003) concludes that, given this trend of school presidents becoming increasingly accountable to outside constituencies, particularly business, they have to worry less and less about their on-campus legitimacy. He worries what this may mean for the future of higher education and campus life. Happily, as we will see below, the experience of USAS indicates that things may not be so cut-and-dried as Waugh fears. There are a number of factors that provide a counterweight to corporatization. One is the legacy of the student movement of the 1960s. Many of the current administrators themselves came of age in that era and some even participated in protests, giving them somewhat more comprehension of student activists than a previous generation of administrators might have had (Greenhouse 1999a; Zernike 1999). Student activism has also simply become a normative part of campus life. As such, campus administrators cannot simply afford to brush student activists off, but must make at least some gestures towards listening to them and engaging with them (Robert J.S. Ross, personal communication, 2008). As we will see, administrators often try to get away with empty gestures, such as creating committees to study the issue raised by campus activists, but nonetheless they cannot simply ignore them out altogether--and often have to make substantial concessions, not simply empty gestures.

This points to a broader phenomenon--administrators are still part of a relatively small campus community and they must maintain some legitimacy in the eyes of that
community, no matter how corporatized their campus. As Rutter (interview, 2007) put it, “A campus is a closed environment and it's easy to get access to the press, at least the campus press. There's also an enclosed decision-making process. As students, you have access to the college president, the person who makes the decisions, something a lot of other groups don't have.” There are three things at work here. One is the simple question of scale--the college or university as a quasi-polity is so small that this in and of itself gives activists influence they might not have in another setting. The second is that the organizing space for students on campus is wide open; student groups with a fair amount of autonomy are one of the norms of campus life and administrators would be hard-pressed to justify restricting them. The third factor is that, while formal decision-making power may be monopolized by the administration, the discursive arena of college campuses is wide open. Most schools have at least one student newspaper, as well as other student publications; students can organize a wide variety of their own events; sympathetic professors can speak out in their support. This gives student activists multiple venues to make their case to the wider student body and build up their legitimacy. As Steven Lukes (2005) argues, while there is power in controlling the levers of decision-making, there is also power in being able to set the public agenda. And student activists can set the public agenda at their schools, forcing administrators to deal with questions like sweatshops they might prefer to ignore. Getting something on the public agenda and getting the decisions about that issue made the way you want are certainly two different things, but even putting the issue of sweatshops on the agenda in the first place changes the nature of the playing field.
And administrators do have to worry about their legitimacy. According to Thomas Wheatley (interview, 2007), a USAS member at the University of Wisconsin--Madison, “These folks are public figures; even though they're not elected, university presidents are public figures.” Eric Brakken, also a USAS member at UW--Madison (interview, 2007), told the story of how the school’s Chancellor, David Ward, was forced to resign after mishandling a student protest. On February 21, 2000, Ward not only had fifty-four students conducting a sit-in in his office to press the administration to join the Worker Rights Consortium arrested, but sent in the riot police to do the job. Brakken noted that Ward “took a lot of heat from the community and the campus for arresting fifty-four students and for profiteering from workers at sweatshops. Within three days of those arrests happening he took a vacation for two or three weeks, when he came back from his vacation he resigned,” effective January 1st of the next year. Many college and university presidents today hope to make a career of leading schools, moving from being the head of one to another; when a president discredits themselves as Ward did, this can be damaging to their long-term career (McSpedon, interview, 2007). Thus, administrators, even when unsympathetic, need to handle student activists with care.

None of this is to say that corporatization has not had an impact. It means that administrations’ priorities often conflict with those of progressive student activists, making any attempt to persuade the former to adopt anti-sweatshop policies a difficult and highly confrontational process. But corporatization has not been total--as already noted, it is an uneven process. In the experience of WRC executive director Nova (interview, 2007), who has had extensive dealings with many college officials, “Most
administrators […] are torn. On the one hand, they want to accommodate students and they want to do the right thing. On the other hand, they have an obligation to maintain good relationships with the business community.” The degree of corporatization also varies considerably from school to school. USAS member Amanda Plumb (interview, 2007) contrasted her experience with the relatively responsive administrators at Duke where she was an undergraduate with those of the University of Massachusetts--Amherst, where she was a grad student. As we will see in the next chapter, the administrators of Duke shared a concern with social justice issues with USAS; as a result, they were responsive to the students, willing to negotiate with them and to implement a pro-labor code of conduct for their licensees. At UMass, in contrast, Plumb met far greater administration resistance while working on the Killer Coke campaign, targeting Coca-Cola for its complicity in the use of death squads against union leaders at its bottling plants in Colombia. “We met with the chancellor and he said, My job is to get the most money for your eyeballs, meaning, My job is to make money for the school and if that means selling ad space to Coca-Cola all around the university, that's my job--and I'm not going to cancel Coke’s contract because they kill union activists. It is my job to make sure that the school is financially solvent.” Clearly, the UMass Chancellor saw his responsibilities entirely within corporatized terms, of maximizing school revenues, a far cry from the Duke administrators who, as we will see, sought to balance such concerns with more humanitarian ones.

The type of school can also make a difference. Zack Knorr (interview, 2007), a national organizer for USAS, said,
With smaller schools, there's not as much at stake. Schools like the University of California who have very large contracts with companies like Nike, they also don't want to make pro-labor statements anywhere, right? So to say that they support the right of workers abroad to form a union, I think they always fear that that somehow can be used against them when it comes to their own workers. And they definitely don't want to deal with that. So I just think that the big universities have more at stake, and so oftentimes are more resistant. And sometimes these smaller schools or even some of the bigger public schools, they may actually want to portray an image that they really encourage student activism--and some of them may somewhat mean it. The big universities, I think, are just more run like businesses.

Catholic schools have also been more responsive to student demands, given the influence of the Church’s teachings on the importance of economic justice (Krupa 1999). It should also be noted that the issue itself may make a difference in many cases. As Knorr describes, the last thing many administrators want to deal with is their own employees unionizing, since this represents a direct challenge to their power on campus. Thus administrators who are willing to support monitoring their licensees to ensure that they do not use sweatshop labor may fight tooth and nail against organizing by workers on their own campuses, essentially supporting sweatshop practices at home while opposing them abroad.
Having examined the political opportunity system within which it takes place, we can now turn to look at the rise of student anti-sweatshop activism.
Chapter 5: The Rise of United Students Against Sweatshops

The Start of Student Anti-Sweatshop Activism

As already noted, the media coverage of sweatshop scandals generated a good deal of student anti-sweatshop activism on college campuses. While these students were adept at engaging in creative guerilla theater and other similar actions, they initially had relatively little impact on either the national debate around sweatshops or the policies of core apparel firms. This began to change dramatically in the 1997-98 school year, as the national network that would become United Students Against Sweatshops took shape. They soon found themselves at the cutting edge of the US anti-sweatshop movement, due to a combination of creativity and the leverage the college licensing agreements discussed in the last chapter gave them. Their actions expanded well beyond guerilla theater to include not only sit-ins in administration buildings, but crafting an independent monitoring organization--the Worker Rights Consortium--which they then pressed their colleges and universities to join; this development gave the anti-sweatshop movement real teeth, since these schools had the power to penalize companies that failed to live up to their codes of conduct.

What happened to so dramatically change the nature of the student anti-sweatshop movement? There were several important developments, which we will explore in this and the coming chapters. A number of national anti-sweatshop organizations--most importantly the apparel union UNITE--took the student movement under their wing. They trained a new generation of student leaders, helping them to move from taking actions that were simply tactical, such as guerilla theater, to developing coherent
strategies, both for campaigns on campus and on the global stage. As part of this, they conveyed an ideology emphasizing worker empowerment (as opposed to paternalism on the part of affluent, first-world consumers) as central to the success of any campaign to abolish sweatshops. They also fostered the founding of USAS, a national organization that could coordinate actions across campuses and train successive generations of student activists in USAS’s ideology and strategic models.

Many narratives of the student anti-sweatshop movement represent USAS as having originated solely with a group of students who interned with UNITE in the summer of 1997. While these students certainly played a critical role, it is important to note that anti-sweatshop activism sprung up independently on a number of campuses, particularly after the Gifford and other scandals brought the issue to general public attention. Some of these groups grew out of ones that had been working on international solidarity issues for a while, as at the University of California--Berkeley (Abrams*, interview, 2007); some out of student groups in support of labor, such as the Student Labor Action Coalition at the University of Wisconsin--Madison (McSpedon, interview, 2007); and others were set up for the specific purpose of addressing the issue of sweatshops, such as the Just Don’t Do It Campaign (playing on Nike’s slogan of “Just do it”) at the University of Michigan (Dirnbach, interview, 2007). There was, however, little, if any, coordination or sharing of ideas between campuses.

The actions students took consisted mainly of guerilla art and theater. Eric Brakken (interview, 2007), later USAS’s first staff person, recalled, “At the University of Wisconsin[--Madison], we protested when UW signed its contract with Reebok. We
made t-shirts that said ‘Free Bucky,’ the badger mascot of UW. A lot of guerilla art, guerilla theatre. At the University of North Carolina, they painted tires to say ‘UNC Sweatshop’--the basketball coach has a relationship with Nike.” Eric Dirnbach, now a research and campaign coordinator with UNITE HERE, recalled of his days as a student activist at the University of Michigan, “Our demands were a little incoherent at that point--it basically was, drop the Nike contract or get them to do the right thing. It was not quite clear to us at the time exactly what the right thing would be.” What the students had noticed though was that many schools had lucrative licensing contracts with major apparel companies. While they may not initially have been sure how to take advantage of this to exert real leverage over these corporations, this connection would later prove critical to USAS’s strategy.

Despite this pre-existing student activism, UNITE played a critical role in helping students shape their actions into what would become the cutting edge of the anti-sweatshop movement. It does not appear, however, that UNITE initially expected student anti-sweatshop activism to become the dynamic force it did. The eleven students who interned at UNITE’s New York City in the summer of 1997 did so as part of a larger program of the AFL-CIO, Union Summer. This program brought college students in to intern with AFL-CIO-affiliated unions throughout the US. It was part of AFL-CIO President Sweeney’s strategy of building greater ties between the labor movement and other groups, part of the general thrust towards a more progressive, activist, community-based unionism. The goal of Union Summer was to raise awareness among college students of the importance of unions in securing economic justice for workers--an uphill
battle in a country, where many--particularly among the affluent, but among much of the working class as well--regard unions as relics of the past, at best irrelevant to today’s economy, if not as actively corrupt forces preying on workers. Sweeney also hoped that some of these student interns would go on to become professional organizers in the labor movement, revitalizing it with some new blood. The name of the program itself comes from Freedom Summer, the program initiated in 1964 by the Student Nonviolent Coordinating Committee, one of the major civil rights groups, to bring Northern, white college students to the deep South to work on voter registration and other civil rights issues (Levin 1996).

At the time the students were interning with UNITE, the union was uncertain about which way to go forward. Its traditional membership base of textile and apparel workers was rapidly eroding as the lead apparel firms outsourced production overseas. Those workers who remained were often in small sweatshops that were difficult to organize. Ginny Coughlin, the UNITE organizer who supervised the student interns, had them working on any number of issues, of which the connection between colleges and sweatshops was initially only one. They were simply following the strategic model of the anti-corporate campaign, looking for any and all weaknesses of the apparel industry that they might be able to use as leverage over the core firms (McSpedon, Plumb; interviews, 2007). Laura McSpedon, a student intern from Georgetown University, recalled, “Ginny Coughlin […] came to our Union Summer site and did a presentation on the garment industry and the structure of the industry and how it's set up to screw over workers pretty much. And said, We think students have a role to play in solving this problem, and kind
of posed the idea of students getting involved.” While UNITE was aware of the issue of university procurement, they originally encouraged students to get involved with the Guess campaign, which had little direct connection to campus life (McSpedon, interview, 2007).

It was only as the students researched the issue of colleges’ and universities’ ties with the apparel industry that it became clear that they had a potentially significant point of leverage there. Amanda Plumb (interview, 2007), a student intern from Duke University, said,

They gave us basic information about sweatshops and how the garment industry works, but a lot of the research on licensing and procurement, we did. It was a new strategy in anti-corporate campaigns; it was a new tactic to look at these connections to universities. They knew there was a connection, they knew there were these contracts, but I just remember that we did the original research on our own schools and that hadn't been done yet. It's not hard to do, it's literally picking up the phone and calling and looking up some websites. It didn't take a professional researcher to figure this stuff out.

At the time, college and university officials were willing to talk freely about these issues. Plumb doubts this would be the case today, after years of anti-sweatshop activism, but at the time, the information did not strike most of the people the interns called as particularly sensitive.
Having gathered the details on these relationships for a number of schools, the interns began to put together an organizing manual and, when they returned to classes in the fall of 1997, began organizing on their own campuses, while contacting students at other schools. This networking lead to conferences in New York City during July of 1998 and Washington, DC in July of 1999, the latter of which saw the official founding of USAS (United Students Against Sweatshops 2009c). Even before USAS’s official beginning, however, campaigns to get college and university administrations to adopt codes of conduct began to take off in 1997, with students coordinating their campaigns with each other nationally. As these events unfolded, what had started off as something based on the strategic model of anti-corporate campaigns evolved into a period of substantial strategic innovation. As the students contended with successive challenges, their strategy morphed from a campaign that might target one corporation into something substantially different, targeting and monitoring not simply one, lone firm but a significant sector of the apparel industry.

**The Duke University Code of Conduct Campaign**

As of 2007 (when I conducted my interviews) USAS’s strategy operated on two parallel levels. On one level is the strategy they used to pressure the administrators of their colleges and universities, which we will explore in this and the immediately following chapters. On the second level is the strategy they used to pressure the brands and their contractors operating on the international stage, which we will look in at more depth in chapters twelve through fourteen. A successful strategy on the campus level is a
necessary precondition for a successful strategy on the international level, since few college administrators have voluntarily been willing to implement the codes of conduct, which are a critical element of the international strategy--and those schools which did implement the codes more or less voluntarily did not form enough of a critical mass on their own to have a real impact. Thus, once the student interns at UNITE had identified a potential point of leverage over the apparel industry, they then had to look for points of leverage over their own administrators--for it is the administrators, not the students, who sign and control the contracts with the likes of Nike, Reebok and Champion.

Before analyzing the workings of USAS’s campus strategy, it makes sense to take an in-depth look at the campaign for a code of conduct as it took place on one campus, Duke University in Durham, North Carolina. As a big sports school, Duke had 700 licensees and sold $20 million worth of licensed goods every year at the time of USAS’s formation (Greenhouse 1998a). Duke was home to two of the student interns, Tico Almeida and Amanda Plumb. It was also the first school where students conducted a sit-in to pressure administrators, an action that inspired a wave of similar actions at other schools. In some ways, Duke served as a reference for activists at others schools and it can serve us as useful example in understanding the political opportunity system on campus and the student strategy to pressure administrators.

Duke students had something of an advantage over students at other schools in that they started with administrators who were sympathetic to their concerns about sweatshops. Jim Wikerson (interview, 2007), the Director of Trademark Licensing and Store Operations (and now a member of the WRC’s board of directors), had
independently taken an interest in the issue in the summer of 1997 after watching a show on the History Channel on the history of sweatshops. He also notes that, “In those days, Nan Keohane was the president of Duke and she had a very personal interest and commitment to these types of social justice issues, something very rare among university presidents.” Beyond the individual beliefs of the administrators, the administration as a whole sought to cultivate an image of an enlightened, liberal school, with a culture more akin to that of the Northeast than of the conservative South (Plumb, interview, 2007). This did not mean that relations between the administration and the student activists in Students Against Sweatshops (SAS) was all smooth sailing; it did ensure, however, that such relations remained cordial and lines of communication open, even during the middle of the sit-in that was the culmination of the student’s campaign for the code of conduct.

Plumb (interview, 2007) recalls that when SAS began its campaign for a code of conduct in the fall of 1997, “we made a tactical decision to really focus on beginning to educate students.” “Such efforts include[d] Bryan [Student] Center tabling, presenting to campus organizations and even creating a coloring book explaining how a Blue Devil [Duke’s mascot] can help stop sweatshops,” (Parkins 1997b) as well as a number of articles and an op-ed (Almeida and Au 1997) in the student newspaper, The Duke Chronicle. Plumb (interview, 2007) and some other SAS members also taught a class on issues related to sweatshops and globalization; they were, among other things, concerned that many of SAS’s leaders were seniors and they wanted to use the class to cultivate a new generation of such leaders. SAS also immediately began building a coalition of student groups around the issue of sweatshops, forming ties with such student groups as
the Students of the Caribbean Association. SAS also joined a regional labor rights coalition, which held a protest in the city of Durham on October 5th, the National Day of Conscience to End Sweatshops and Child Labor, in front of a local mall (Parkins 1997b). Additionally, the student activists took advantage of Duke’s alternative spring break program to take some of their peers to New York City and, with the help of New York University professor Andrew Ross, see some of the sweatshops there and speak to the workers (Plumb, interview, 2007).

Even as they began their educational campaign in the fall, SAS contacted the administration about creating a code of conduct for Duke’s licensees. Although the administration did not respond to SAS’s initial e-mail in September, by October, SAS had gathered enough support to send a few hundred e-mails to President Keohane; this secured them a meeting with her, which lead to the formation of a committee to draft a code (Lam 1998). In addition to members of SAS, the committee included Wilkerson and Executive Vice President Tallman Trask. Given their own concerns, the administration had already taken a first step in this direction, notifying the CLC in August that they wished to add a clause to their licensing contracts, calling upon their licensees not to engage in “unfair labor practices or labor abuse” (quoted in Parkins 1997a). While some schools, such as Notre Dame, had already implemented codes of conduct for their licensees, they left the actual monitoring to the licensees, a clear conflict of interest. SAS insisted that Duke work with an independent monitor to verify that its licensees were sweat-free, a position on which the administration soon came to agree with them (Parkins 1997a). The students strengthened their position by gaining informal endorsements of
their proposed code and the need for an independent monitor from Susan Cowel, the vice-president of UNITE (Parkins 1997c), and former US Labor Secretary Robert Reich (Woo 1997). As we shall see in the next chapter, the issue of what constitutes an effective, independent monitor proved to be a contentious issue between students and administrators, not only at Duke, but nationally. By March 1998, SAS and the administration had tentatively agreed on a code of conduct that included a prohibition of child labor, health and safety standards, a recognition of workers’ right to collective bargaining, disclosure of the factory locations to the university, and independent monitoring (Lam 1998).

As events evolved in the fall of the next school year (1998-1999), however, it became clear that SAS and Duke’s administrators had not reached total consensus on the contents of the code of conduct. SAS had two major issues. One was the issue of disclosure. Even at this early stage of the game, it was clear that in order for any code of conduct to actually be enforceable, outside monitors had to have access to the factories so they could actually inspect them for code violations. To do so, they needed to know where the factories were located. The apparel companies, as one might imagine, were loath to part with this information. They argued that it was a trade secret, which could harm their business if publicly revealed. The claim was absurd, since different brand-name firms often used the same contractors and the same factories; one could go to a factory and find rival brands’ products being produced right next to each other. The brands really had no trade secrets to hide from each other--only the truth about the working conditions to hide from the public (Abrams, Dirnbach; interviews, 2007). The
Duke administrators had negotiated a compromise with their licensees, where the apparel companies would disclose the location of their factories to the administration only; the administration in turn would make public the country, city and name of the contractor, but not their owner’s name, their address, what they produced and in what quantities. SAS insisted that all this information had to be fully and publicly disclosed. Even at this stage, it was clear that it would be difficult for an individual school to properly monitor its licensees on its own; SAS argued that by making the information publicly available, any human rights group could take up the task of monitoring (Sostek 1998).

The other disagreement between students and administrators was over the issue of a living wage. The university’s code contained vague language about wages needing to meet “basic needs,” while specifying that the wage had to equal the country’s legal minimum wage or the prevailing wage in the local industry, whichever was higher. SAS members objected that neither of these standards was actually enough to cover a worker’s basic needs—workers were routinely paid sub-subsistence level wages and often less than the legal minimum wage. The students wanted more specific and stringent language so that a worker would be able to support a family (Sostek 1998). Like disclosure, this was something that the brands strongly opposed. In this case, however, they could not say so outright—saying that you oppose paying workers enough to live off is not the best way to frame your position and the corporations knew that. Instead, they insisted (and continue to insist) that the concept of a living wage is too vague and that there is no clear way to measure what it would need to be, especially given the variability between countries. While there may be a grain of truth in these claims, as Nancy Steffan (interview, 2007), a
former USAS member and current WRC staff person put it, “Wages are very clearly, right now, below what workers need to survive. And it would not be that difficult to decide on a number that would put workers in a much better position and implement it.”

Even as these disagreements were unfolding at the campus level, the campaign began taking on national dimensions, as students at other colleges undertook similar steps. This lead a number of schools to take an interest in trying to solve the problem through the Collegiate Licensing Corporation. Duke administrators, particularly Wilkerson, tried to take the lead in the CLC in forging a code of conduct, negotiating both with other college and university administrators and with the licensees (Korein 1998a). As is the nature of such negotiations when not all parties are terribly enthusiastic about the idea to begin with, the result was a series of compromises. Opposition came not only from the licensees, but from other college and university administrators, who were relatively indifferent to the issue of sweatshops. Without the full backing of even the other schools, it was difficult for Keohane and Wilkerson to put meaningful pressure on the apparel companies. Thus, in the process of negotiations, Duke administrators soon found themselves backing away even from their commitment for full disclosure to schools, instead settling for disclosure only to the agency the CLC would contract with for monitoring. In response, SAS pushed Keohane and Wilkerson to not only adopt a stronger code at the campus level, but to take a stronger stand in the CLC; if the CLC would not agree to a stronger code, they argued Duke should not sign any code at all (Stroup 1998a, 1998b; Weber 1998). The situation only became more controversial when in January 1999 it became clear that the CLC would turn to the Fair Labor Association
(FLA) as a monitoring agency, something student activists opposed because of the FLA’s close ties to the apparel industry (Stroup 1999a), a point we will explore in more depth in chapter nine.

As the disagreement between SAS and the Duke administrators heated up over the 1998-1999 school year, the students took a number of actions to build support—and thus their legitimacy—on campus. Along with students from the nearby University of North Carolina--Chapel Hill, who were waging a similar battle on their own campus, they staged protests outside of Durham’s two Wal-Marts on the October 5th National Day of Conscience; they drew a connection between Wal-Mart’s sweatshop practices and its refusal to disclose its contractors and Duke’s similar reluctance (Korein 1998b). They persuaded Duke’s student government to pass a resolution in support of their position, asking Keohane to press in the CLC for full disclosure (Rubin 1998); gained the endorsement of The Chronicle, which published an unsigned editorial in support of SAS (The Duke Chronicle 1998), as well as numerous op-eds by SAS supporters (e.g., Almeida 1998; Ferenczi and Harbison 1998; Harris 1998; Kumar and Mandel 1998; Weber 1998); circulated a petition, which secured over 1,000 student signatures; built a coalition of thirty student groups (McBride 1999), including the Duke chapter of Amnesty International (Ferenczi and Harbison 1998) and the service learning organization Learning through Experience, Action, Partnership, and Service (LEAPS) (Kumar and Mandel 1998); and staged protests outside the president’s office. Keohane attempted to defend the administration’s position, including at one of these protests, insisting that no agreement was viable without compromise (Stroup 1998a; Weber 1998).
Finally, when they felt as if the administration would not be persuaded by other means, following a rally, twenty members of SAS staged a sit-in at the president’s office on the afternoon of January 29th. The sit-in was relatively brief, only thirty hours. The administration did not seek to have the students evicted, but instead allowed them to spend the night in the building, even as they negotiated with them during the day. Despite being seriously ill, Keohane put in a brief appearance to listen to the students’ grievances, before delegating negotiations to Trask (Stroup 1999d). Plumb (interview, 2007), who took part in the sit-in, relates that one of the vice-chancellors even took the time to simply hang out with them, joining in a game of Taboo. In the end, the administration and students reached a mutually acceptable settlement, where Duke would add a clause requiring full disclosure in its code of conduct and would push for the same in the CLC; if the CLC did not agree to this within a year, Duke would pull out of the organization (Stroup 1999b, 1999d). Plumb (interview, 2007) notes that the settlement was relatively easy to reach, given that the administration agreed with the students in principle and simply questioned the practicality of their position. Despite the work the students had done to shore up their position with the campus community before the sit-in, the precariousness of their legitimacy can be seen in the reaction of editors of *The Chronicle* (1999): “While the cause was noble and the end-goal worthy, the tactics of the Students Against Sweatshops were excessive--and a little silly;” the editors felt that the students should have continued their negotiations with the administration. Tensions between students and administrators remained, however, as the administration decided to join the FLA in March (Stroup 1999c, 1999e).
In terms of implementing the new policy, Wilkerson relates

Within just three or four weeks following [the sit-in], I sent notices to all of Duke’s licensees telling them that within thirty days from the date of the notice, they would have to begin publicly disclosing that information. […] And I think at that time there were probably twenty companies out of four hundred who said, No, we’re not going to do it. The twenty who said they were not going to do it were issued cancellation notices; and within a week or two of the cancellation notices, all of those companies except six agreed they would publicly disclose the factory locations. And so it wasn’t nearly as difficult as some expected it might be.

As noted above, full disclosure has not proved to be a burden of any sort for the licensees; indeed, more recently, it has become clear that even with full disclosure and independent monitoring, the apparel industry still has far too much room to perpetuate sweatshop conditions--a problem we will return to in chapter fifteen.

Inspired by the success of Duke’s SAS, students at a number of other campuses--including Georgetown; the University of Wisconsin--Madison; Notre Dame; UNC--Chapel Hill; and the University of Arizona--undertook sit-ins, often in the face of opposition by far more recalcitrant administrations (Featherstone and United Students Against Sweatshops 2002). Brakken (interview, 2007) recalled, “We ere egging each other on--if they're going to do it, then we're going to do it. […] We had this wave of sit-ins, […] there were like five or six schools. This was something new and some campuses had gotten media; we began to get a lot of phone calls from students or e-mails from
students that had heard about this. They wanted to figure out how to do this themselves.” Not only did all the sit-ins succeed, in many cases the students also felt empowered to escalate the level of their demands, for instance calling for the inclusion of a living wage, a demand they won in several cases. At other schools, they won concessions from their administrations without needing to resort to a sit-in, though in many cases the at least implicit threat of one lay in the background (Featherstone and United Students Against Sweatshops 2002).

USAS--or, more properly, the network of student activists that would become USAS--had thus won its first round of victories. In the coming chapters, we will examine more closely how they achieved these (and future on campus) victories, looking at the role of their ideology, strategic models, and organization. While looking at the course of events illuminates a certain amount, for a deeper understanding, we must examine the social process by which United Students Against Sweatshops worked out and implemented their strategy.
Chapter 6: USAS’s Ideology of Worker Empowerment

The Role of Ideology

An activist groups’ strategy is shaped by a number of factors--the social context in which they operate, the models for action with which they are familiar, their decision-making processes, and their ideology. We have already looked at some of the ways in which the campus social environment shaped USAS’s strategy. We will now turn to their ideology, the set of ideas through which they make sense of the world--including the political opportunities and constraints created by their environment. USAS’s ideology was very heavily shaped by its early ties with UNITE, resulting in a strong emphasis on worker empowerment and independent labor unions as the main means to such empowerment. On the other hand, it would be a mistake to assume that USAS’s ideology emerged fully formed as soon as the students began coordinated campaigns for codes of conduct at schools across the nation in the fall of 1997. As USAS members struggled with both their own administrations and the transnational apparel corporations, they reflected on those struggles and deepened the development of their ideology. We will look at some of the crucial turning points in the evolution of their ideology in chapters ten and fifteen, as we look at the reasons USAS began to develop first the Worker Rights Consortium, then the Designated Suppliers Program. Here, I present more of an ideal-typical overview of their ideology. It should also be noted that this ideology is more likely to be more clearly held by USAS’s leaders, particularly national leaders who are part of coordinating actions across campuses. Newer members and members focusing just on their own campuses are less likely to fully grasp the importance of worker
empowerment and acting in solidarity and more likely to be animated by an ill-defined, humanitarian opposition to sweatshops.

As discussed in chapter one, Oliver and Johnston (2000) define an ideology as consisting of a set of values, an analysis of the workings of society, and a set of norms for action, by which activists hope to alter the workings of society to better realize their values. The core value of anti-sweatshop groups such as USAS is that of worker empowerment--that workers should be able to control their own lives and should be able to exercise their own power, not needing to rely on the good-will of others to guarantee their well-being. The anti-sweatshop movement’s theories consist of a sophisticated analysis of the international apparel industry and the ways in which it consistently fosters the disempowerment of workers and encourages the abuse of their rights. In particular, this theory emphasizes that the problems are structural and not a matter of a few bad apples or misguided policies that can be corrected through corporate good will. The norms of the movement involve supporting independent unions for workers; fighting for concrete, incremental victories, such as the unionization of a particular factory; and solidarity between students and labor, emphasizing working for a relationship founded on equality instead of paternalism.

Some may question whether this set of beliefs and norms truly constitutes an ideology, as the word is often used, referring to such systems of thought as anarchism, conservativism, fascism, feminism, liberalism, libertarianism or socialism. While the anti-sweatshop movement’s beliefs are not a grand ideology in this sense, they nonetheless constitute a coherent set of beliefs about the social and political world, one
which has a profound impact on how the movement acts. Further, the anti-sweatshop
movement’s beliefs have all the elements that Oliver and Johnston (2000) identify as
composing an ideology. For these reasons, it seems useful to me to refer to the
movement’s beliefs as an ideology, while acknowledging that this ideology of worker
empowerment is not in exactly the same category as such grand ideologies as socialism
or conservativism. It is also worth noting that, in addition to the ideology of worker
empowerment that members of USAS and the larger movement hold, individual members
generally hold to beliefs from one of the grand ideologies of the left--anarchism,
socialism, progressivism, feminism or liberalism. Other than adhering to broadly left
beliefs though, there is no consensus within the movement on anything larger than the
ideology of worker empowerment. Nevertheless, this gives activists quite enough
common ground to work together effectively.

Values: Worker Empowerment

If USAS has one core value above all others, it is that of worker empowerment. In
describing the long-term goals of the movement, Laura McSpedon (interview, 2007), a
USAS member at Georgetown University, said

It was to create the room for workers to organize in this industry--
ultimately what workers need to guarantee better working conditions and
better pay and all of that is a union contract. […] The long-term goal for
me was to create a structure and to create systems that opened up space for
workers to organize in a way that it was closed when we started. And so
then, within that, creating the codes of conduct, creating a monitoring system, all of that was really toward that end of workers having the power in their workplace to organize and have a voice and these structures are just meant to facilitate and support that. Not that any code of conduct or any monitor was going to be able to create good working conditions--that we know is not true--but they could create the possibility of workers organizing and being able to appeal to these structures that support that.

What is worth noting here is that McSpedon--and most of the other anti-sweatshop activists I interviewed--defined their goals not simply as eliminating sweatshops, but specifically as empowering workers by creating the conditions for strong labor unions in factories across the globe.

There is an obvious tension here--the USAS members I spoke with were well aware that, at this stage of the game, it was only pressure from US activists, particularly the college students affiliated with USAS, that gave these workers the power to organize (an issue we will look at in more depth in chapters twelve through fourteen). Liana Dalton (interview, 2007), a former USAS member at the University of Wisconsin--Madison, told me, “Ultimately, we want to transcend this whole idea of brand power over workers. The idea is that through engagement within these power structures, we will challenge these power structures. If what we’re doing isn’t working to build the capacity of the workers themselves to enforce [their demands] and ultimately looking to our own phase-out in the process, if it’s requiring more and more monitoring and more and more involvement on our part, then that isn’t really a sustainable alternative and that isn’t
really the direction we want to be heading.” Ilene Harris* (interview, 2007), a USAS member at the University of Oregon, made the same point when she said that her goal “is always to make my role more and more obsolete.” USAS members understand that there are structural conditions that preclude worker empowerment and it is these structural conditions they seek to change. Additionally, they adhere to norms of solidarity, where they seek, as far as possible, to put the workers, and not themselves, at the front and center of their organizing efforts. We will look at both these points in more depth below.

Such an emphasis on worker empowerment may seem surprising in a student organization. McSpedon (interview, 2007) noted that this value was “definitely fostered by folks at UNITE and by the students who had originally thought through what this campaign could look like.” Indeed, it was not immediately obvious to the first students involved in getting USAS’s organizing efforts off the ground. USAS member Amanda Plumb (interview, 2007) (who comes from a middle-class household) noted that, “I think in the very beginning I don't remember that much of a focus on the right to unionize. It was more about living wages [and] disclosure. […] I also grew up in [the anti-union state of] South Carolina so this was all relatively new to me. I think a lot of us learned a lot about unions and their importance by doing this.” It was not simply contact with UNITE that fostered this awareness; specific USAS members worked to foster this consciousness as well. Marion Traub-Werner (interview, 2007), a USAS member at the University of North Carolina--Chapel Hill, said, “My big thing with USAS from the beginning was trying to do education among students to make it more around labor rights and
specifically union rights, than around the National Labor Committee-type victimhood stuff.”

The actual process of hammering out what an ideal code of conduct and monitoring system might look like, which we explore in the chapters nine and ten, also served to heighten students’ consciousness around these issues. And, as USAS grew, the students started having more contact with the sweatshop workers themselves, both by participating in delegations to inspect the factories where licensed apparel was being made and through internships with unions and labor rights NGOs in the Global South, both of which we will look at in more depth in future chapters. Finally, USAS members’ own experience with their administrators lead them to see the importance of worker empowerment. Jess Champagne (interview, 2007), a USAS member at Yale University, told me,

The other piece [in coming to realize the importance of worker empowerment] was having sort of the same experience on campus--negotiations with administrators never went anywhere and that the only way you could succeed is when you actually built power on campus and when we put pressure on administrators. And in some ways, it was almost like how do you do it in parallel, from student organizing to workers organizing on their own in really repressive circumstances? [There was the] realization that's really how you make change complemented the realization that in factories that workers need to do the same.
Thus, while the seeds of a strong commitment to worker empowerment were planted by USAS’s initial ties to UNITE, they really bloomed both as the students explored these issues in more depth in the midst of struggling with both their own school administrations and with the core apparel companies and as they built closer ties to those on whose behalf they were organizing.

The significance of worker empowerment can be seen in the fairly critical way in which a number of my interviewees spontaneously contrasted USAS and its allies’ approach with that of the fair trade movement, which they regarded as paternalistic instead of empowering. USAS member Jessica Rutter (interview, 2007) said,

Fair trade is very, very consumer-based—-it's about having consumers take action, it's about making certain certifications, which sometimes end up being kind of problematic, because they don't always have to do with worker voice. And worker voice is the key part of the anti-sweatshop movement […], supporting very concrete worker demands to organize and build power, whereas the fair trade movement was much more about getting consumers to buy certain things that would ostensibly support these [fair trade] farms, but the certification process wasn't necessarily based completely on the idea of workers building power.

It is important to understand that these principles are not only a matter of values, but instrumental as well. As noted in chapter one, Polletta (2005) argues that the ideology-instrumental distinction is a false dichotomy. Thus anti-sweatshop activists argue that empowering workers is not only ethically desirably in and of itself, but, based on their
social theory, the only way to effectively fight sweatshops over the long-term. As Traub-Werner (interview, 2007) put it, “It depends on how you think political change works.” It is not simply that anti-sweatshop activists reject fair trade because it is inconsistent with their values; but, based on their values and social analysis, they don’t think fair trade can possibly end sweatshops, at least over the long term. If workers are not in a position to enforce their own rights, it is all too easy for those rights to be abused, if, say, the consumer interest in fair trade drops off.

**Social Analysis: A Structural Problem**

USAS’s social analysis consists of a sophisticated sociological understanding of sweatshops being a structural problem, which requires structural change. They understand that sweatshops are a normal part of the working of the global economy and that, to really tackle the problem, the rules of the global economy need to be changed. Given that a number of academic experts on sweatshops, such as Richard Appelbaum, Edna Bonacich and Robert J.S. Ross, are allies of USAS and the anti-sweatshop movement, it is not perhaps surprising that they have such an analysis. For example, Eric Dirnbach of UNITE HERE (interview, 2007) summarized the problem as follows:

The entire business model is a model that creates sweatshops. There's tremendous price pressure on the contracting factories to lower the prices that will charge for the apparel, which means wages have to be lowered. There's tremendous pressure on factories to deliver huge orders at the end of the month, which means you've got to work your workers a hundred
hours a week. It's a buying model that creates sweatshop conditions, no
matter what the companies say.

This analysis closely follows the one laid out in chapter two. Dalton (interview, 2007)
noted that, “Without that systemic analysis we’re just putting band-aids on gaping
wounds.”

As part of its analysis, USAS is keenly aware of where they, as students, fit into
the larger power structure, principally as consumers. Though consumers are important to
apparel producers--indeed, many spend a great deal of time cultivating consumers with
expensive ad campaigns--because they are a diffuse, unorganized group, consumers have
little real power within the commodity chain. Based on their experience with the limited
usefulness of boycotts by individual consumers, USAS emphasize using their schools’
power as institutional consumers within the apparel commodity chain. According to
McSpedon (interview, 2007), “It's fine to tell people not to buy things in a sweatshop--
that they should seek out goods made under better conditions--but what's actually going
to add up to impacting these companies financially are these larger institutional contracts
and customers.” Thus, they focus their efforts on changing the purchasing and licensing
practices of schools, not those of individual consumers on college campuses. According
to Rutter (interview, 2007),

In terms of actually affecting Nike as a company, there's not really so
much that you can do as an individual consumer. But if you bring in the
university as a consumer, as an institutional buyer--[...] because the
college market is extremely important [to the brands]… We could very
much more easily influence our universities than the brands themselves, so
the campaigns are structured in ways that we're kind of going up against
the brands, but we're more going up against our universities to make them
demand that the brands do certain things, which is just a much more
effective strategy.

This strategy is more effective for the simple reason that it is in the relatively contained
social arena of the college campus that students can most easily exert power, not in the
more diffuse networks that make up commodity chains as a whole. Trina Tocco
(interview, 2007), a USAS member at Western Michigan University, put it this way: “If
the goal is to impact the most amount of purchasing possible, how do you do that one
consumer at a time and make it worthwhile?”

What is interesting to note here is that, while anti-sweatshop activists repeatedly
told me that the lead apparel firms’ major weakness was their investment in their brand
image, this strategy does not exclusively or even primarily focus on brand image as the
main point of leverage over the industry. This is not to say that brand image does not play
a role--USAS’s activism certainly calls into question the image the brands would like to
construct for themselves in consumers’ minds; and part of the reason the brands want to
be tied to schools is the way such ties enhance their image. On the other hand, the brand
image is not USAS’s main line of attack--it is using the leverage of their schools’
collective, institutional buying power. In using this institutional power, USAS is able to
exert a more concentrated form of power than they would if they simply relied on
disrupting the brand’s carefully constructed image in a more diffuse way. Not only does
USAS has far more power within schools than in the commodity chain as a whole, they have more power within schools than they do in the more diffuse arenas of the popular mass media where consumer culture and brand images are shaped. So, while USAS has identified brand image as the apparel industry’s major vulnerability, they have actually focused their attack elsewhere, where they as activists are stronger—that is, where they can exert more leverage over the apparel industry.

USAS members are well aware that in targeting that apparel made under contract with colleges and universities, they are directly targeting only 1-2% of the apparel market. They believe, however, that they nonetheless can have a wider impact. Traub-Werner (interview, 2007) put it this way:

There was this particular segment of the US clothing market, the university market, that you could actually push things through that would maybe set the standard for the larger industry also. If you were going to raise the standard in any way, universities were the right place to start. […] First universities and then the rest of the industry, right? That's what happened with disclosure, right? Universities were the first to demand disclosure and now disclosure is quite normal for the brands.

Norms: Solidarity in Support of Unionization

Rooted in these values and this social analysis, USAS has developed a number of norms of action, the most significant of which are support for unionization, solidarity with workers, and a focus on concrete goals. In the eyes of USAS members, independent
unions are the best organizational vehicles through which workers can become empowered. According to Ken Abrams* (interview, 2007), a USAS activist at UC--Berkeley, central to the work of USAS is “the belief that if workers are able to exercise their right to organize without management interference, then the chances of seeing other rights respected is much greater because they can advocate for themselves in the factory, dealing with management directly when an independent monitor is not there--and most of the time monitors are not there.” In other words, it is workers’ right to organize which serves as the guarantee of all other rights. This belief was reinforced by the relationships they built with groups in the Global South. Dalton (interview, 2007) said, that at the end of an internship she did with a Hong Kong labor rights groups, “Basically, what my director in Hong Kong told me when I was going back to the US was that if you do nothing more, at least go back and tell students over and over again, promote the right to organize, promote freedom of association. That’s the heart of it because only when workers have collective power in their workplaces can sweatshops truly be eliminated.”

The norm of solidarity is one in which USAS tries to avoid the sort of paternalistic relationship that they see as a danger of the fair trade movement, in favor of a relationship in which workers’ concerns are put front and center. This means USAS tries to consult with unions representing sweatshop workers and other grassroots labor rights organizations as they develop their strategy--something we will see more clearly in chapters ten and fifteen, when we look at the development of the WRC and DSP. According to Rutter (interview, 2007), “Overall, what we do is about student-worker solidarity and using the power of the university to support worker demands--that's the
very core of it. So everything that we do in USAS is about that fundamental relationship, which is building student-worker relationships and then supporting what workers are demanding.” As with the value of worker empowerment, USAS members do not see this simply as a matter of principle, but also a matter of sound strategy--without the input of workers being central, a campaign is unlikely to have the information it needs to be effective.

Plumb (interview, 2007), in reflecting on a campaign (with which USAS was not directly involved) that had targeted the Gap and had not only failed to correct the labor rights violations, but gotten the workers involved fired, said,

I remember being reflective about the fact that we could do some damage without being connected to actual workers struggles going on in places. I remember for me it was like, whoa ... kind of like a halting ... I wanted to make sure that we are connected to what is going on in other places. I think well-meaning people can do damage by acting on principles but not really being connected to what's going on on the ground. I think the way USAS dealt with that was they started having students go on trips to maquiladoras or doing research abroad and actually work with workers. There was also this effort to make sure there were organizations of workers involved with USAS and it wasn't just well-meaning students trying to save the world and in the process kind of being oblivious to some things.
Here again, we see that important elements of USAS’s ideology developed not simply as a result of the influence of UNITE, but USAS members reflecting on their own experiences and the experiences of others’ campaigns.

There is a tension in this ideal of solidarity though. A quote by Lila Watson (an Australian Aborigine activist) featured prominently on USAS’s website (and relatively well known in activist circles) reads, “If you’ve come to help me, you are wasting your time. But if you’ve come because your liberation is bound up with mine, then let us work together.” This quote speaks to the fact that, in some ways, even the privileged are harmed by systems of oppression. And even the most privileged students suffer from some oppression on college campuses, with their total lack of democracy; indeed, a number of USAS activists (Champagne, Dalton, Knorr; interviews, 2007) told me that student empowerment was as central to USAS’s mission as worker empowerment. On the other hand, there is a world of difference between the oppression students face and the oppression workers in sweatshops face. The solidarity that students show to these workers is then, while rooted in the same ideals, distinctive from the solidarity that different parts of the labor movement have shown each other.

Traub-Werner (interview, 2007) spoke to this tension, when she said,

The fundamental problem of solidarity—labor solidarity—in the world is that because of the international division of labor we don't really have ...

You have a textile sector that's dying in the US, and it’s not really real worker solidarity that's happening internationally across the textile industry, right? And so what we're trying to do is this ... unfortunately it's
a consumer model, and the consumer model means that the basis of solidarity isn't. We have shared interests ... although it should be, it would be nice. It's often more, How can I help you? Your situation sucks, I profit from it in some way or the political economy in my country does, I want to do something to help--that's the motivation for our solidarity work.

There is probably no complete, practical solution to this problem. USAS simply tries to get as much input from labor groups around the world as possible in designing their strategy; but, at the end of the day, they are the ones who know the social terrain of the US and what will be an effective strategy here. The influence of USAS’s third-world labor allies comes as much in defining the goals of the movement--worker empowerment, as embodied in the creation of independent labor unions--as in the details of the strategy.

USAS has also emphasized helping workers win concrete victories, specifically being able to unionize and gain concessions from management in specific plants. Many of my interviewees emphasized that this was what drew them to USAS--the possibility of seeing concrete gains, which is not always something easily realized in other movements. For instance, USAS national organizer Zack Knorr (interview, 2007) said,

It was the first time where I really saw that activism had a real concrete achievable goal and there was a real power analysis, that these are the institutions that have power, this is how we can leverage our universities to have power over these brands like Nike, and then seeing the supply chain map--how we can see that if we do that, it has an effect on what workers are doing here on the ground. And seeing that was really, really
powerful for me, and just seeing that students could really make a difference.

This ability to make concrete gains is partly a result of USAS’s strategy; it is also partly a result of their structural location and the issue they are working on. Activists seeking to pressure, for instance, the World Trade Organization, have almost no forms of leverage over the multilateral body and, even if they were to win a victory there, it is not clear how tangible it would be in terms of the actual, immediate impact on specific people’s lives. USAS activists are well aware of this and are therefore not particularly critical of other social justice movements, simply because they have trouble producing concrete results (as opposed to the ways in which they are critical of the paternalism of the fair trade movement). And, as we shall see, it is not clear that these specific concrete victories have actually contributed to the wider structural changes USAS members see as necessary in the global economy; this realization precipitated the strategic changes we will look at in chapter fifteen, on the DSP.

Having analyzed USAS’s ideology, we now turn to their strategic model for campus-based campaigns.
Chapter 7: USAS’s Campus-Level Strategy

Introduction

While USAS’s ultimate goal may be empowering workers through concrete victories that strengthen independent unions, many of their actions focus on pressuring college and university administrators and take place in the social arena of the college campus. This seemingly odd choice is because, as we have seen, they have discovered that colleges’ and universities’ institutional consumer power gives them a key point of leverage over the apparel industry that it has been difficult to find elsewhere. USAS’s strategy is thus a multi-layered one, with both the campus-based campaigns we will explore in this chapter and the transnational campaigns in support of sweatshop workers at particular factories we will explore in chapters twelve through fourteen fitting together as elements in a larger strategic model. It is in many ways USAS’s ability to organize successful campus campaigns that makes it possible for them to also organize successful transnational campaigns, a strategic marriage of the local and the global.

If they are to use college buying power as a lever though, USAS activists also need to find ways to exert leverage over their schools’ administrators. We have looked in depth at a campaign on one campus in chapter five--the initial campaign at Duke University to pressure the administration to agree to a code of conduct and (the major point of controversy) full disclosure of factory locations. Campaigns on many other campuses proceeded in a similar fashion, though not all culminated in a sit-in. Part of this depends on the political opportunity system on any particular campus, with some being more open to student influence than others. For example, at Haverford College, not only
were students there dealing with a progressive administration, but they already had an institutionalized voice in the form of the Committee on Investment and Social Responsibility (CISR), a legacy of anti-apartheid struggles in the 1980s. As a result, the administration agreed to join the WRC without a great deal of contention on campus (Grigo 2000) (Caine*, interview, 2007). In other cases, school officials agreed to students’ demands without a sit-in, but it was the implicit threat of such disruption that worked--knowing that a sit-in was a distinct possibility, administrators sometimes gave in to avoid actually having to deal with one. Despite these variations, most campaigns followed a similar pattern.

That USAS’s campus campaigns resemble each other should not be surprising. College campuses as arenas of contention are similar enough to each other that students are working within similar political opportunity systems. More than that though, USAS has a standard campus strategy which they have found gives them leverage over school officials; while students do not follow it blindly, but adapt it to the circumstances of their particular school, they are working from a common strategic model. Here I want to explore what the strategic model for a campus campaign looks like as an ideal type, drawing on USAS’s experience at multiple schools and with multiple campaigns--not only the initial 1997-1999 campaign for codes of conduct, but also the 1999-2000 campaign to press schools to join the Worker Rights Consortium and the currently (as of 2010) on-going campaign in support of the Designated Suppliers Program.

The importance of looking at the ways in which practices such as organizing, framing and choosing from among one’s tactical repertoire are interlinked into a larger
strategy can be seen in the ways that USAS runs campaigns on campus. On the face of it, USAS’s experience at places like Duke and many other schools would seem to simply confirm the argument of political process theorists that disruptive tactics are what work as leverage. Whether in the initial campaign for codes of conduct or for latter ones, USAS has had to use a sit-in--or at least the threat of one, whether explicit or implicit--at most schools to achieve their ends. Looking more closely at things, however, reveals a more complicated picture.

Though USAS activists are well aware of the possible necessity of engaging in a sit-in, they almost never start their campaigns with this tactic, for the very simple reason that it would likely backfire. Instead, they engage, over the course of one or two school years, in a campaign of gradually escalating tactics. They start with moderate tactics that allow them to build popular support on campus; only once they have this support are they in a position to engage in more confrontational actions, such as sit-ins, with any significant hope of success. USAS national organizer Zack Knorr (interview, 2007) summed up the process as follows:

We start out doing more educational events, bringing people in, getting more people, and then once you've really made a name for yourself on campus, once people know what you're doing, once you've developed stronger leadership within your group and gotten more members, and also once you've given the administration time to look at this so you can, in a sense, justify moving to more serious protests, then we started to really turn out those numbers in bigger and more aggressive form.
This gradual escalation has to be fit into a quite specific schedule—that of the school year, with its beginning in September and its end in May. According to USAS member Liana Dalton (interview, 2007), student activists have to look at a campus organizing timeline and try to think about what can be won, realistically, in a semester or a year-long timeframe. You have to take into account student turnover and the fact that you have to constantly be doing leadership development in your group because people are graduating and whatnot. Some people are only involved with this for one or two years. How do you train them to be organizers in that time and win something on campus?

This somewhat limits the flexibility of student activists in deciding when to take what actions. They need to hit the ground running in September, working on educational programs from the start of the school year. At least, they must do so if they wish to be in a position where they can begin escalating tactics in the spring semester and possibly resort to a sit-in towards the end of the school year, while retaining broad support for their demands and actions in the campus community.

**Phase One: Education**

As at Duke, USAS activists generally start their campus-level campaigns with meetings with the administration and various relatively low-key public actions. Speaking of his involvement with the campaign for the DSP at the University of California system, Knorr (interview, 2007) said,
The events we had in the first quarter… We did an initial rally and delegation to the chancellor just to present our demands. We did a teach-in, we did a fashion show, we did a mock sweatshop, a street theater kind of event, and we ended all of them with a little rally and some marching, just so that people would gain the experience of organizing those kinds of events. But we never tried that much for a huge turnout or to shut anything down, just because we were using that time mostly to educate the campus and to develop our group.

These sorts of actions are important opportunities for student activists to frame their message and thus gain legitimacy, convincing the campus community that sweatshops are a significant issue in which the school has some stake. Through educational events and articles in the campus newspaper, they are able to convey their frame to a wider campus audience. The openness of the campus as a discursive arena and the many means students can use to convey their message--teach-ins, op-eds, rallies, etc.--greatly facilitates this. This preliminary educational work serves a valuable organizing purpose, increasing the number of their active supporters--people who will turn out to protests or even engage in sit-ins--and increasing the number of passive supporters--students who were generally sympathetic to USAS’s demands that their clothes be sweat-free. USAS chapters typically make a point of building alliances with other student groups, as they did at Duke, groups that will support them later when they ramp up the level of confrontation. In addition to other groups on campus, they may draw on the support of progressive organizations in the surrounding community. This stage of the
process also gives USAS activists experience in doing organizing work in a non-threatening context, experience they can then draw upon when the stakes are raised later in the campaign.

Popular stereotypes of students as left-leaning notwithstanding, organizing students in support of anti-sweatshop measures on campus is not necessarily easy, given the impact of the corporatization of higher education. Students have increasingly come to see themselves as consumers and in training for jobs, not learning how to be active citizens. There may be some organized opposition from conservative students--Amanda Plumb (interview, 2007) recalled a group of followers of Ayn Rand calling themselves “Students Against Students Against Sweatshops” at Duke--but for the most part this is a minor phenomenon, limited mainly to such activities as asking obnoxious questions at teach-ins. The main organized opposition comes from the administration. The challenge USAS faces with students is, instead, simply convincing students that they should care about these issues.

Plumb (interview, 2007) said that they when organizing on campus, “We weren’t telling students not to wear Nikes or ‘You’re bad if you wear Nike’ or ‘Don’t shop at the Gap,’ because we would have really alienated most of the students. But people could understand ‘Don’t let Duke’s name to be put on this stuff [made in sweatshops]’ and ‘We’re asking Duke to set up some standards.’” As with commercial brands, many students have a strong identification with their school’s image--many schools are, in their own way, just as much brands as any for-profit affair. Just as activists off-campus can sometimes turn that emotional attachment to the brands against them, by pointing out the
gap between the image and the brand’s ugly practices, thus generating a sense of betrayal (Klein 1999), USAS activists can do the same on campus. Many students, including not particularly political ones, feel betrayed when they realize the clothing bearing the logo of the schools they so identify with are made in sweatshops (Featherstone and United Students Against Sweatshops 2002). It is this basic reaction that USAS harnesses and uses to educate members of the campus community about the realities of the global economy and the necessity of codes of conduct and independent monitoring as a way of fighting labor exploitation.

At this early stage of the game, USAS activists are not only educating other students, but also their school’s president and other top administrators. By meeting with the administration, they also gain some legitimacy in the eyes of the administration, as they make clear, cogent arguments for their demands and establish their willingness to start with institutional procedures. One point that they particularly need to counter is the misconceptions promoted by the apparel industry that USAS members are dupes of UNITE and simply being used to promote the latter’s protectionist agenda, which will harm, not help third-world workers. UNITE, despite its shift towards doing international solidarity work, still sometimes employs protectionist rhetoric, which does not particularly help the student cause (Featherstone and United Students Against Sweatshops 2002) (McSpedon, interview, 2007). Still, USAS members are quite capable of making clear their independence from UNITE and making sophisticated arguments for their position. This effort to establish some legitimacy in the eyes of the administration, to make themselves look reasonable, is important in being able to conduct negotiations
over the long run, even when the campus USAS chapter’s actions grow more
confrontational. “I felt like being able to write professional letters to the administration
and have good meetings with them would make it easier to get stuff out of them, because
when push came to shove they felt like we were reasonable people--and I don't think it
limits at all how radical you can be in your tactics” (Reville, 2007, interview).

**Phase Two: Escalation**

But, as USAS member Laura McSpedon (interview, 2007) argues,

Ultimately I'm not sure it was arguments that won anybody over […]--you
have to have all that stuff in place and know your facts and be able to
respond to each of those charges and have the literature you need to back
it up--but ultimately we could have talked till we were blue in the face. It
was really about the power we developed on campuses to embarrass the
universities into doing the right thing.

In a sense, the first stage of any campaign is building that power; the second stage is
exercising it through a series of more and more contentious tactics.

For many students, however, part of the process of learning how to organize on
campus has been learning the necessity of exercising such power. Particularly among
middle-class students at elite schools, there is initially often a belief that they can win
over the administration through rational arguments. According to Jess Champagne
(interview, 2007), a USAS member at Yale,
Kids who go to Ivy League schools [...] are much more prone to this idea, that if you just have the right argument and make the right point and explain how workers are exploited, university administrators and others in power, they'll be like, Oh, OK, let's do that. And I think we're really kind of trained to do that. [...] Part of my freshman and all my sophomore year we spent primarily negotiating with administrators, doing education on campus and just having these meetings. And clearly things were not changing and they [the administrators] lied to us and they clearly didn't care—and that was when we realized [...], Oh, they just don't care and the only way they are going to care is power.

It was at this point that Yale’s USAS chapter began to focus on building a broad coalition of supporters on campus and resorting to increasingly confrontational tactics.

It is only as, however, over the course of a school year or two, when they show that institutional procedures are leading nowhere that the student activists can establish such contentious tactics like a sit-in as legitimate in the eyes of the wider campus community. Without that legitimacy, the administration would have a much easier time simply arresting the students. It is not only a matter of preparing the campus community as a whole, however; it is also a matter of preparing the student activists themselves to engage in something as confrontational and disruptive as a sit-in. Knorr (interview, 2007), describes the escalation actions from the UC campaign for the DSP in light of this:

By the start of the second quarter, we were in a position where we had the group members organize bigger, more aggressive actions. We started out
with an eighty-person rally where we marched inside the administration building and shut down the lower level for only a short period of time. And then we did the same thing with our bookstore. And then at that point it was really clear that we were going to have to do a sit-in, so we started trying to slowly train people and get them used to doing more kinds of aggressive and confrontational actions. So we tried to take a small step each time, instead of jumping from a teach-in to a sit-in, where people have no experience with anything in the middle. So we tried for those rallies to get more and more confrontational. So then we did a dance-in in our chancellor's office once. We issued her an ultimatum and she missed it, and so twenty of us went in with boom boxes and we just had a dance party in her office for about a half-hour. [...] And when the next quarter came around, that's what we did a sit-in.

It should be stressed that not all USAS chapters at all schools had to engage in sit-ins. As noted, in rare cases such as Haverford, a progressive administration may go along without a sit-in. In some cases, USAS used other high pressure tactics, such as hunger strikes. Such tactics work by shaming the administration, calling into question their legitimacy. At many schools, such attempts to embarrass the administration played a significant role in the escalation of the campaign, even when it culminated in a sit-in. McSpedon (interview, 2007) recounted a story where she and other USAS members handed out leaflets before a large fundraiser, in which students’ parents would get to meet Georgetown’s president, Father Leo O’Donovan. The leaflets urged parents to ask
O’Donovan why he did not support sweatshop workers. “Probably, no one said anything to the president of the university, but it really freaked them out, just because we were trying to embarrass them--and I think we accomplished that.”

In other cases, administrators gave into student demands before such high pressure, high profile actions, in order to avert them. McSpedon (interview, 2007) tells such a tale from when they were campaigning to press Georgetown to leave the FLA and join the WRC, the year following a successful campaign involving a sit-in that got Georgetown to agree to a code of conduct. “To our total shock and amazement, about a week before we were planning on doing the sit-in, they gave in on all of our demands. […] I was sitting next to the president of the university as he delivered his speech to us and I was floored. I actually was looking at his notes in front of him and they said nothing about agreeing to get out of the FLA and into the WRC, but he was saying it.” While they had not publicized the fact that they were going to do a sit-in, “it’s certainly possible that they got wind of it. And also that they remembered what happened the year before--we were building up our rhetoric and escalating our tactics.”

In some cases, USAS has actively given administrators implicit but very clear warning of their power to exert leverage through disruption. Dalton (interview, 2007) noted of her work at UW--Madison,

You can exert power by having fifty [community] people come sit in a meeting […], especially on public campuses where they can’t really kick people out as easily. For our labor licensing committee meetings sometimes we just pack them--they do introductions in the beginning and
then you’re like, I’m so and so and I’m an organizer with SEIU; hi, I’m so and so and I’m organizer with AFSCME; etc. And you just go around and the school gets scared because they know you can actually mobilize these people. […] I think stuff like that is effective because [administrators] see different faces and then they’re like, Oh shit, all these people could be in my office, then I’d ask them to leave and then I’d have to arrest all of them and that would really suck to arrest the head of the Federation of Labor, especially in a liberal town like Madison, Wisconsin, where labor exerts a considerable amount of political clout locally.

A sit-in plays a dual role in terms of strategy--it is both potentially disruptive of the workings of the college or university and, with sufficient press coverage, it becomes an embarrassment that damage the administration’s legitimacy, both on campus and nationally. Speaking of his experience with the sit-in at the UW--Madison during the initial campaign for the code of conduct, USAS member Thomas Wheatley (interview, 2007) said,

There's two kinds of power you have [in a sit-in]. You have the power to interrupt work. If you can physically shut down the university's administration office, then you're interrupting the basic function of the university. In Wisconsin, that didn't happen--you'd have to have five thousand students sitting-in to actually shut down the building. To a certain degree it was disruptive to the work though. People were less
productive in the administration office. The other thing is, Boy, there's a sit-in at the university--that hasn't happened since '68. So the local papers and local radio are going wild.

My interviewees to some degree differed among each other on the reasons for the effectiveness of sit-ins, some emphasizing the disruptive effect they have on the workings of the school, others the potential loss of legitimacy for administrators. To some extent, this may be a product of the schools within which they were sitting-in--it is easier to disrupt a small school through a sit-in, since such disruption requires fewer people when aimed at a small target; it may also be easier to embarrass better known, larger schools, since they are more likely to become the subjects of widespread media attention. In most cases, there is probably a mix of the two at work. Even in the case of the University of Wisconsin, Wheatley (interview, 2007) said they found a way to intensify the sit-in to the point where it was truly disruptive; not only did more and more students begin joining the sit-in over the course of three or four days--“it was forty students to start with, and then it was fifty-five, and then it was sixty-seven, and then it was one hundred”--but “on the final day, students decided to escalate and started banging on the walls in the middle of the day so that the administration staff could not complete their work.” It was this move that made it the final day of the sit-in, after an hour of it convinced the university president to negotiate with the students and concede to most of their demands.

There are other means of disruption that student activists can use short of a full-blown sit-in or something else equally drastic. USAS member Trina Tocco (interview, 2007) noted that, “students have the ability to step out of this system that administrators
understand and work within” and that this alone may be disruptive. As an example, she told me of the campaign at Western Michigan University, where they had succeeded in getting the school to join the WRC, but not to sign onto a code of conduct for the WRC to monitor compliance with, even a year later.

So I hosted an anniversary party in the president’s office. I brought them cake and balloons and [...] we also sent invitations to all of them for the anniversary party and they all freaked out [...] [because] it’s the unknown-they don’t get invitations from random students and, more importantly, how often do people plan things in the president’s office without telling them? I remember it’s just one of these funny things where two days later the executive assistant called me and said, Okay, we reserved the boardroom for you. I think it was just out of process, out of protocol--it’s the same way I’ve seen corporations react [in working for the NGO International Labor Rights Fund]. If you go outside of their day-to-day [routines] they don’t know what to do.

This stepping out of known protocol had the desired effect--at the anniversary party, “we had an impromptu meeting [with the administration] and hammered out the code of conduct.”

**Administration Counter-Measures**

One danger USAS activists face in such campaigns is getting entangled in the counter-measures favored by administrators, who seek to sidetrack students by having
them deal with school officials who actually have very little decision-making power or tying the students up in committees. McSpedon (interview, 2007) noted that, in the early days of USAS, “The university's first reaction as we were raising this stuff was to send us to the licensing department in the schools, which are usually part of the athletic department.” This was a diversion because the licensing directors do not actually have the power to make such decisions, particularly given schools’ close relationship with the brands and the latter’s opposition to enforceable codes of conduct and disclosure. It was only through getting sidetracked like this at a number of campuses that USAS learned that they had to refuse to deal with lower-level officials and insist on dealing directly with a school’s president.

The other sidetrack college and university administrators often send students down is setting up committees, whose stated purpose is to consider the issue in more depth and create an opportunity for dialogue between different members of the campus community. On the face of it, such committees sound reasonable and in some cases, such as Duke, where school administrators are sincerely interested in finding a solution, they may lead somewhere. By the nature of their jobs, administrators tend to be cautious and want to examine any new policy, even one they in principle may support, carefully before implementing it. In many cases though, school administrators are not interested in actually coming up with a mutually agreeable policy. Instead, committees are intended to indefinitely tie student activists up in bureaucratic procedures that lead nowhere. According to Knorr (interview, 2007),
The committee will be made up of one or two students, a couple faculty, and they'll ensure that there's enough administration members on the committee that the committee would never decide to do anything unless the administration wanted to. And then they'll take six to seven months to meet occasionally and have meetings that don't go anywhere. And their hope is that throughout this time they can appear that they're taking every step they possibly could, but they're basically trying to wait out the students until either they get tired of the issue, till key people graduate, or until it just kind of goes away.

USAS is now wise to this danger, but, as with being sent to deal with minor officials, this did not happen without activists at a number of schools falling into administrators’ traps first.

In some cases, such committees have been made to work, even when the administration has not wanted them to. But for this to happen, students need to step outside the protocols of the committee process and continue taking confrontational actions. McSpedon (interview, 2007) told me the story of the committee that was set up at Georgetown in the wake of the 1999 sit-in there.

We participated in it […], but we also continued to do public education. We actually had a number of the committee meetings where thirty or forty students sat outside waiting to hear what happened, and made it clear we were not just four students sitting on this committee agreeing to things on
behalf of everyone else--there was still actually a movement that cared about what was happening behind those closed doors.

The administration eventually gave in to student demands, creating a code of conduct. McSpedon says she cannot be entirely sure why this did so, but suspects it was “the fear of us disrupting things on campus again.”

At other times, USAS has decided they essentially need to pull the plug on the committee process and start escalating their tactics again. USAS member Molly McGrath (interview, 2007) told me of the campaign for the WRC at UW--Madison:

David Alvarado and I sat on this committee and we went to a lot of meetings and did a lot of paperwork but then eventually we decided that the only way to get the committee to agree to join this idea of the WRC would be create this crisis of legitimacy. […] We withdrew, publicly, from the committee […] and that made big news on the campus papers. I think we started giving deadlines to the chancellor--decide by this date to join the WRC or else.

The “or else” was a sit-in, which USAS managed to build such support for that the campus was struck by what McGrath described as “sit-in fever--[…] a lot of the activists in Madison had heard about the sit-in the year before and they wanted to do another sit-in. It was kind of funny.”

**Conclusion**
What all this shows is that for success, it is necessary for activists to fit together a broad range of tactics, from the relatively routine, such as lobbying the administration, to the more disruptive, such as sit-ins; develop and spread a particular frame to the campus community, building up the legitimacy not only of their cause, but of themselves as social actors; and mobilize sympathetic students around this issue; all in a particular way that follows a strategic progression. Looking at these elements in isolation reveals much less about the dynamics of social movements than looking at how these pieces fit together into an overall strategy. As it turns out, at least in the context of the mini-polity of the college campus, both those scholars who emphasize the importance of disruptive action (Flacks 1988; Gamson 1990; McAdam 1983; Piven and Cloward 1977; Tarrow 1998) and those who emphasize changes in the overall cultural discourse (Jasper 1997) are correct. USAS’s success depends on building up their standing on campus, allowing them to shame and embarrass the administration; and then, shielded by their legitimacy, to take highly confrontational actions that can coerce the administration into agreeing to at least some student demands. This strategy interacts with the particular political opportunity system of the college campus, where students can work within a very open organizing space and discursive arena; this, in turn, allows them to mobilize so that they can often exert a great deal of leverage over school officials, despite the anti-democratic structure of the formal decision-making process in higher education.

We will now turn to take a closer look at USAS’s organization, both at the campus and national levels--the means through which they mobilize to carry out this strategic model.
Chapter 8: The Organization of USAS

Sustaining the Organization

The development of such strategies as we discussed in the last chapter does not happen spontaneously, but is fostered by social movement organizations such as United Students Against Sweatshops and its allies. USAS does not exist in isolation, but forms part of a network of anti-sweatshop organizations, such as UNITE, Global Exchange, and the National Labor Committee; this network is, in turn, part of a larger network of progressive activist organizations. Such SMOs and the networks they form play two critical roles--creating a system of institutional memory, whereby the knowledge of ideology and strategic models is passed onto new generations of activists and the movement is sustained over the long term; and facilitating communication and a process of deliberative decision-making, in which activists actively interpret their social environment in light of their ideology, deciding how to apply their existing strategic models and what innovations they need to adopt.

Especially in its early days, the larger social movement network in which USAS was embedded was particularly important for fostering the student group’s ability to act strategically. In a sense, other SMOs acted as collective mentors for the newly formed student organization. UNITE obviously was central for the role it played in nurturing the strategic skills of the students who interned with it. Under the supervision of UNITE staff-person Ginny Coughlin, they developed an organizing manual that was critical to the early organizing campaigns. UNITE continued to work with USAS, giving the student activists not only advice, but resources they could use to build up USAS as an
organization. As noted in chapter six, one lasting legacy of this relationship is USAS’s labor-inspired ideology of worker empowerment.

Other anti-sweatshop organizations that played a critical role included the National Labor Committee, Global Exchange, Sweatshop Watch and the US Labor and Education in the Americas Project (USLEAP). Different campus groups tended to form close relationships with different organizations, depending in large part on geographical proximity—east coast chapters tended to work more with UNITE and the NLC and west coast chapters with Global Exchange and Sweatshop Watch (Brakken, Champagne; interviews, 2007). All these organizations had extensive knowledge of the issue of sweatshops that they shared with USAS, helping the first generation of student organizers develop their own expertise on these issues. According to USAS member Eric Brakken (interview, 2007), these organizations were all eager to work with USAS. “By this point [USAS’s 1999 founding convention], the student movement was the hot thing and a lot of people tried to advise us,” coming to their conference, seeking to speak and form closer ties with the student organization. This was both because USAS represented a potentially large pool of grassroots members to mobilize in the various campaigns different organizations were working and its successes in pushing colleges to adopt codes of conduct put it at the cutting edge of the movement.

Additionally, both the NLC and Global Exchange had a long history of taking US activists on “tours” of sweatshops in the Global South. Such tours were important for many of USAS’s early leaders, giving them a more personal perspective on the sweatshop problem and fostering ties between US students and third-world workers (an
issue we will explore more in future chapters). According to USAS member Laura McSpedon (interview, 2007), “I think the opportunity to go to other countries and meet workers … The tours that those groups did were really critical in terms of motivating what was probably a relatively small group of students, but still a core group of leadership, who could then communicate that back to other students and motivate folks.” This was important not only in terms of motivating people, but in legitimating USAS’s work, since their connections with actual sweatshop workers made their claims more credible when challenged by their opponents (cf. Keck and Sikkink 1998). And these ties were also to play a role in shaping their global strategy, something we look at more in chapters fourteen and fifteen.

A number of USAS members remarked that UNITE and the other mentoring anti-sweatshop organizations, despite their influential role, also respected and encouraged USAS’s autonomy, wanting to see an independent student movement grow. McSpedon (interview, 2007) reflected,

UNITE definitely incubated this piece of student activism for a good probably year-and-a-half or two years. […] I would say certainly Ginny Coughlin and other folks from UNITE continued to play a really key role in supporting a few of us who were trying to make this work, but they were also really excited that it had taken on a life of its own. […] I never felt like there was hesitation around students having autonomy and kind of taking this where we wanted to take it and being in partnership with UNITE. […] Having done this work now for ten years, it's actually pretty
surprising, I think, the level of control that UNITE gave up in the campaign, and how much they really did incubate something that was in their interest and then let the students take it where it made sense on our campuses.

Another progressive SMO, but one not part of the anti-sweatshop movement, that played an important role was the United States Student Association (USSA), a long-standing student advocacy organization, founded in 1947. Through initial contacts at the University of Wisconsin–Madison, where USSA and USAS co-existed, USSA had a significant impact on USAS’s strategic capacity. USAS members attended trainings by USSA organizers, in which the latter organization gave the anti-sweatshop activists a number of analytic tools for analyzing power structures on campus and developing a long-term strategy. In particular, USSA played an important role in transmitting the campus-level strategy of escalating tactics to USAS (Champagne, McSpedon, Wheatley; interviews, 2007).

Additionally, a number of groups, both national networks such as Jobs with Justice and smaller, local groups, sometimes played critical roles in supporting individual USAS chapters in their campus campaigns. Such help could range from speaking at teach-ins, to offering strategic advice, to organizing rallies in support of the students during sit-ins (McSpedon, Traub-Werner; interviews, 2007). USAS member Molly McGrath spoke of the UW–Madison USAS chapter’s relationship with a local Central American solidarity group:
They were always around, helping influence students, supporting students, doing educational events. In a lot of ways it wasn’t like they gave a lot to us, we actually gave a lot to them. We went to a lot of their events. But when it came time that they could do something, helping us get press coverage, showing community support when it’s needed, like when we all got thrown in jail, they were there.

As an organization, USAS has to pass on the lessons it learned from its allies and from its own experience on to new members. Creating such a system of institutional memory is particularly an issue for a student organization like USAS, with its constant turnover of membership and leadership as activists graduate from college and move on to new things (often other activist organizations). McGrath (interview, 2007) told me, “USAS does do a lot of training. All the trainings that they do and all the conferences constantly process through all these different students--so I think that is USAS’s main mechanism for passing on institutional memory and building skills.” USAS holds annual conferences, in which attendees are, among other things, socialized into the ideology of the anti-sweatshop movement and trained in USAS’s strategic model and the skills they need to run a successful campaign on campus. The first conference happened in July of 1998 in New York City, before USAS was even officially founded. It was at the second conference of the emerging network of campus anti-sweatshop groups, in Washington, DC in July of 1999, that USAS was officially founded; USAS’s first staff person, Eric Brakken was hired shortly beforehand, while its official structure was set up at the conference (United Students Against Sweatshops 2009c). McSpedon (interview, 2007)
recalls that the first conference only had forty students, while three or four hundred attended the 1999 one; USAS’s website (2009c) puts the latter number at two hundred. Regardless of the exact figure, this is indicative of USAS’s rapid growth when it first took off.

USAS national organizer Zack Knorr (interview, 2007) went to his first USAS conference in 2005; before attending, “I actually didn't even know that USAS was a national organization. I thought it was a group on my campus.” He spoke of how inspiring the conference was, seeing the history and very real impact USAS had had.

I found out that there's this eight year history of running these campaigns, that we've created this organization--the Worker Rights Consortium--that we've really used our power to support workers in winning really concrete victories. And I think I could see after being there, really see, the strategic vision of what USAS is and where universities fit in. […] And seeing that was really, really powerful for me--just seeing that students could really make a difference.

As of 2007 (when I conducted my interviews), USAS has two annual conferences, “a bigger one in February, which is more geared towards bringing new people in; and a smaller one […], generally in August, which is more about strategic visioning for the next school year” (Knorr, interview, 2007). At the larger conference, there are a number of panels and workshops, today largely run by students, in which USAS’s vision and strategy is laid out. Training and mentoring happen in both formal and informal venues. On the one hand, there are formal workshops where students are trained in strategic
thinking, using a variety of tools (Champagne, interview, 2007). On the other hand, students form relationships with more experienced activists from other campuses who can give them advice. USAS member Thomas Wheatley (interview, 2007) said, “It can be pretty empowering to come together and meet other folks who are doing the same kind of thing that you're doing, build that community of people, and then you can go back to them [during the course of a campus campaign] and say, You guys at this school succeeded in your campaign, how'd you get it done?” We will look more at the significance of these relationships below.

These national conferences and networks are all the more important because, as with many campus activist groups, USAS chapters tend to be small. McSpedon (interview, 2007) recalled that at Georgetown, “Probably, at our most active point, we had fifteen people coming to weekly meetings and hashing all this out; and then a larger list of a few hundred who would maybe come to stuff, maybe send e-mails when we asked them to.” As a result of both this small size and high-turn over as members graduate, campus USAS chapters face even more challenges in sustaining themselves over the long-term than the national-level organization. For one thing, mentoring new members while simultaneously carrying on the business of the organization can be a challenge. Nick Reville (interview, 2007), a USAS member at Brown University, noted that, “It's always hard, with the intake of new people, figuring out how to get them involved, get them to do something that's useful; and it's hard to balance that with the people that are spending a lot of time on things like the [campaign for the] WRC; [it’s hard] trying to be really inclusive, while getting things done, having the meetings.”
The unfortunate fact is that, while some USAS chapters stay strong for many years, others do not last. Knorr (interview, 2007) said,

There's some groups that are always there, some groups that are really strong for a while and then fade away for a while; someone new comes in that's really excited and really wants to make things happen and they start to grow again. [...] There's not one kind of common trajectory, but there have definitely been groups that were very, very strong that either dwindled or don't even exist anymore; there's groups that come out of nowhere that never really had that much going on and then all of a sudden they get a few really strong leaders, and they become really big; and then there's groups that have just kind of always been very steady groups, like the University of Wisconsin--Madison or Georgetown, that have had like a very steady presence throughout all ten years that USAS has been around.

Knorr was uncertain if there were any consistent reasons one could pinpoint for the long-term durability of different USAS chapters, but suggested that the individual personalities of the activists involved (which becomes critical in small groups), the culture of the particular campus, and the density of allied social movement networks (especially labor networks) in the local area around the campus all might play a role.

When a chapter does fade away, this lessens USAS’s strength. According to Plumb (interview, 2007),

There were many schools where there was a campaign, for example at UMass--they signed onto the WRC, they got a code of conduct, but it
hasn't been enforced in years. There's no students enforcing it, so probably if someone went to the student center and looked at where the sweatshirts from, it may be completely going against the code of conduct or against the agreement, but no one's enforcing that, so who cares?

One way USAS has tried to address this problem of turn-over is to have key members remain involved, both at the national and campus levels, as mentors for a few years following their graduation. At the same time, they do not want these graduated activists to be managing the campus chapters, but for those chapters to benefit from the more experienced activists’ knowledge and experience, while retaining their autonomy. McGrath (interview, 2007) kept up her ties with UW--Madison chapter even after she graduated. “I know people like myself and David [Alvarado] and people who are not students, but part of solidarity groups in Madison who mentor these leaders every year. That helps to develop a really close relationship in day-to-day contact.” She recalled that immediately after she graduated, she was involved in USAS’s first major solidarity campaign, in support of the workers at the Kukdong plant in Mexico (which we will look at more in chapter twelve). “I was in kind of a weird place. I wasn’t part of USAS anymore but I was still doing a lot of work for it […]. We always made a concerted effort in USAS to transition out. It was like no, you don’t have influence or decision making powers, we have a new group of leaders and it’s going to be their responsibility to do this. I think I had some influence and I definitely talked a lot to people--but I don’t think I had any decision making ability within USAS at that point.”
Another way in which USAS has been able to draw on the experience of graduating members is to hire them to the national staff—including as paid national and regional organizers—for a period of a few years, before they fully move on to other things. Knorr (interview, 2007), one of these national organizers, said an important part of his job was training younger activists.

A lot of what we do as the [national] staff—and also the other organizers we have that work regionally—is really trying to encourage people to see that the most important thing they're doing is that they're developing leaders—so to always organize with the idea in mind that you're trying to organize yourself out of a job, that you're trying to make yourself unnecessary by helping to train two or three younger people that can do everything that you're doing.

This, in turn, contributes to the longevity of both individual USAS chapters and the national organization as a whole, ensuring there are replacements for people as they graduate and move on. McGrath (interview, 2007) noted that most staff people, particularly the women, found working in USAS’s national office very stressful, principally she thought because of the high turn over of staff and the lack of a long-term manager. “It’s been a really, really hard experience. It’s amazing that it’s still around and that it still draws people to work for it after having a reputation like that. I think that people see it as a sacrifice, they want to make this sort of sacrifice for a year or two.”

Another important way in which USAS has tried to strengthen its sustainability is by diversifying its membership. When it was founded USAS was a predominantly white,
middle-class organization (Featherstone and United Students Against Sweatshops 2002; Krupat 2002) (Brakken, interview, 2007). Although Brakken (interview, 2007) said that there was strong women’s leadership from the start, women leaders also complained that they were often stuck with the more undesirable work (Featherstone and United Students Against Sweatshops 2002). USAS has made efforts to do more outreach to students of color and working-class students, with some success (Krupat 2002) (Brakken, interview, 2007). Although nationally the organization remains predominantly white, some of the individual chapters now consisted predominantly of people of color (Rutter, interview, 2007). These chapters are concentrated in New York City and the west coast, where there are a greater number of Latino activists. Additionally, many predominantly white chapters now include a greater number of working class students (Robert J.S. Ross, personal communication, 2010).

Beyond simple recruitment, USAS has sought to actively foster and institutionalize the voices of students belonging to oppressed groups— not only working class students and students of color, but women and gay/lesbian/bisexual/transgender students—through educational programs (Brakken, interview, 2007) and caucuses (Krupat 2002) (Champagne, Plumb; interviews, 2007). Education programs are important in highlighting issues of oppression to the more privileged members of USAS, who may not be naturally aware that these issues remain important (Plumb, interview, 2007). Caucuses create both an “independent space” where members of these groups can organize themselves to raise their concerns within USAS and, since the caucuses have representatives sitting on USAS’s national leadership, “structured opportunities” which
actively promote their leadership (Gooding 1997). Additionally, USAS has mandated that a certain number of its leadership positions be held by women (Krupat 2002).

Another important means USAS has tried to use to sustain itself and its local chapters is branching out to deal with new issues. Although it is not something I look at closely here, the outsourcing of campus service work, mentioned in chapter four, has become one of USAS’s major issues. They see strong parallels between this on-campus exploitation and the off-campus exploitation that happens in apparel factories. When, due to their successes, there was a temporary lull in organizing around apparel sweatshops, USAS was able to keep students involved and its ties with the labor movement active by taking on this issue—something that has probably contributed significantly to USAS’s long-term existence (United Students Against Sweatshops 2009a) (Knorr, interview, 2007).

**Decision-Making and Communication**

Both at the national-level conferences that determine USAS’s overall direction and in the organization’s individual campus chapters, members usually make decisions through consensus, a form of participatory democracy that puts a great deal of emphasis on deliberation. This consensus-oriented culture also shaped the relations between national USAS and its chapters. McGrath (interview, 2007) described the decision-making process on national campaigns as follows: “The [elected national] coordinating committee would make the bigger decisions on actions. Campuses, a lot of times, made their own decisions about what they were going to do locally, but they would always try
to coordinate as much as they could with the national center. There’s always that negotiating back and forth with what national USAS would to do and what the campuses would do.” National USAS would also consult with allied groups in planning these campaigns, “but USAS made its own decisions.” At the local level, members of campus chapters will meet and talk among themselves to discuss the best way to reach their goals on their campus, drawing on their local knowledge of the campus, even as they also draw on the standard USAS model of how to conduct a campus-based campaign. When appropriate, they might use a modified form of consensus, delegating certain responsibilities to subcommittees. McGrath (interview, 2007), for instance, said of the UW--Madison chapter’s operations during a sit-in: “At times we did have different types of decision making trade-offs, like this group of people were empowered to make decisions if the cops came--we did recognize the need to expedite decisions in some cases.”

Both Francesca Polletta (2002) and Marshall Ganz (2000, 2009) have argued that such participatory-democratic, deliberative models of decision-making foster better strategic decisions than models in which decisions are made in a top-down form and passed on by fiat to the membership. There are a number of reasons for this. Both scholars stress that deliberative decision-making, since it involves more people, brings in a wider range of information and ideas, thus producing more creative solutions. Polletta further suggests such decision-making methods promote the development of participating activists’ abilities, as they learn new skills through the process of deliberating with others and taking on new responsibilities; and encourage solidarity within the organization, as
everyone comes to feel they have a stake in the outcome of any action, since they helped
to shape it. In top-down organizations, by contrast, only one person or a small group of
people make decisions; since no one is able to challenge them, they may simply go along
with whatever strategic models and tactics they are comfortable with, even if they are ill-
adapted to the current situation (Ganz 2000, 2009). Members are encouraged to simply
follow orders, which stifles the development of new leadership. Members may also feel
less invested in the organization’s program--people are much more likely to resent being
ordered to carry out some strategy they may not fully understand than they are a plan they
hand some hand in actively creating (Polletta 2002).

The experience of USAS activists confirms Polletta (2002) and Ganz’s (2000, 2009) claims, although they also sometimes noted the difficulties with consensus--it can be a time-consuming and sometimes frustrating process, especially when there are strong differences of opinion. In the end though, they all seem to have felt the benefits outweighed the drawbacks. McGrath (interview, 2007) who described the process of consensus at UW--Madison as “torturous,” thanks in part to factionalism, nonetheless contrasted it with her experiences at the Solidarity Center positively:

Looking back at it now, I think that it strengthened us, because now I’m part of […] the Solidarity Center, which is extremely hierarchical. If there’s just a group of people at the top making decisions, there’s no investment off the grassroots. And we need those numbers. It was very educational as far as listening to people talk for hours about their opinions and what they think. I think it did strengthen us.
Even Wheatley (interview, 2007), who declared, “I might stick a fork in my eye if I have to go back to that model of organizing now,” admitted, “but it really enabled everyone to step up into playing the role and to learn the ropes as you go. I think if it had been more top-down I probably would not have gotten the experience that I got just being at the table and figuring out strategy.”

These campus chapters are not isolated from each other. Members of different USAS chapters have contact with each other not only at annual conferences, but, as noted above, drawing on the relationships formed there, they stay in touch with each other during the school year, sharing information, tactics and strategies, and other ideas with each other. In this, telecommunications technology such as e-mail list-servs and telephone conference calls are important. The period when USAS was first forming was also, it should be noted, when e-mail was just coming into its own as a major communications medium. Despite all the hype around the internet, research on its role in social movements has shown that it is not enough to create long-distance social movement networks on its own; instead, it seems critical for activists to form face-to-face ties first (as at USAS’s national conferences), ties which can then be maintained by the internet and conference calls (Fox and Brown 1998; Keck and Sikkink 1998; Olesen 2005). One important feature of e-mail list-servs and conference calls have over older forms of telecommunication technology is that they allow what Thomas Olesen (2005) calls two-way, many-to-many communication; older forms of communication were either two-way, but one-to-one, such as traditional mail or phone calls; or one-way and one-to-many, such as the radio, television, and other traditional forms of the mass media. The
two-way, many-to-many nature of the internet and conference calls facilitate the maintenance of long-distance networks, involving multiple people speaking back and forth to each other, in a way that older forms of telecommunications simply can’t.

As already noted, after Duke students decided to carry out a sit-in demanding public disclosure, the information spurred students at other schools to take similar actions. While part of the push came from getting information about the sit-in from the traditional mass-mediated news (whether by television or newspaper), direct communications between students by e-mail and phone were also critical. In this early stage, UNITE’s role was again critical, by funding the conference calls. According to USAS member Marion Traub-Werner (interview, 2007), “Now [those conference calls] would all be free, but at the time it was a very expensive service, and UNITE paid for the entire thing--and paid all the long distance charges. […] We would have like eight-hour conference calls. We were talking thousands of dollars; I mean, literally, twenty or thirty thousand dollars in conference calls.” Even if these figures were somewhat lower than Traub-Werner recalls, this would still be a substantial sum of money; few other SMOs besides a labor union would even have the resources to pay for such a thing.

They were resources well spent though. The information students shared could be as simple as a flier they had designed, all the way to sharing strategies for a sit-in. Often times, the students would discover that their administrations were using similar arguments or delaying tactics (such as referring the matter to a committee, as discussed in the last chapter) against them--and they could learn from each other’s responses to them. Once students at a few campuses learned that committees were a dead end, for instance,
intercampus communication allowed it to become part of USAS’s common pool of knowledge that they should avoid agreeing to them--and allowed the student activists to learn this in the midst of their campaign during the school year and not need to wait until the next summer conference. They might also coordinate a common day of action, where students on multiple campuses would all mobilize on the same day around the same issue, simultaneously pressuring their administrators. Caroline Stoppard* (interview, 2007), a USAS member at Indiana University, recalls,

> Nothing we did would have been as effective if it had only been one campus. [...] There was a lot of communication as to what's going on among campuses [...] and there continues to be. That's a really important part of the movement. I guess [it’s part of] what makes USAS so effective---I sort of take it for granted that everyone's going to know what's going on around campus, but I guess I shouldn't. It is kind of an accomplishment that those networks were established and maintained.”

The national staff also play an important role in coordinating actions between campuses and passing on strategic knowledge. Znorr (interview, 2007) described his work as a regional organizer, coordinating the campaign among the University of California system campuses in support of the DSP: “I ended up doing a lot of the groundwork. I would travel to different campuses and hang out with the group leaders, get to a point where we were friends basically, and then I would keep in touch with them about how their campaigns were going, try to offer advice or support, and then we would make our decisions collectively on our conference calls during the week.” Trina Tocco
(interview, 2007) recalled that when she first started organizing at Western Michigan University in 1999, shortly after USAS was founded, “I remember the training for me was in the form of sitting for hours on the phone with [then lone national staff person] Eric Brakken. I remember being nineteen years old, having never met this man, but I talked to him more than anyone else in my life at that point.”

It is such organizations and networks, and the knowledge that they hold in their collective memory, that allowed USAS and its allies both to develop such innovations as the Worker Rights Consortium and the Designated Suppliers Program and to wage successful international campaigns in support of workers in specific factories, processes we will examine in the following chapters.
Chapter 9: The Brands Strike Back: Corporate Social Responsibility and the Creation of the Fair Labor Association

The Limits of Corporate Social Responsibility

As noted in chapter five, during the first wave of student anti-sweatshop activism at Duke and other schools, the brands were not passive in their response to the student campaign, but actively fought against them. The companies that collectively form the apparel industry are not simply inert structures which constrain the actions of the movement. They are also social actors who respond strategically to the movement (Jasper and Poulsen 1993; McAdam 2004), developing counter-measures, i.e. actions they hope will thwart the movement or at least blunt its impact. These counter-measures must be considered part of the social environment and therefore the political opportunity system within which the movement must operate. The principle counter-measure which the brands eventually settled on were corporate social responsibility (CSR) programs, including both in-house “social compliance” departments and corporate-dominated NGOs, such as the Fair Labor Association (FLA), charged with monitoring their member companies. While factory owners may rely on repression of workers as their favored counter-measure (an issue we will look at in chapters twelve and thirteen), in the US the brands are usually not in a position to have thugs beat up their critics, so they have had to rely primarily on countering the students’ frame--something at which they have been relatively successful through the use of CSR.

Most of the literature on these CSR programs has looked at them primarily in terms of their effectiveness in protecting workers’ rights (e.g., Barrientos and Smith
While this is an important consideration--and I draw on this research here--in this chapter, I would like to suggest that it makes as much sense to consider these programs as much in terms of their success in allowing apparel companies to frame themselves as socially responsible in the master discursive arena of the national mass media, thereby restoring their legitimacy and their brand image following the attacks by the anti-sweatshop movement.

The unfortunate fact is that these programs have not been terribly effective in ending sweatshop working conditions. For instance, Richard Locke, Fei Qin, and Alberto Brause (2007) came to the conclusion that Nike’s internal compliance program was lacking, based on data provided by Nike itself--which, if anything, should be biased in favor of the company. Using a “data set based on factory audits of over 800 of Nike’s suppliers located in 51 different countries” (p. 20), they concluded that the results were, at best, uneven, with improvements in some factories, but many others showing no improvements or actually deteriorating in their treatment of workers over time.

“Interviews with other global brands, NGO representatives, and leaders of the major multi-stakeholder initiatives indicate that Nike’s experience with monitoring is by no means unique” (p. 21). John Ruggie, the special representative of the UN Secretary-General on human rights and transnational corporations, offered a similarly pessimistic conclusion: “We keep hearing now, from just about everywhere … monitoring doesn’t work. […] Just about everybody, at least off the record, will tell you that monitoring
doesn’t work and auditing of supplier factories doesn’t work because people cheat” (quoted in Zarocostas 2009).

If CSR programs have been ineffective at improving working conditions, what they have done effectively is acted as a counter-framing tool that has restored the apparel industry’s legitimacy. CSR programs create at least the appearance that these companies are sincerely trying to do something about the problem of sweatshops. While I would hesitate to claim that the companies with CSR programs have absolutely no interest in fighting sweatshops, we do need to consider the facts that, as we saw in chapter three, they only initiated these programs in response to attacks by the anti-sweatshop movement and that they have consistently refused to address the root causes of the problem, instead maintaining the business practices that force their contractors to cut costs on the backs of their workers.

In looking at monitoring programs, whether they are CSR programs or genuinely independent affairs like GMIES (which we looked at in chapter three) or the Worker Rights Consortium (which we will look at in chapters ten and eleven), it is important to consider not only their effectiveness in protecting workers’ rights, but what sort of rights they are designed to protect. In their analyses of labor monitoring programs, both César A. Rodríguez-Garavito (2005) and Stephanie Barrientos and Sally Smith (2007) distinguish between protective rights (or outcome standards) and enabling rights (or process rights). Protective rights cover such basic quality of life elements as decent health and safety standards, levels of pay, reasonable overtime hours, etc. Enabling rights are those such as freedom of association (i.e., the right to form an independent union),
collective bargaining and freedom from discrimination that give workers the power to pursue respect for protective rights on their own. In other words, enabling rights are those that facilitate worker empowerment, the main goal of the anti-sweatshop movement.

According to both Rodríguez-Garavito (2005) and Barrientos and Smith (2007), corporate-sponsored monitoring programs, even if they include both on paper, tend in practice to put much more emphasis on protective rights than they do on enabling rights. Different scholars have suggested different reasons for this disparity: According to Ruth Pearson and Gill Seyfang (2001), protective rights like child labor receive more media coverage than enabling rights like freedom of association; since companies are primarily responding to consumer perceptions, they focus on the former. According to Barrientos and Smith (2007), focusing on protective rights is also more consistent with a top-down technocratic approach that corporations are comfortable with. I would suggest that, while these are doubtless factors, the most important reason is probably that suggested by Jill Esbenshade (2004b)—companies’ desire to preserve the balance of power in their favor, which protecting enabling rights would undermine. One sees equal weight given to both protective and enabling rights only in movement-sponsored monitoring programs (Barrientos and Smith 2007; Rodríguez-Garavito 2005). Thus, even if CSR efforts were actually effective, they would still be fundamentally flawed in the eyes of anti-sweatshop activists, for the same reasons that the fair trade movement’s efforts are. Corporate social responsibility programs are, at best, paternalistic, not creating conditions for worker empowerment--thus leaving workers vulnerable if interest in such programs ever declines. Rodríguez-Garavito and Barrientos and Smith, based on their own empirical
research on the effectiveness of monitoring programs, have reached similar conclusions to anti-sweatshop activists, arguing that to be effective, monitoring programs must guarantee workers’ enabling rights, countering some of the great asymmetries of power in the global production process and giving workers the power to protect themselves. Like other CSR programs, the FLA fails to do this.

The Creation of the Fair Labor Association

When students first began pushing for labor rights codes of conduct, the brands actively tried to persuade schools to oppose them, particularly the requirement for disclosure. They could not, of course, simply defend the existence of sweatshops. Instead, according to USAS member Laura McSpedon, they deployed two arguments. First, “They […] tried to make [USAS] out to be a protectionist front for UNITE and used the history of both UNITE and the labor movement as being somewhat protectionist to try to discredit us. […] [They claimed,] ‘These students are really nice, but they're just misguided, they're being used by the union’” (interview, 2007). Second, they tried to argue that disclosure of factory locations would harm them.

Their main argument--and administrators totally bought it at first--was,

“You know we can't tell you where our factories are because it could give away trade secrets--our competitors could know how we make our very special T-shirts.” And obviously in an industry like the garment industry, it's just an absurd argument--how you make a T-shirt is not like a drug patent, it's not a really complicated thing where someone has a much
better recipe for making a T-shirt than someone else (McSpedon, interview, 2007).

Indeed, it is quite common for competing brands to use the same contractors and for their products to be made right alongside each other. The brands, however, were able to make a case that many administrators found persuasive, leading them to take the companies’ stated concerns seriously.

The brands were not about to regain the moral high ground by simply opposing students’ efforts to fight sweatshops though. They had to offer an alternative solution of their own and they focused on CSR programs as the answer. In this, they were aided by an outside initiative, which soon came under industry control. In August 1996, responding to the Kathy Lee Gifford scandal and other, similar revelations in the media, the Clinton administration had formed a taskforce initiated by Secretary of Labor Robert Reich—the Apparel Industry Partnership (AIP), which brought together a number of representatives of the apparel industry and their critics from the human rights and labor community. The administration’s goal in forming the AIP was to create a system of independent monitoring which would have the support of both industry and labor rights advocates; their hope was that such a “multi-stakeholder” initiative could effectively address the problem of sweatshops, particularly those outside the US, where the government had no formal jurisdiction. This culminated in the creation of the Fair Labor Association, a “multi-stakeholder” initiative whose stated goal was to monitor apparel production in an effort to ensure that it was sweat-free.
The negotiations were long and arduous, with industry and labor advocates disagreeing on a number of important issues—workers’ right to freedom of association; the issue of whether contractors’ should be required to pay a living wage; and what actually constituted effective, independent monitoring. There was no agreement on how companies should operate in countries such as China and Vietnam where only government-controlled unions are legal and independent unions are banned. The industry representatives opposed the concept of a living wage, pushing for language that instead required their contractors to pay the local minimum wage or the prevailing wage in the industry, whichever was higher—which often meant that contractors did not have to pay any more than the inadequate wage that they were already paying. There were two major issues related to the definition of independent monitoring. First, the companies wanted to be able to select their own monitors—which would make their actual independence questionable. Second, while it was agreed that human and labor rights groups would be accredited as monitors, industry also wanted to accredit accounting companies, despite the fact that they had no expertise in labor issues and often had close ties to apparel firms, to whom they provided auditing and consulting services (Esbenshade 2004b).

When it became clear that the AIP as a whole could come to no consensus, nine members of the taskforce—Liz Claiborne, Nike, Reebok, and Phillips Van Heusen from the apparel industry; and Business for Social Responsibility, the Lawyers Committee for Human Rights, the National Consumers League, the International Labor Rights Fund, and the Robert F. Kennedy Memorial Center for Human Rights, all moderate NGOs—began to meet separately to hammer out an agreement among themselves, deliberately
excluding the unions who had been part of the AIP. The industry groups made two minor concessions to their critics: First, they agreed that they could only hire their monitors from a list accredited by the organization as a whole, thus creating some room for NGO input into who qualified as a monitor. Second, they agreed that the US Department of Labor would conduct a study of whether or not the minimum wage in countries where they had operations was sufficient to meet workers’ needs. After reaching a consensus among themselves, they presented their agreement as a *fait accompli* to the other Partnership members. The nine AIP members who forged their separate consensus secured the support of four other apparel companies--LL Bean, Patagonia, Nicole Miller and Kathie Lee Gifford--but UNITE, the Retail, Wholesale and Department Store Union (RWDSU), and the Interfaith Center on Corporate Responsibility (ICCR) refused to have anything to do with the agreement. Despite this, the remaining groups went forward and on November 2, 1998 officially formed the Fair Labor Association. In short order, UNITE, the RWDSU, and ICCR all officially pulled out of the AIP and publicly denounced the agreement, as did the AFL-CIO (Esbenshade 2004b; Greenhouse 1998b, 1998c). Those NGOs that remained part of the FLA argued that by doing so, they could continue to push for higher standards in the future. “‘Those of us on the nongovernment organization side are continuing to fight for higher wages in this industry,’ said Michael Posner, executive director of the Lawyers Committee for Human Rights. ‘This issue is central to our thinking going forward. Remember, this a first step and we have a lot of work to do to make this work’” (Greenhouse 1998b).
Despite the fact that industry representatives had largely been able to set the terms of the agreement, the FLA still had trouble attracting additional companies as members. Indeed, some companies initially involved in the negotiations rejected the FLA as too restrictive and the monitoring scheme as too expensive (Greenhouse 1999b). It was unclear if the organization actually had a meaningful future. As these events were unfolding though, so was the first wave of student anti-sweatshop activism, demanding disclosure and independent monitoring, as we saw in the last chapter. College administrators quickly realized that they simply did not have the expertise or infrastructure to monitor the codes of conduct they created in response to student demands. They also hoped to find a way to placate the students, thus bringing some quiet to their campuses. Meanwhile, both the Clinton administration and those companies that were part of the FLA began actively recruiting colleges to join the Association. Nike offered to disclose its factory locations in return for schools joining the FLA, a powerful incentive since Nike was one of the principle licensees of many schools at which USAS was active. Since becoming a member of the FLA seemed like the perfect solution to several of the problems college administrators faced, this recruiting effort soon proved fruitful (Esbenshade 2004b).

On March 15, 1999, seventeen colleges and universities, including Duke University, became the first members of the FLA representing higher education (Krupa 1999); by late April, fifty-six colleges had joined (Greenhouse 1999b). (As of April 2009, the FLA had 209 college and university affiliates (Fair Labor Association 2009).) Not only did all these new members ensure the stability and relevance of the Association, but
the presence of colleges and universities greatly enhanced the FLA’s legitimacy (Esbenshade 2004b). USAS member Eric Brakken (interview, 2007) said, “We really saw and they really saw this move by FLA and the universities as their attempt to legitimize the FLA after they had been attacked by the anti-sweatshop community”. USAS activists were deeply upset by this decision on the part of administrators--they saw the FLA as deeply flawed, for reasons we will explore below. They soon began a campaign to push their administrators to leave the FLA, a campaign that would eventually culminate in the creation of the Worker Rights Consortium, a truly independent monitoring organization, without industry ties--a process we will look at in the next chapter.

The Operations of the FLA

To understand why USAS and other members of the anti-sweatshop movement are so critical of the FLA, we need to look at the details of how the FLA is organized and operates. As originally constituted,

[t]he FLA’s board was to be made up of six NGOs and six companies, plus a neutral chair. To become a participating member, a company would need only majority approval. However, two-thirds of each side would need to approve any decertification, making it necessary for four companies to vote another company out. In fact, any important change would require a “super-majority” vote, virtually congealing what was touted as a preliminary arrangement with room for improvement (Esbenshade 2004b 182) (see also Wells 2007).
With the addition of colleges and universities to the organization, the board was changed to give member colleges three representatives (Esbenshade 2004b), later changed to a full complement of six (Fair Labor Association 2008a). Companies initially paid membership dues of $5,000 to $100,000, based on their annual sales; colleges and universities paid membership dues of 1% of their annual licensing revenues, to a maximum of $50,000 (Krupa 1999). The federal government also originally provided some funding, though this was later cut back (Esbenshade 2004b).

The FLA oversees a monitoring process, which certifies companies as being in compliance. Participating companies are supposed to both monitor all of their factories they contract with through their own internal monitoring system; and hire an outside, FLA-approved monitor to regularly inspect a percentage of the factories. As noted above, these monitors could be either NGOs or accounting firms, despite the lack of labor rights expertise on the part of the latter; in addition, a number of for-profit monitoring firms have sprung up that have been accredited by the FLA. For the first three years of a company’s membership, outside monitors had to inspect 30% of their factories; each year afterward, the monitor would check on between 5-10% of the company’s factories to ensure they were in compliance with the FLA’s code. Companies had significant influence over which factories were actually inspected. Such inspections were announced beforehand, which effectively allows management to clean up their act, eliminating any problems, at least for the duration of the inspection. The results of the inspections were considered confidential and not made available to the public (Esbenshade 2004b; Greenhouse 1998b). A typical inspection would last only a day or two and, while the
monitors would typically interview workers, they would do so on factory premises, thus denying them the protection of confidentiality (Blasi, Schmaedick; interviews, 2007).

Many of the NGOs that initially stayed with the FLA in the hopes of improving it grew increasingly frustrated over time, as the industry members vetoed any significant improvements. Eventually, all of the groups with any meaningful connection to the labor movement withdrew. The final one to pull out was the International Labor Rights Fund (ILRF), which resigned from the Association on October 4, 2001. The resignation of the ILRF, along with the success of the WRC and continued pressure from the anti-sweatshop movement, did, however, finally prompt the FLA to make a number of important reforms to its operations in late 2001 and 2002. Participating companies no longer select and pay for their monitors; this process is now done by the FLA’s staff. The system of selecting factories for outside inspections was randomized, inspections were made unannounced, and some degree of public disclosure of the reports was implemented (Esbenshade 2004b). What is note-worthy here is that the FLA has felt some need to emulate at least part of the practices of truly independent monitors, such as the WRC, indicating that there are some limits to just how successful CSR is as a legitimating strategy in the face of continued movement opposition unless there is at least some appearance of independence and transparency (Rodríguez-Garavito 2005).

Despite these important improvements, problems remain with the FLA’s programs. The monitoring reports, while summarizing the results of the inspection, report only the name of the lead apparel firm, the monitoring organization, the region where the factory is located, the problems and progress being made towards correcting the
problems. The public reports do not contain the actual name and location of the factory, however, making it extremely difficult for third parties to verify the accuracy of the reports. Additionally, due to a loss of government funding, the number of inspections decreased--to only 10% of factories during the initial period and 5% of factories each year thereafter (Esbenshade 2004b). Monitoring visits are still brief and still do not protect worker confidentiality (Blasi, Schmaedick; interviews, 2007).

Beginning in 2007, the FLA began to reconsider its whole approach, developing a new monitoring methodology that they refer to as “FLA 3.0,” a strategy consistent with what Richard Locke, Matthew Amengual and Akshay Mangla (2009) call a “commitment-oriented approach.” It is not only the FLA that is looking more closely at such a program--Ruggie, the UN official quoted above on the ineffectiveness of monitoring programs, has suggested that the FLA’s 3.0 approach could be a solution to the problems he named (Zarocostas 2009). Locke (an MIT business school professor who has worked closely with Nike on its labor standards) and his colleagues drew the conclusion that the “commitment-oriented approach” was far more effective than the traditional monitoring model after reviewing the internal CSR programs of an FLA member company known by the pseudonym of ABC. Inspectors who sought to monitor ABC’s contractors in the conventional style had less success in improving working conditions at these contractors than inspectors who worked in a more cooperative fashion with the contractors’ management to help them identify and fix problems. Locke, Amengual, and Mangla characterize this commitment-oriented approach as follows:
In this [...] approach, information, incentives, and power relations also play important roles. But they are utilized in different ways [than the traditional compliance approach]. Rather than simply employing factory audits and the threat of sanctions (in the form of reduced or terminated orders) to drive behavioral change, the commitment approach uses this same information and the frequent presence of auditors in the factories to engage in a process of root-cause analysis, joint problem solving, information sharing, and the diffusion of best practices that is in the mutual self-interest of the suppliers, the auditors, and the global corporations for which they work (p. 321).

In 2008, the FLA began experimentally implementing its own commitment-oriented approach in the form of the FLA 3.0 program in Central America and with selected companies in China and Thailand. This change in direction was based on the recognition of a significant flaw in the assumptions underlying the FLA’s old methodology— that compliance with fair labor standards is the norm in the apparel industry and that deviations from it are exceptions that can easily be corrected. With the switch to the FLA 3.0 approach, the Association acknowledged that sweatshop conditions are pervasive in the apparel sector. While this is an important step forward, the FLA attributes this problem to simple ignorance on the part of both factory managers and workers of what proper labor standards consist of and a lack of the necessary resources on the part of managers to comply. Following the commitment-oriented approach, the FLA will switch away from an adversarial approach to monitoring and focus on helping
factory-owners assess how well they are complying with the FLA’s labor standards through consultations with both management and workers. They also encourage management to voluntarily report any violations they have committed, assuming that this is due to not knowing how to meet the standards. The FLA will then work collaboratively with management to find ways to correct the problems. They may, for instance, provide companies with training in proper human resources practices to eliminate discrimination in hiring (Fair Labor Association 2008b; FLA Watch no date; Sweat-Free Stanford Campaign 2007).

The FLA has a centralized code of conduct, which all member companies are expected to abide by themselves and ensure that their contractors do so as well. The code includes prohibitions on forced labor, child labor (defined as workers under fifteen years old), harassment or abuse of employees (verbal, physical or sexual), and discrimination in hiring and management practices. Management is supposed to ensure that adequate health and safety conditions are met and recognize workers’ right to form a union and engage in collective bargaining. In paying both standard and overtime pay, employers are supposed to conform with either local law or the prevailing wage in the local industry, whichever is higher. The workweek itself is supposed to be no more than forty-eight hours, plus twelve hours overtime, with one day off a week guaranteed; exceptions, however may be made in the case of “extraordinary business circumstances” (Fair Labor Association 2008c). Some of the problems with this code have already been noted--it does not deal with the question of freedom of association in countries where independent unions are illegal and it contains no provisions for a living wage. Additionally, many fear that the exception
allowed to the workweek time limit in case of extraordinary business circumstances leaves a lot of room for abuses (Esbenshade 2004b).

The Movement Critique of the FLA and CSR

The anti-sweatshop movement’s critique of the FLA operates on two levels. One is a critique of their monitoring and certification practices, which anti-sweatshop activists argue are carried out in such a way that their effectiveness is highly questionable. At a more fundamental level, the movement critiques the FLA for being built on an inherent conflict of interest, in that the core apparel companies play a significant role in governing and funding the very organization that is supposed to monitor them. It is, as one newspaper report quoted University of Oregon student Mitra Anoushiravani, like having “a fox monitoring a chicken coop” (quoted in May 2000). It is this fundamental conflict of interest that in many ways accounts for the faulty monitoring practices.

The FLA’s Compliance Program

One major point of criticism that the anti-sweatshop movement has of the FLA is the very fact that they certify brands as being compliant with their requirements, a practice activists view as highly misleading. Brakken (interview, 2007) recalled, “Within the framework of the FLA, people were deathly afraid of that.” Strictly speaking, the FLA certification simply indicates which participating brands are in compliance with its monitoring requirements, not that they are sweat-free. As sociologist Gay Seidman (2007) points out though, most consumers do not have a terribly sophisticated
understanding of such certification programs. Even a well intentioned consumer does not, generally speaking, have the time to thoroughly investigate what any particular certification may actually entail—and so it is all too easy to take a certification like the FLA’s as an indication that the brand in question is actually sweat-free. Brakken (interview, 2007) explained, “Obviously the idea of providing labels is a huge incentive—a lot of companies, one would think, would want that label with the increasing scrutiny and consumer concern about sweatshops. But there was a debate about whether or not a factory could ever be sweatshop-free.” Ultimately, anti-sweatshop activists decided that, even in the case of the monitoring organization they created, the WRC, they were not in a position to certify anything as sweat-free. The sheer scope of the problem, both in terms of the pervasiveness of the sweatshop problem and the size and global distribution of the industry, mitigated against any surveillance system that could actually continually monitor factories or brands for violations. And anti-sweatshop activists did not want to mislead consumers with the idea that the problem could be so easily solved. (As we will see in chapter fifteen, USAS would eventually back a certification program—the Designated Suppliers Program—but it has a much more limited scope.) The FLA apparently did not have such concerns.

The monitoring program which the FLA uses to certify participating companies’ compliance is also highly problematic. First, there is the question of “who the monitors would be again—this question of is it [the accounting firm] Ernst & Young being hired by a company to do a self-assessment or is it NGOs that are explicitly fighting for workers' rights?” (McSpedon, interview, 2007). Even some of the monitoring organizations that
are nominally non-profits, such as Verité, are primarily oriented towards providing a service to the major apparel firms and operate very much like commercial firms, not workers’ rights organizations (Esbenshade 2004b). In Monitoring Sweatshops, sociologist Jill Esbenshade (2004b) extensively analyzes the organization and practices of the commercial and quasi-commercial monitoring firms on which the FLA relies so heavily. She found them, for the most part, to be unfit for the job. While the heads of the monitoring firms might have some experience with labor issues, most of the monitors they hire do not—they may be recent college graduates, or former Peace Corps volunteers, or missionaries, the last of whom are valued for their foreign language skills. They are insufficiently trained and, at the end of the day, generally have little understanding of workers’ rights. She found their actual monitoring practices to be inconsistent and sloppy. Additionally, private monitoring firms attribute little importance to the violation of such enabling rights as freedom of association and collective bargaining. Both they and the companies that hire them see what they do as a substitute for unions, ensuring the well-being of workers without the need for intervention of the “third party” of a union.

In addition to the lack of qualifications on the part of many of the monitoring organizations the FLA uses, their actual monitoring practices leave much to be desired on multiple fronts. To this day, the FLA still does not disclose factory locations. As noted in the previous chapter, disclosure has been central to the anti-sweatshops’ demands. According to McSpedon (interview, 2007),

We felt like if there were a public list of factories that produced Georgetown apparel, then a human rights group in El Salvador could look
at that list and say, I'm going to talk to workers in the factory, because I
know that this university has said they don't want certain things, right?
People could look at that list and hold these companies accountable in a
way that we could never do with supposedly random inspections of a
privately held list of factories.
The FLA, however, relies on such privately held lists, making independent verification of
their reports impossible.

There is also the fact that the FLA, at least initially, gave factories advanced
notice of inspections--giving managers a chance to cover up any violations (Esbenshade
2004b) (Brakken, interview, 2007). While the FLA corrected this in 2001, other problems
remain. For one thing, the inspections are usually very brief. According to Agatha
Schmaedick (interview, 2007), a former WRC investigator, “They take place over just a
few days to at most a few weeks,” in contrast to the WRC’s inspections which normally
take several weeks. Such short inspections do not last long enough to uncover serious
abuses, which may require extensive investigation. According to Locke, Amengual and
Mangla (2009), monitors at the ABC company themselves complained that such short
visits were ineffective.

ABC auditors typically spend one working day on a factory visit; more
than half of this time is consumed by reviewing documents, while the
physical inspection of the factory may take a few hours. The worker
interviews may consume less than an hour. Thus, the audit is primarily
based on factory records, which the auditors themselves claim to be
unreliable and often inaccurate. With limited time, auditors cannot verify all factory records, making it very difficult to find noncompliance in factories that falsify records (p. 332).

In the case of the FLA, there is also frequently little continuity in inspections, according to Schmaedick (interview, 2007). Here, in fact, the in-house monitoring departments actually perform better.

The [monitors] that are inside corporate entities [i.e., CSR departments], there's actually a little bit more continuity because it's the brand who's in a factory for a long period of time, they will continue to do assessments, versus Verité and SAI that will be hired to do an assessment and they'll just come in for a few days or week to do the assessment and then give the report and leave. There's not much follow-up.

Such follow-up is often critical to fixing problems, however. “Finding violations, unfortunately, is almost too easy, the violations are so blatant. But the follow-up ensures that promises that are made are kept” (Schmaedick, interview, 2007). As we will see in chapter eleven, such follow-up is central to the WRC’s methodology.

Ken Abrams* (interview, 2007), who has experience with monitoring, also critiqued the FLA for the fact that its monitors “interview workers inside the factory which hampers their ability to be candid--the managers are there watching those who are being interviewed. That's the standard--ninety-nine percent of all audits done by social control auditors are done based on interviews inside the factory.” The FLA’s official guidelines for its inspectors advise them to interview workers in places where they will
be safe from their employers’ surveillance and not to ask leading them questions. These guidelines, however, are both vague and suggestions only, not requirements. It appears that, in practice, FLA monitors rarely follow these guidelines closely (Wells 2007). Such lack of confidentiality leaves workers vulnerable to retaliation—being fired for instance—should they report serious problems, a fact that managers in some plants take advantage of. USAS member Liana Dalton (interview, 2007) told of her experience aiding workers while interning in Hong Kong:

I translated a lot of documents that [mainland Chinese] workers were given before the interview—Here’s the top forty questions asked by auditors, memorize the answers, if you answer wrong, you’re going to be fired. The last question is, Have you been told how to answer any of these questions or lied during this interview? And they’re supposed to answer no. I was talking to workers about that and they said the auditors come in and they send half of us home from work; they interview hand chosen workers—that kind of stuff.

Managers, on the other hand, are given a guarantee of confidentiality by FLA inspectors, in a double-standard that favors the very party that is least vulnerable to retaliation (Esbenshade 2004b). Additionally, while FLA guidelines require that factories provide a means for workers to complain directly to the Association, the guidelines are again vague and, it would seem, ineffective or poorly implemented—the FLA has received only a handful of complaints directly from workers (Wells 2007). As we will see in chapter
eleven, this is much different than the WRC, whose monitoring program is centered around worker complaints.

Caroline Stoppard* (interview, 2007), who has experience with monitoring, told me, that, as one might expect,

That kind of monitoring is just not effective at identifying what the most serious kind of violations are and getting them fixed. They're very good at finding health and safety violations, things like the floor mat should not have been three inches from the door; it should have been four inches from the door. Like the fire extinguisher is located three feet from the ground; it really should be four and a half feet from the ground. Maybe even more serious violations like machines not having certain guards. But they're almost never going to get to the bottom of problems to do with the freedom of association of workers or harassment of the workers, that they wouldn't talk about even if they know or are aware. And then there are all sorts of other problems the factories can cover up--forced overtime, excessive overtime--if they want to.

In other words, the FLA performs best at finding violations of protective rights, while failing miserably when it comes to enabling rights.

Stoppard (interview, 2007) went on to tell me of a report by Bureau Veritas, a for-profit monitoring company, that her group had gotten a copy of, describing conditions in a coffee mug factory in China.
Of course the only violation they find is that there aren't enough lights by the exits, so they need to install more lighting by the exits. I'm sure it's a great thing for them to be reporting, but the fact that it's in China--I'm sure there are few more problems than there's not enough light by the door so workers can see their way out. But the best part is in the section on freedom of association. There's this whole two or three sentence explanation of their findings on freedom of association which says something like, “All workers without distinction have the right to form trade unions of their own choosing and bargain collectively.” This is in China--you get thrown in jail if you try to form a trade union of your own choosing, bargain collectively, or to form any kind of organization that's not sanctioned by the Communist Party. Where do they get this? Clearly, they didn't get that from talking to workers--that's not even the language a normal person would use. Clearly, they pulled it from some code of conduct and decided it was the right finding and put it in there. It's just a joke. It doesn't mean anything. That's just one report, but that's an example of what this kind of auditing is about, and that's, unfortunately, the majority of the FLA's program.

The inadequacy of corporate-sponsored monitoring systems--not only the FLA, but the major firm’s own social compliance departments--can be seen in the fact that, at least in some cases, the brands themselves actually have very little idea what is happening on the ground. Agatha Schmaedick (interview, 2007), a former WRC monitor,
said, “I've written stuff for Adidas before on what Indonesian law is. It's ridiculous that they don't know that themselves--if you've worked in the country for years and you've actually done business here, you should know what the investment laws are, you should know what the labor laws are. But we're constantly having to educate them on that.”

Trina Tocco (interview, 2007) of the ILRF has also concluded that the problem is partly sheer ignorance. She said of Wal-Mart’s monitoring program,

They don’t do well with freedom of association, whether it’s in the US or elsewhere--and I’ve actually come to the conclusion that it’s really because they don’t understand it. They don’t get it. So it’s just spending some time outside of our escalation of tactics, like making sure that they even understand what the difference is between an independent union and a company union and stuff like that. […] I think that some would say that they were just playing with you but to me, the various people that I spoke to, just the questions that they were asking, I was just like, What? You say that you audit a couple thousand factories a year, how are you not able to clearly identify what’s a proper union and what’s not--freedom of association is on your check-list.

Schmaedick went on to relate to me the story of an investigation the WRC had done of PT Panarub, a factory with which Adidas frequently did business; Adidas had actually invited the WRC in to mediate a conflict they were having with the international development NGO Oxfam. “The main issue there was the freedom of association issue and Adidas was pretty honest with us about the concerns they had about the union
situation and that they thought there were some violations around freedom of association.” The WRC’s investigation uncovered far more than union-busting though. For several years, the factory had been failing to be pay into Indonesia’s national healthcare and pension system, as they were legally required to do. There is also an old Indonesian law, rooted in traditional local mores, that allows menstruating women to take time off from work. Rather than simply giving women time off when they asked, as most factories did, PT Panarub forced the women to undergo a humiliating physical examination by company nurses. “When Adidas found out that this was happening they just freaked out and they were really shocked--they didn't want it to get out there that this was something that was happening for years and they didn't even know this was happening,” since this could severely damage their brand image (Schmaedick, interview, 2007). Thus, even from the brands’ perspective, never mind from the anti-sweatshop movement’s, their monitoring programs would frequently seem to leave much to be desired. The disparity between the WRC’s and Adidas’s performance is all the more striking when one remembers that the WRC is a small non-profit with a staff of fifteen and Adidas is a transnational corporation that generates profits in the hundreds of millions of dollars a year.

Members of the anti-sweatshop movement do not regard the Fair Labor Association’s new FLA 3.0 approach as a meaningful improvement, since it involves looking in the wrong place for the causes of the problem. Locke, Amengual and Mangla (2009), in their defense of the “commitment-oriented approach,” explicitly argue that the inequalities in power in the global economy are not the main cause of sweatshops. It is
worth quoting their explanation of this position at length:

For most apparel suppliers [i.e., contractors], individual global brands constitute but a small fraction of their total business (and thus of dedicated factory capacity), and even this is usually for only part of the year, for a season or two, and with no guarantee that orders will be repeated in the future. In this context, it is not at all clear that global buyers have the ability or leverage (let alone credibility) to pressure these suppliers to raise wages, reduce working hours, or even invest in costly improvements to their production systems to improve working conditions. It is an open secret that very few brands ever exit factories, even when they are found not to be in compliance with the codes of conduct. It is also well understood that most compliance officers have less influence than their purchasing or sourcing colleagues when deciding whether or not to place (or continue) an order with a noncompliant factory. Moreover, when brands do leave a factory, they lose any leverage they once had if the factory finds other, less-demanding clients. If the factory does go out of business, this penalizes both the workers and the management, and as a result many labor rights groups are now pressuring brands to stay with factories and work to remediate problems rather than exiting. All of this challenges the received wisdom that global brands, if only willing, are able to “force” their suppliers to comply with their codes of conduct (pp. 325-326).
There are several things worth noting here. First, Locke and his colleagues (2009) explicitly acknowledge that most brands are simply not deeply committed to enforcing their labor standards; their CSR programs take a distant second place (if that) to maximizing profits. Locke, Amengual and Mangla, however, accept this as a given, rather than suggesting steps that should be taken so that the core apparel companies make labor rights a greater priority. Second, in denying the importance of power inequalities in the global economy, they leave out two crucial issues. One, they look only at the relationships between companies, not focusing on the lack of power workers have to protect themselves in the global economy. But, according to Rodríguez-Garavito (2005) and Barrientos and Smith (2007), it is this inattention to workers’ lack of power in the form of enabling rights that vitiates the effectiveness of most monitoring efforts.

Second, Locke and his colleagues (2009) ignore some of the important facts we discussed in chapter two: While contractors may sometimes be in a position to switch which lead apparel firms they do business with, all the brands across the board demand that the contractors keep costs down as much as possible— and it is this that more or less compels factory-owners to engage in sweatshop labor practices. They may well also be overestimating the independence of the contractors, many of whom operate on a shoe-string budget and cannot necessarily afford to be selective about which brands they work with. As the Stanford University USAS chapter notes in its critique of the FLA 3.0 program, “While we find it plausible that a factory, under the new system, might report overtime violations in order to be trained in better management skills, we see no reason for a factory to voluntarily admit that they force applicants to take pregnancy tests, or that
they refuse to allow their workers to unionize. How would factories benefit by reporting these problems?" (Sweat-Free Stanford Campaign 2007). The FLA 3.0 assumes good will on the part of factory-owners, ignoring the fact that many labor rights violations are quite deliberate attempts to control costs, in turn a response to the policies of the lead firms (Sweat-Free Stanford Campaign 2007).

Additionally, Locke, Amengual and Mangla (2009) elsewhere in their article advocating a commitment-oriented approach note it can only work if the lead apparel firms make a long-term commitment to the contractors they work with. While they may have such relationships with a few key suppliers, on the whole the brands have resisted forming such relationships. As we will see in chapter fifteen, USAS has explicitly pushed for forming such long-term relationships in its proposed Designated Suppliers Program; the core apparel companies are, however, deeply opposed to any such program. Locke and his colleagues also acknowledge that, even at their most effective, such monitoring program cannot stand on their own, but must also be accompanied by the “countervailing power” of strong unions and state regulation (see also Locke et al. 2007). As already noted, however, the brands tend to see monitoring as a substitute for unions; additionally, they have opposed strengthening any form of countervailing power to their own, whether state or labor union. Therefore, it seems unlikely that the apparel industry will be willing to create the conditions Locke and his colleagues see as necessary for a commitment-oriented approach such as FLA 3.0 to effectively protect workers’ rights.

It should be noted, however, that members of the anti-sweatshop movement were not totally disparaging of the FLA’s efforts. Stoppard (interview, 2007) said, “They do
respond to complaints, which can be helpful at times, especially when the WRC is
working on a case too and they can reach agreement with them on what the problem is.
They usually reach agreement with the FLA on the problem. The problems are in the
documents—it's the action [recommendation] writing that results in a disagreement. But
it's still helpful for the WRC to have the FLA acknowledge that the same problem is
going on.” While the WRC may be better at detecting problems, the FLA has more
weight with the core apparel companies. If the WRC can persuade the FLA to come on
board and bring the brands with it, then it is far easier to solve the problem, since the
brands have far more influence with their contractors than anyone else does (Esbenshade
2004b; Rodríguez-Garavito 2005).

Corporate Power in the FLA

There is, of course, a good reason that the FLA has continually failed to develop
an adequate monitoring system and why its 3.0 approach is so wildly off target in
identifying the causes of sweatshop conditions. It is not necessarily a lack of commitment
on the part of the FLA’s staff, at least some of whom are genuinely committed to
workers’ rights. For instance, Auret van Heerden, who served as both director of
monitoring and executive director for the FLA for many years, came out of a background
as a labor activist under the apartheid regime in South Africa. While one might question
the wisdom of the approach he has taken in working closely with the apparel industry, his
dedication to labor issues seems to be real (Esbenshade 2004b) (Hermanson, interview,
2007). Tocco (interview, 2007) has drawn a similar conclusion about the people in
companies’ in-house CSR departments: “There are individual people within these companies that do kind of get it at a variety of levels. But a lot of times the weakness is that that person is kind of put over in the CSR corner and is not given decision-making power to really fix some of the root problems.” Just as CSR personnel lack real power in most companies, it is not labor rights activists who exert the most influence in the FLA. It is rather the major apparel firms that sit on the Association’s board that prevent the FLA from being effective.

Long-time labor activist Jeff Hermanson (interview, 2007) observed that [I]n their first couple of tests, or at least the first couple of big tests, in my opinion, the FLA actually did act honorably and effectively. […] But from there, it's been a decline in effectiveness—I don't want to attribute this to Auret, because I think Auret's an honorable guy--but I think there's been a decline in the honesty of the process, a lack of commitment to it by Nike.

Duke administrator Jim Wilkerson, who was actively involved with the FLA, but withdrew from the organization in 2001 (later to join the WRC), expressed a similar sentiment:

I personally am quite disappointed in the results achieved by the Fair Labor Association since 2001. They have done some good work, but I don't feel that they have gone after these issues aggressively enough, nor achieved results that lead to lasting improvements in the conditions in the factories and in the lives of the workers. And I feel that there over time has developed too much corporate influence in the Fair Labor Association,
which I think has contributed to a softening of its approaches towards remediating labor rights violations.

The problem is that “private monitoring […] was built on irreconcilable contradictions. These contradictions can be summarized as follows: First, manufacturers [brand name companies] are in control of a program meant to discipline them; and second, workers are not participants in a program meant to benefit them” (Esbenshade 2004b). The Fair Labor Association is a creature of the core apparel companies that sit on its board, provide much of its funding, and collectively wield veto power in decision-making. USAS member Thomas Wheatley (interview, 2007) recalled that as soon as USAS members heard about the FLA and its composition, they were suspicious: “We were all thinking, Well, who are those people, what's that about, that doesn't sound good—it has corporations and the workers representatives and community groups together—but we don't think that corporations should be at the table.” The reason corporations should not be at the table is there is an inherent conflict of interest involved--the FLA essentially allows the corporations involved to monitor themselves, while creating a façade of independence. It is the corporations on the board that help set policy--and have veto power over policy changes. While the FLA may now hire monitors itself, instead of allowing member companies to do so directly, creating something of a buffer, it is still the member companies that help define the code of conduct to which they will be held and the standards for choosing which groups will be hired as monitors (Esbenshade 2004b; Wells 2007).

The major apparel companies that sit on the FLA’s board have no interest in
reforming the system of production which causes sweatshops in the first place, since
doing so would reduce their flexibility and increase costs; nor do they have an interest in
a monitoring system that would enforce enabling rights, allowing workers to organize
independently and wield some power in the workplace (Esbenshade 2004b). Schamedick
(interview, 2007) observed, “There's still such a huge disconnect between compliance
departments and enforcement departments. Factories that have taken strides in
compliance and have signed path-breaking contracts with workers ensuring meaningful
wage increases, health insurance, all compliance with local laws--often those contracts
are not even fully in force before the factory loses all of its orders and eventually has to
shut down or outsourc the majority of its production.” This is the pattern we have
observed before: Decent working conditions increase contractors’ cost of doing business,
leading the apparel firms to pull out in response--even when the contractors took their
actions to comply with the lead firms’ own codes of conduct. USAS member Molly
McGrath (interview, 2007) said, “Time and time again the FLA still makes excuses for
companies, in specific circumstances where it really matters, like when they close a lot of
factories, they’ll say, Sorry, it’s the global economy. They don’t really have any real
analysis of the fact that you can see a correlation between factories closing and whether
or not the factory has a union.” While it is true that the global economy does, in a sense,
force companies’ hands, they have collectively helped write the rules of the global
economy and resisted rewriting them in a more worker-friendly fashion.

In regard to worker empowerment, Esbenshade argues, that under the FLA and
other such corporate-sponsored monitoring schemes,
the manufacturer [brand name company], which profits from the workers’
exploitation, is charged with eradicating that exploitation. The
manufacturer is both the profiteer and the protector. It is precisely this
paternalistic relationship that makes monitoring an attractive form of labor
relations for manufacturers. It is a form in which they control—to some
degree—both the abuse of workers’ rights and the defense of those rights.
Workers are neither empowered nor truly protected by this system
(2004b).

Brent Wood* (interview, 2007) also made pointed criticisms of those NGOs that
continued to work with the FLA or chose to work cooperatively with major apparel firms
in other situations. While acknowledging that they were well intentioned and often doing
good work in other contexts, he felt their approach was a naïve one. Such joint corporate-
NGO approaches as the FLA
are not based on exceeding the expectations of the brands and retailers set
themselves. […] The premise which all of this goes back to is that Nike
lacks that power [to reform conditions] in the form of being involved in
some kind of protracted, pains-taking process to overcome the obstacles to
compliance, those exist, and it's not Nike's fault or under their direction.
It's ridiculous and it's an intellectual and moral failing, obviously on the
part of the brands but also on the part of their critics that fail to recognize
[…] that you have to distinguish between what they're willing to do and
what they have the power to do. We shouldn't fool ourselves into thinking
that they don't have the power to fix the problem effectively overnight because they do. They choose not to because it's very profitable to produce under shitty conditions with very low wages. Their codes of conduct are primarily designed to let them continue to do that without suffering reputational damage that they would suffer if they didn't have some justification for continuing to operate in that manner.

All this highlights some of the flaws of “multi-stakeholder” approaches such as the FLA. It assumes that all “stakeholders” are equal, when in fact some wield far more power than others, disproportionately shaping the outcome of any agreements between “stakeholders” (Rodríguez-Garavito 2005). It also assumes that the “stakeholders” have interests that can easily be reconciled, instead of recognizing the deep antagonisms built into social structures where power is not equally distributed. There is also the question of who is actually considered a “stakeholder” and invited to the negotiating table—as I have quoted Esbenshade (2004b) on, workers are not considered “stakeholders” in this process, a very odd omission when one considers that it is supposedly for their benefit. In agreeing to such initiatives, progressive groups, such as anti-sweatshop activists, risk buying into an approach that is fundamentally at odds with their goals.

Some of Esbenshade’s (2004b) and Seidman’s (2007) findings highlight this all the more. In their extensive analyses of monitoring programs, they conclude that, with a few honorable exceptions such as the WRC, most of them are in fact quite consistent with neoliberalism. Both the US and German governments have quite explicitly supported various monitoring schemes because such schemes are market-oriented, in keeping with
neoliberalism’s search for market-oriented solutions to problems caused by capitalist markets in the first place (Esbenshade 2004b; Seidman 2007). Rather than considering the monitoring and enforcement of labor regulations a public responsibility to be carried out by democratic governments, corporate social responsibility programs and monitoring bodies such as the FLA privatize the process—what Dara O’Rourke (2003) has referred to as the “outsourcing of regulation.” Indeed, monitoring has become a sizeable for-profit business, one that itself is not subject to public, democratic regulation or certification, allowing all sorts of firms with questionable credentials to freely engage in monitoring, making decent profits while producing a deeply flawed service that does little to protect workers (Esbenshade 2004b).

Even at its most effective, monitoring programs create what Pearson and Seyfang (2001) call “policy enclaves”—only some workers in specific industries are protected in them, while others remain vulnerable to exploitation. The industries that are covered are those most vulnerable to consumer pressure. Indeed, even within these industries, the coverage of workers is likely to be highly uneven. While corporate codes of conduct cover workers in factories, they often do not cover those workers (predominantly women) doing “homework”—that is, when contractors subcontract out production to people making goods in their own homes. Even if codes do formally cover homeworkers, in practice it is extremely difficult to monitor the conditions under which they work (Pearson and Seyfang 2001). And, since they usually work in isolation from each other, homeworkers would be hard pressed to form a union or other vehicle of collective action through which they could protect themselves, leaving them even more vulnerable to
exploitation. Additionally, even in an industry where consumer pressure can make a difference, not all companies are equally responsive to such pressure. As we will see in chapter fourteen, while Nike may act quickly in order to control damage to its brand image, a company like Hanes that has much less invested in its image may well be relatively indifferent to such pressure. Additionally, monitoring programs do absolutely nothing to protect workers outside the formal economic system, those forced to work in the informal sector (Pearson and Seyfang 2001).

Esbenshade (2004b) summarizes the problem as follows:

Private monitoring is adapted to the globalized production system, but it does not challenge that system. Private monitoring accepts as given the industry’s production practices--such as mobility and hidden chains of production--and its multilayered structure, both of which foster sweatshops. Thus, although monitoring purports to, and may minimally, improve conditions for workers, it cannot systematically address the sweatshop problem (p. 10).

The only long-term solution is the strengthening of both labor unions and public, democratic regulation of the economy, whether through local governments or some transnational system of enforceable labor regulation. Even the monitoring of movement-linked programs such as the WRC still creates policy enclaves, in the WRC’s case, tied to college production. The critical difference is that the anti-sweatshop movement is aware of the limits of monitoring; its members generally advocate strong unions and public regulation. They have resorted to civil society-based monitoring programs because they
believe that, at this historical juncture, they will have an easier time changing corporate policy than government policy. As we will discuss in the conclusion though, they hope that over the long run their activism will lead to changes in public policy as well, leading to a more worker-friendly regulatory system.

**The FLA as a Corporate Counter-Framing**

If the Fair Labor Association and similar programs largely fail to improve conditions for workers, they do succeed in another way—counteracting the success that the anti-sweatshop movement had had early on in framing the issue of sweatshops in the national mass media. Indeed, it seems likely that this latter purpose, not eliminating labor abuses, was the primary aim of apparel companies such as Nike and Reebok in developing corporate social responsibility programs and supporting the FLA. Wood (interview, 2007) argued,

> You have to understand how corporations function. The goal of the corporation is to maximize shareholder returns. It is recognized within the corporation on the part of the decision-makers that doing that requires protecting, extending and bolstering the brand image, if you're a sports apparel brand. When there is a threat to the brand image the corporation has to respond, not for moral reasons, not for reasons of pride, but because it has to respond in order to carry out its function. Deciding that it has to respond, the corporation, for the same reasons, will try to find the least expensive, least difficult, least costly in every respect, method for
responding. It will choose the path of least resistance.

The path of least resistance is corporate social responsibility programs such as the FLA--programs which do not fundamentally alter the structure of the apparel industry, particularly the pattern of contracting out production for the lowest possible cost that is the main driving force behind sweatshops. Wood (interview, 2007) continued,

The brands are interested in solving their [public relations] problems. If they could solve the workers’ problems at the same time at no cost, they would because, why not, it would be safer. But there is a substantially larger cost in solving workers’ problems than there is solving the brands’ problems. Not surprisingly, they chosen a path which allows them to solve their problems without, in fact, solving workers’ problems, which would require more change and more expense and more hassle.

Based on his experience with both the FLA and WRC, Wilkerson (interview, 2007) has concluded that the leadership of the major apparel firms know that their programs are largely ineffective. When the brands ask their contractors to sign onto codes of conduct, “the factories as a matter of survival say, We'll do it--we will adhere to the code of conduct. And the companies know that the factories cannot adhere to the code of conduct standards for the price that the companies have dictated to the factory. It's a bait and switch. It's a PR game.”

What is worth noting here is that, in a sense, the movement has been successful, in that they have forced the industry to respond. They have changed the nature of the decisions that are made within the social arenas constituted by the major apparel
corporations, pressuring them to shift their strategy. The brands’ original response to the rise of the anti-sweatshop movement was to deny there was a sweatshop problem. When they could no longer credibly do so, they denied that they were responsible, since they were not the actual employers of the workers being exploited and had no way of knowing what was going on within the factories they did business with (Klein 1999). Progressive journalist Naomi Klein reports the challenge Disney’s spokesman Ken Green gave to one journalist: “‘We don’t employ anyone in Haiti,’ he said […]. ‘With the newsprint you use, do you have any idea of the labour conditions involved to produce it?’ Green demanded of Cathy Majtenyi of the Catholic Register” (1999). Scott Nova of the WRC (interview, 2007) observed to me, “When brands tell you today how committed they are in respect to the rights of workers you always have to remember that it wasn't that far in the past when they had exactly the opposite position. […] That was their position and it did not work. It didn’t protect Nike's reputation. Consumers did not buy it. They were not persuaded by the logic and it took the brands a while to realize that.” Thus, at least briefly, the anti-sweatshop movement forced the core apparel firms on the defensive, until the brands realized they needed to shift gears.

Unfortunately, the switch to emphasizing their corporate social responsibility programs proved a successful line of attack for the apparel industry. It is important to remember that the initial victory that the movement won in the discursive arena of the national mass media was an unusual one. They mass media is not an even playing field, but one where major corporations have a tremendous advantage over movements. This is not simply because corporations have more resources with which to try to shape the
coverage of the issue, though that is a large factor. There is also the fact that most reporters and editors—the people who ultimately decide which frames will be featured in the news and which will be marginalized or ignored—have been socialized in such a way, including through their training as journalists, to accord corporations and other powerful social actors more standing or legitimacy than they do more marginal groups, such as social movements (Ferree et al. 2002; Gitlin 1980; Ryan 1991). While the sensational nature of the initial exposés of sweatshops may have allowed activists to persuade journalists that they had something newsworthy to say, ultimately, journalists were inclined to believe the brands once they came up with a credible response to the movement’s critique.

Here it is worth recalling Seidman’s (2007) arguments about the often deceptive nature of corporate monitoring programs, which can create the illusion of an effective commitment to ending sweatshops when there is no such commitment. Indeed, in the experience of some of my interviewees, they can create such an illusion even when it is clear that CSR programs are not actually working. As I quoted one activist arguing above, the brands depict the problem of sweatshops as an intractable one, for which they are not actually responsible. This framing of the problem has proved quite successful for the apparel industry. UNITE staff person Eric Dirnbach (interview, 2007) observed, Just issuing a report talking about the code of conduct and all the factory monitoring really does a lot to reassure reporters and the public that they're trying. And folks will be like, OK, I understand they haven’t solved all the problems, but they're trying. You know, it looks like they're
trying. The Gap puts out a report every year now or every two years, they do thousands of factory monitorings a year, they have ninety people in their social compliance program, with a VP as head of social compliance […] . They have folks in dozens of countries, they're issuing reports, they're candid about what's wrong--I mean, it looks like they're trying. Yet if you go to the factories and take a look at what's going on, you see the same problems. I think the industry has done a good job of placating the public and the media--that's what we have to figure out how to get past.

Given the credulous attitude most journalists hold towards corporations, figuring out how to get past this framing is no easy matter.

The major apparel firms do not simply use CSR as a generalized defensive frame against the anti-sweatshop movement, but in fighting the movement in specific cases as well. They deploy the CSR frame strategically in particular conflicts with the anti-sweatshop movement in order to counter individual allegations of labor abuses. Esbenshade notes, “Liz Claiborne and Kathy Lee Gifford, for example, both used their monitors’ findings to publicly repudiate workers’ reports of violations. […] Companies such as Nike, the Gap, and Guess send information to consumers, investors, those who have signed petitions against them, and the like, proclaiming their progressive labor practices based on their monitoring programs” (2004b).

To some extent, United Students Against Sweatshops has managed to circumvent the dominance of the industry’s framing in the national mass media by waging their battles in the discursive arena of the college campus. But, of course, it is not as if their
audiences there are isolated from the national mass media. As noted in the last chapter, USAS has to deal with the pervasiveness of consumer culture on college campuses and the resulting valorization of the brands among students. It is not just students who buy the corporate framing hook, line and sinker though--the college administrators whose decisions activists must shape frequently also buy into it. Stoppard (interview, 2007) told me, in some frustration, of her experiences in meeting with administrators who had been won over by the industry:

Go to these meetings at universities and you can guarantee that one of these administrators is going to stand up and say, "I think we agree that we all--the university, USAS, the brands, and the WRC--have the same goals. We just disagree about the strategy for implementing them." I'm like, "Are you kidding? You think USAS and Nike have the same goals? I can't believe this." And they've gotten people to say this. But administrators will almost always put the brands and the WRC on the same playing field. They claim "It's a dispute over the facts--we need to get to the bottom of the facts." They're not thinking, "Nike's making money off of abusing workers' rights and has everything to lose if that's revealed, whereas WRC has no financial stake in the outcome. Maybe the WRC's right." [The brands] have a lot of allies. They have some credibility among the audiences we need to convince of our positions.

Despite the frustrations of activists though, the shift in the apparel firms’ framing strategy is an important one. In acknowledging their responsibility for working conditions
in their contractors’ factories and setting up their own codes of conduct, the brands have made themselves vulnerable in certain ways they were not before. When a factory used by a brand is caught clearly violating the brand’s own code of conduct, activists can highlight this hypocrisy. This can prove very useful in solidarity campaigns with workers struggling in sweatshops (Esbenshade 2004b)--a topic we will return to in chapters twelve through fourteen. But first we must examine the creation and operations of the Worker Rights Consortium.
Chapter 10: The Creation of the WRC

Strategic Innovation

Having analyzed why exactly the US anti-sweatshop movement finds the Fair Labor Association so problematic, we can now look in depth into the process by which they responded to its formation. This process produced the Worker Rights Consortium, a genuinely independent monitoring organization, whose creation proved to be a significant strategic innovation. As with the UNITE staff asking their student interns to look into campus procurement as a possible point of leverage over the apparel industry, it seems that the activists involved did not necessarily start out expecting to craft such an innovation. According to Eric Brakken (interview, 2007), USAS’s first staff person, the WRC was originally simply a paper proposal, meant as a conceptual alternative to the FLA, but it came to take on a life of its own as it became the focal point of the movement’s response to the Association and the apparel industry. Sometimes social movement innovation is a deliberate process, sometimes a haphazard one. The launching of the student campaign for campus codes of conduct was a bit of both—veterans of the movement at UNITE were deliberately experimenting with various potential points of leverage, but the way the student movement took off and its impact seems to have been unplanned and unexpected (if not unwelcome). The creation and launching of the WRC was also simultaneously haphazard and deliberate. This was not something activists initially planned to do, but something they did in response to new obstacles, specifically the rise of the FLA and other CSR programs. Responding to new obstacles, however, seems to be a frequent source of innovation in movements. And once the movement
decided to respond to this move by the apparel industry, they quite deliberately and carefully crafted their response, bringing together many activists to plan and coordinate the creation of this new organization.

One thing that is important to note here is that the movement is not simply innovating in isolation. Rather, the creation of the WRC was part of a larger series of moves and counter-moves by the movement and the industry: The movement generated a series of media scandals for the apparel sector, then launched a new variant of the anti-corporate campaign, trying to use college licensing agreements as a way to exert pressure over the lead apparel companies. The companies in their turn responded first by denying their responsibility for sweatshops, then creating a semblance of action through their CSR programs, including the FLA; in doing so, they hoped to undermine the power of the movement’s framing. The anti-sweatshop movement responded in their turn, creating a new monitoring organization with which to counter the companies’ CSR programs and the FLA. Like a chess game, each actor responds to the other’s actions. Unlike a chess game, however, each side does not start with even control of the board or with the same number of pieces. In the social world, the board--the field of play--is structured in such a way as to favor one player (in this case, the apparel industry). And the end goal is to change the nature of the game, so the layout of the board and the rules of the game (the social structure) and the distribution of playing pieces (resources) are not so unevenly tilted, so that those who started out with less power have more at the end of the struggle.

The anti-sweatshop movement--or any other movement--faces two major challenges in dealing with the uneven field of play. One is seeking points of leverage that
will allow them to turn the rules of the game to their favor, ways they can manipulate the social structure to exert power over their foes. We have explored this in chapter seven and will return to it in chapter thirteen. The other challenge is deal with their relative lack of resources. Marshall Ganz (2000, 2009) argues that, to counter this unequal distribution of resources, movements must be resourceful, seeking to outwit their opponents and look for their vulnerabilities, places where they can undermine their legitimacy and/or exercise structural leverage over them. To do so, a movement organization or network must have a high degree of strategic capacity--the ability to strategize creatively, based on a clear understanding of the social terrain in which they are operating. As discussed in chapter four, consensus as a process fosters innovation by fostering debate about ideas and forcing people to come to creative solutions for resolving disagreements (Ganz 2000, 2009; Polletta 2002). As we will see below, in planning their response to the FLA, the anti-sweatshop movement used such a consensus process, fostering the resourcefulness they needed to generate the innovation of the WRC and counter the apparel industry’s latest move in the form of the FLA.

**Innovation in Action: Crafting the WRC**

The student anti-sweatshop had really begun to take off in the 1997-1998 school year, with the first national student anti-sweatshop conference happening in July 1998. They continued their campaign for codes of conduct, including requirements for public disclosure of factories, in the 1998-1999 school year. The FLA’s founding was announced in November 1998; schools began joining it as a means to deal with student
demands in January 1999. USAS was not officially founded until July 1999, but, even before then, the network of student anti-sweatshop groups, and their allies in the labor and human rights communities, was strong enough that they began to strategize how they would respond to the creation of the FLA and the decision by many schools to join it.

USAS member Jess Champagne (interview, 2007) spoke to the student group’s main motivation for creating the WRC:

We felt that it was clear to have something clear to offer to universities that would counter-balance [the FLA]. They [school officials] would say, Well, every university can't have its own code of conduct, how about we support this, the brands aren't going to want to follow it if it comes from us, there's going to be too many codes, you have to tell us who's going to monitor it, if you don't get anyone that would monitor this, etc. So, we had to have answers to those questions. And the universities were telling us that they were going to join the FLA, which we thought that the more universities joined, the more effective it would be in covering up what was actually happening on the ground. So we decided that we needed to make a clear alternative that would bring universities together, that would have an impact on sweatshops.

Thus, USAS was spurred to create the WRC first and foremost out of fear of what the consequences would be if the FLA became the only game in town in terms of monitoring the production of college apparel.
It is likely, however, that, even without the formation of the FLA, the student anti-sweatshop movement would eventually have been pushed to create something like the WRC. As discussed in chapter three, the movement had already begun experimenting with independent monitoring as a means of keeping companies in check, though the first such monitor organization, GMIES, produced mixed results. USAS member Thomas Wheatley (interview, 2007) recalls, “At the beginning we were really focused on disclosure. [We thought] we just needed to have the names of the factory, that if we had the names of those factories, people all over the world would bring up the list and look up those factories” and then undertake the monitoring and investigations themselves. Local labor rights groups were not likely, however, to get easy access to the places they wanted to inspect simply because the factory was on a list that said it was producing for certain colleges that had codes of conduct. Factory owners would have little incentive to admit such groups to their facilities, particularly if they did have something to hide. USAS’s various organizational mentions--UNITE, the National Labor Committee, Global Exchange, the People of Faith Network, Sweatshop Watch, the Campaign for Labor Rights, USLEAP, and the Interfaith Center for Corporate Responsibility, among others--saw the problems with the approach of leaving monitoring to local groups more clearly sooner than the students did. Wheatley (interview, 2007) said, “The more we dug into it, the more we understood, the more students went to visit, did research, the more information we got from our allies in the movement, Nikki [Bas of Sweatshop Watch], Medea [Benjamin of Global Exchange], Charlie [Kernaghan of the NLC] and other folks saying, This is great, but what are you going to do next, how are you going to do this?
We need to talk about how we enforce these codes. This is really fabulous, congratulations, kids, now comes the hard part.”

The WRC thus represented an alternative to the FLA, but attempts by individual schools to monitor the implementation of their codes of conduct—something no school had the resources or expertise to actually do properly, the size of the undertaking being simply too large for even the wealthiest universities. Eric Dirnbach (interview, 2007) of UNITE noted the important ways in which the WRC was conceptually different than the previous approach towards monitoring that USAS had taken, based only on schools’ individual codes of conduct:

The WRC was going to be this collective, multi-university effort, roughly a common code of conduct and a common way of doing things, that was not at all industry-dominated and would be able to present a stronger, more unified front against the egregious sweatshop labor practices that were happening. So it started to get more away from individual efforts at universities--just pass your own code of conduct, do your own thing--to join the WRC, pay your dues money and become part of this collective effort.

The Consortium, by pooling the resources of member schools, would have the ability to monitor the implementation of their codes in a way no school could have managed on its own, even on the part of those schools such as Duke that were serious about doing so.

The formation of the FLA and its partnership with commercial and quasi-commercial monitoring outfits only gave USAS and its allies further concern about the
viability of an approach based on individual codes of conduct. USAS member Laura McSpedon (interview, 2007) said,

> We were realizing there were plenty of independent monitors who we wouldn't want enforcing this code and we needed to help create a body that would bring together the folks in countries who were on our side who could do that monitoring. [The WRC] grew out of, Okay, now we have a bunch of places that have said, Here's our code, we need an independent monitor, and we should create one that's an option besides the questionable agencies that were out there.

USAS believed that by designing an alternative to the FLA that was truly an *independent* monitoring organization, they could undermine the FLA’s legitimacy. Such an alternative would also strengthen the position of the anti-sweatshop movement, both in the framing contest that was on-going in the national media and in bargaining with college administrators. If they didn’t want colleges to join the FLA, USAS had to be able to present journalists and school officials with another option.

The process of designing the WRC involved consultations between a wide range of groups in the anti-sweatshop movement, working more or less through consensus. Brakken (interview, 2007) noted that, “By this time the students were the thing that was going forward with the anti-sweatshop movement, we were the group that all the other anti-sweatshop groups were paying attention to. We were the grassroots energy happening around the country.” Thus, USAS had many allies who wanted to work closely with them in designing their response to the FLA. We will, however, see this
pattern of a wide range of groups working together repeatedly as the movement makes important decisions, whether in how to coordinate a campaign in support of workers at a particular factory, or in designing future strategic innovations, such as the Designated Suppliers Program. Having such a wide range of groups involved--and thus people with a wide range of knowledge and experience--strengthened the movement’s strategic capacity (cf. Ganz 2000, 2009), facilitating their ability to innovate creatively as they designed the Consortium.

The people, both students and veteran anti-sweatshop activists, involved in crafting the Worker Rights Consortium held a series of conference calls (paid for by UNITE) and also met face-to-face immediately before USAS’s founding conference in July 1999 (Brakken, Wheatley; interviews, 2007). Like any large group of people, there were tensions and rivalries between some of the groups involved. According to Brakken (interview, 2007), “That [July] conference […] became a place for those who were critics of the FLA, despite their internal divisions, to hash things out. With us. A place where they could talk with each other--they wanted to be at our table.” The relationship between the student wing of the movement and the veteran activists was a complex one. The veterans clearly respected the students and tried to allow them their independence and initiative; at the same time, these activists were USAS’s organizational mentors, providing essential information and insights to them. USAS member Nick Reville (interview, 2007) recalls, the more experienced activists were trying to take sort of a backseat role because they didn't want to be seen as dominating student movements, they wanted the students to have
autonomy. But, in a lot of cases, they were the people that we were getting our information from. How do we even know what's happening in these countries? We know through other organizations […] we needed those groups, we needed their professional expertise, we needed their understanding of what are we trying to do.

Wheatley (interview, 2007) recalls Steve Weingarten of UNITE and Kate Pfordresher of the People of Faith Network as being particularly central in these discussions.

One thing worth noting is, at this stage, the groups involved were all US-based. The workers who USAS sought to act in solidarity with were not directly involved in designing the WRC. All of the more established groups, however, had extensive contacts with labor unions and labor rights in the Global South; drawing on these ties, they were able to relay the concerns and priorities of third-world activists to the USAS members involved in designing the WRC. USAS member Laura McSpedon (interview, 2007) told me, “I just remember feeling that the NGO partners--like Global Exchange, the National Labor Committee and Sweatshop Watch--they were the people with the relationships on the ground in other countries--and that was the key to making this happen.” At the same time, some individual USAS members did have their own ties to groups representing sweatshop workers. Alyssa Caine* (interview, 2007), a USAS member from Haverford College, said,

There are some people in USAS that had there own relationships--Marion Traub-Werner took [two years] off and worked for STITCH [a group building bridges between women workers in Central America and the US]
and so she had contacts. […] Miriam [Joffe-Block] really helped forge a lot of the relationships in Thailand, as a USAS activist who got a Fulbright and spent time there. Agatha [Schmaedick] was again a USASer, who spoke Bahasa Indonesian and decided to go to Indonesia and had some relationships there.

Despite this, USAS had no institutional ties with groups in the Global South. As we shall see in chapter fourteen, this changed as the movement grew--USAS would develop close, consistent ties with groups abroad and these groups would come to be more directly involved in future planning by USAS and its allies.

As one might expect, given the circumstances, the discussion among anti-sweatshop activists as they designed the WRC was very much shaped by the FLA, in the sense that the WRC emerged out of critiques of the FLA. The most obvious aspect of this is the firm belief of all the groups involved that corporations should have no role in the governance or funding of the WRC--otherwise it could hardly be called independent. Their critique of the FLA also shaped the way they designed the monitoring program--specifically, what they call the “fire alarm” model of monitoring (which we will look at more closely in the next chapter). According to Brakken (interview, 2007),

One of the things the FLA wanted to do, they actually wanted to put a tag on the clothing saying it was sweatshop-free or FLA-approved. […] The debate within the anti-sweatshop movement around the FLA was whether a label would actually work, could a product actually be certified sweatshop-free. […] So I think part of the framework of the WRC came
out of the [realization that] there's thousands of factories around the world, we're a limited organization, we're never going to be able to have a permanent presence that would actually be able to certify these factories. 

[…] The WRC was […] primarily set up to respond to workers complaints and to be reactive, instead of pro-active. I think that was a result of those early debates.

One thing that is noteworthy is that no one I interviewed mentioned GMIES or other existing attempts at creating independent monitoring programs as an influence on their discussions. This is not to say that it had no influence--it may well be that some of USAS’s mentor organizations had the successes and failings of GMIES and like programs in mind when they gave their advice. The prime influence in the development of the WRC’s monitoring approach, however, seems to have been the negative one of the FLA, with the fire alarm model designed in direct response to many of the FLA’s obvious problems.

The use of a deliberative, participatory process not only fostered a better design for a monitoring organization, it also fostered the ideological development of those involved. Brakken (interview, 2007) said that for him and many of the others involved, particularly students, but also their NGO partners,

Going through some of those questions, it definitely changed my worldview around. I hadn't really thought about the long-term vision of how people would be empowered. The question isn't whether American consumers are going to be able to dictate the needs of the apparel workers
in China or El Salvador, the questions are whether Salvadoran or Chinese workers have their own needs which need to be dealt with and need a good way to deal with that stuff. At that point at time, for some people, it was a little bit of a learning curve. […] It definitely affected a lot of students' worldviews.

What Brakken and the others involved in designing the WRC ultimately concluded was that the end goal was not simply to create a US-based monitoring organization, but creating an organization that could help foster “a permanent organization of workers who could monitor [the factory] themselves on a day-to-day basis--that's called a union” (Brakken, interview, 2007). This was a question which “wasn't just students [one] that had to grapple with, it was the other organizations too, they had to do it too” (Brakken, interview, 2007).

Over the course of these discussions, the participants developed a “white paper” that “outlined a case for why [the WRC] was necessary, a case for why this was possible, and some principles, like monitors ought to be independent, they ought to be within or connected to the local community, and workers ought to be interviewed off-site and those kind of things” (Wheatley, interview, 2007). On October 19, 1999, they made this white paper and the Worker Rights Consortium public, calling on all colleges and universities to withdraw from the Fair Labor Association and join the Consortium (Greenhouse 1999c). They planned to hold the WRC’s founding conference in April of 2000. In January 2000, the anti-sweatshop network hired Maria Roeper (interview, 2007) as the
WRC’s first staff person, charged with the task of actually bringing the organization to life before the April convention.

**The Campaign for the WRC**

Simply because the Worker Rights Consortium was potentially a better monitoring organization than the FLA did not mean schools were going to automatically sign up to it. As discussed in chapter four, most school administrators have close relations with major corporations through interlocking boards of directors. They also value their commercial contracts with corporations such as Nike and Reebok and were loath to offend them by such actions as signing onto an organization designed by some of their most vocal critics. USAS member Caroline Stoppard* (interview, 2007) noted, “It was something that was proposed by student activists; and universities were being asked to commit tens of thousands of dollars to an organization that was basically designed to go around and embarrass their business partners that had sweatshop conditions in their factories--but somehow we got them to do it.” Another obstacle, as we saw in the last chapter, is that many school administrators seem to genuinely believe that the major apparel firms are sincerely interested in ending the sweatshop exploitation of workers and that it is important to work cooperatively with them in doing so.

USAS therefore was going to have to pressure the leaders of their schools to sign on to an alternative approach, using the same confrontational tactics as were necessary to get schools to adopt codes of conduct in the first place. The 1999-2000 school year was thus marked by another wave of intensive student activism, again culminating in a wave
of sit-ins in the spring semester. According to Caine (interview, 2007), “students took that founding conference as an opportunity for their campaign. They built sit-ins and hunger strikes and all that stuff around the founding conference, saying, We want our colleges and universities to join the Worker Rights Consortium before the founding conference. It became a kind of deadline.” It was also intended as an incentive to the schools, since if they took part in the conference, they could play some role in shaping the WRC (Caine, interview, 2007).

As noted above, the network of people involved in designing the WRC met with each other right before USAS’s official founding conference in July 1999 in Washington, DC. According to Caine (interview, 2007), the hope was that USAS would officially adopt the WRC at this conference, even though at this point the WRC was still under development and didn’t even have a name (some of the early proposals included the Worker Empowerment Licensing Accountability Plan and Rights Consortium Inter-Continental).

We developed a cadre of USAS people who understand [the WRC] and then they called basically everybody and talked to them and basically convinced them that this was the plan we would have to adopt. […] Because even though USAS initiated the process and students were involved in creating it, it wasn’t all of USAS. There was no membership support for it necessarily. So the initial hope was that USAS conference would happen and everyone could adopt it. We didn’t actually have
anything for people to adopt other than, Yes, we’re going to support this alternative plan (Caine, interview, 2007).

Although USAS did agree to officially align itself with the WRC and campaign for it, this did not happen without debate. The FLA had been trying to entice USAS to join the Association by offering them one of the NGO seats on the board (Esbenshade 2004b). There was a minority who advocated joining the FLA, not because they thought it would work, but, according to Brakken (interview, 2007), because they “thought it would be a fine position to join the organization and then we quit if we could show that we couldn't change it.” There were two arguments against this: First, that some of USAS’s close allies such as UNITE and ICCR had already quite publicly resigned from and condemned the FLA (Brakken, interview, 2007); second, that if USAS joined the Association, it would only lend legitimacy to the organization without bringing about any meaningful change (Esbenshade 2004b). After extensive debate, the USAS members present at the conference voted on the issue, with the majority choosing to support the WRC and reject the FLA and only a small group of roughly seven people voting in favor of the FLA (Brakken, interview, 2007). It is noteworthy that, in all the interviews I conducted, this is the only time that anyone mentioned making a decision by majority vote as opposed to consensus--a sign both of the contentiousness of the issue inside USAS and the strong culture of making decisions by consensus within the movement.

In a sign of how disconcerting USAS’s decision was for the establishment--and the degree to which the Clinton administration was invested in the FLA--the White
House got in touch with USAS, hoping to persuade them to reverse their decision.

Brakken (interview, 2007) told me:

After that conference, […] I got home […] back to Madison--I had just been hired to be the first staff person for USAS, I'm trying to get all my stuff together, figure out where I was going to move, and we got a call from the top economic advisor at the White House, inviting us to a meeting at the White House to convince us to work with them and not against them. They called this federation meeting, I went back to DC, I called a bunch of students and there were probably eight or ten students that went. They [the Clinton administration] brought a couple of human rights groups that were signed onto the FLA into the meeting. They said, You can come in and change this […]. We had this pretty good theatre set up in the meeting, where we all pulled out a list of questions, many of the problems of the FLA, and put them on the table and said, This should never have been signed.

Having committed themselves to the WRC, members of USAS had to figure out how to get their colleges’ administrations to do the same. They used the same range of tactics and the same strategy of escalation that they had used in their campaigns for the codes of conduct over the previous two school years. They had the problem, however, of convincing their administrators to join an organization that, unlike the FLA, did not actually exist and had no significant financial backing. According to Reville (interview, 2007), “It was this bootstrapping thing--how do you go from nothing to something? We
needed schools to sign on, but they wanted to sign on to something. So we were basically trying to convince them to sign onto this document that nobody had signed onto—it was like agreeing to join an organization that didn't exist. It was kind of a funny situation but we had to do that in order for it to start existing.” One seemingly simple measure that Reville and another student at Brown University, Will Schachterly, took was to set up a website for the WRC. According to Reville (interview, 2007), “That was a way of creating some sense of reality, of existence for the organization. […] It gave kids something to show. Back then, websites were still kind of mysterious, so it seemed like, Oh, if it has a website, it must be real.”

The first school to officially join the WRC was, in fact, Reville’s (interview, 2007) own school, Brown University. This struggle had actually begun in the spring of the previous school year, when students began pressing school president E. Gordon Gee, a conservative who did not fit in well with liberal Brown, according to Reville, to withdraw from the FLA. “We went to them and said, Okay, here's the issues we have with the FLA—we want you to withdraw. And then we said, Okay, how about if they don't make improvements on these issues in the next six months, then we'll withdraw. And I think we said that because we felt like we did not have an alternative to offer, so just saying, Let's pull out, was not as credible as that might be. And so they agreed to” the six month test period. Of course, after six months, the FLA had not improved at all—but Reville and the other Brown USAS members now had the proposal for the WRC to present as an alternative. The Brown students used Gee’s promise to withdraw from the FLA and the threat of a sit-in as leverage to force him to come to an agreement. They
settled on a compromise, where Brown would remain in the FLA, but also join the WRC (Reville, interview, 2007). Gee made this public on October 19, 1999, the same day the anti-sweatshop network officially released the WRC white paper, inviting schools to join (Marklein 1999).

Within USAS, the compromise the Brown students struck with their administration was controversial. Reville (interview, 2007) said,

I think there were a lot of people at other schools that thought that was a bad idea and felt that it furthermore set a bad precedent. I guess I didn't really agree. To me it seemed like it was much more important to get schools into the WRC rather than getting them out of the FLA. Even if you got all the schools that had USAS chapters out of the FLA, you still would have had a bunch of random schools in it—and it would still have that legitimacy of having schools in it. [...] I still really think that we did the right thing because it was the best that we could have gotten at the time from Brown. And I think getting that first school on was crucially important—it's not clear what would have happened if we hadn't gotten on there, because I know that a lot of schools used us as an example and relied on us in order to get their school to sign on. I think especially being able to take advantage of this Ivy League cachet, that was always something that helped other schools.

The first few colleges and universities to join the WRC after Brown were also small, Ivy League schools. By mid-February 2000, in addition to Brown, only Bard
College, Loyola University in New Orleans, and Haverford College had also signed on (O'Neill 2000). While their Ivy League status lent the WRC legitimacy, they had little clout with the brands, because their licensing programs were either small or non-existent, instead having only procurement programs. What the movement needed as a next step was for some of the major sports schools to sign on. On February 15, 2000, USAS chapters on many campuses began to systematically step up the pressure on their administrators. As a result, they netted their first three big sports schools--the Universities of Indiana, Michigan and Wisconsin--Madison. This did not happen without significant confrontation--it took sit-ins at Michigan and Wisconsin and the threat of one in Indiana (backed up by news reports of sit-ins elsewhere) to get the schools’ administrators to agree (Caine, Stoppard; interviews, 2007). According to Caine (interview, 2007), “The administrators talked together and they then affiliated with the WRC at the same, all together. I think it was fear of going alone and going up against Nike specifically and the fact those Big Ten schools were able to join together, I think made it possible for them join. So that was a big boost to the credibility of the [WRC].”

The degree of conflict at schools over the question of joining the WRC varied considerably. Some schools with progressive traditions, like Haverford College--where Caine was a student--joined without much of a struggle. Haverford had an official Committee on Investment and Social Responsibility (CISR), the result of a campus movement to divest from apartheid South Africa in the 1980s, which allows for some institutionalized student voice at the school. Caine and other USAS members brought their arguments for joining the WRC before the Committee, which then created a
subcommittee, including USAS members, to look at the matter. The sub-committee concluded that the WRC would indeed be a better monitor than the FLA. President Tom Tritton followed their recommendations and on December 23, 1999, Haverford officially became the third school to join the WRC (Grigo 2000) (Caine, interview, 2007).

At the other extreme was the University of Pennsylvania. Penn’s USAS chapter had given school president Judith Rodin a February 1, 2000 deadline to withdraw from the FLA. When she missed it, fifteen or so students sat-in on February 7th, in order to press her not only to withdraw from the FLA but also to join the WRC (Bruch 2000). As the sit-in went on, more students joined, swelling their ranks to thirty. A week after the action started, on February 14th, not having reached an agreement with Rodin, the students escalated their actions even further by going on a forty-eight hour hunger strike (Snyder 2000b). The next day, Rodin conceded to one of the students’ demands and agreed to withdraw from the FLA, while compromising on the other demand and promising to study the issue of joining the WRC (Snyder 2000a). The following school year, Penn did in fact join the WRC (Featherstone and United Students Against Sweatshops 2002).

As USAS’s one staff person and professional organizer, Brakken (interview, 2007), said,

That whole year, I was pretty much driving around the country trying to help students get to the point where they were ready to call the question on their schools with direct action. It was kind of a fun year. That wave of sit-ins really forced universities into the WRC and helped to create this new
thing—the idea of institutionalizing some of the gains. The commitment from the universities was that they were going to put money into this organization, commit their licensees to be monitored by this organization. The whole thing had been drawn from this draft document—it was sort of unreal.

Between January and the April founding conference, “we went from three to forty-four schools” (Roeper, interview, 2007), with the ten-school University of California system affiliating with the WRC the day before the conference.

Even more than in the 1997-1999 campaign for codes of conduct, coordination between campuses was important in the drive for the WRC. Molly McGrath (interview, 2007), a USAS member at UW--Madison, recalled,

I remember when we did our sit-in in Madison, we were in direct communication and coordination with Indiana University and Michigan the whole time. My friends made fun of me because when I was with them, I was on my cell phone. There’s pictures of it. Pretty much the whole time we were coordinating with these other universities. And the leaders of those universities did the same thing back. In that way there’s just more pressure because there’s more people who are trying to put out fires and there’s more sense of urgency from the university administrators. It becomes a bigger and bigger deal and […] causing trouble all over the place and newspapers pick up on it and people hear about it—it becomes more interesting.
Unlike the code of conduct campaign, the USAS chapters were not simply working to get their individual school administrations to adopt individual programs, even if the actions at each school influenced each other. Instead, the campaigns on individual campuses clearly joined together to form a relatively unified national campaign. Campus USAS chapters were not simply sharing strategic information, but working to get their schools to join a common program, which would not work if there was not a critical mass of membership. The campaign for the WRC represented a step up from the campaign from codes of conduct in terms of both strategic goals and strategic coordination.

Neither the FLA nor the apparel industry reacted positively or passively to these developments. Their primary response was to try to frame the issue in a way that allowed them to maintain the moral high ground both in the mass media and with college and university officials. While representing themselves as respectful of the students’ efforts, various groups affiliated with the FLA argued that the WRC would have neither the resources nor the reach to properly engage in monitoring. They argued that including the companies in the FLA gave it the necessary means to monitor effectively (Greenhouse 1999c). Roberta Karp of Liz Claiborne said, “You need buy-in from the people who have a stake in this. […] Corporations have a stake in protecting their names and making sure the facilities they contract with are operated fairly, efficiently and effectively” (quoted in Snyder 2000a). Michael Posner of the Lawyers Committee for Human Rights told The New York Times, "I welcome any new initiative that broadens the base of information and monitoring of factories. […] [But] this is a big industry […] and there needs to be a comprehensive system that looks at the industry across the board, and that's the Fair
Labor Association" (quoted in Greenhouse 1999c). Some companies, such as Liz Claiborne and Reebok, claimed to well ahead of USAS in terms of fighting sweatshops, pointing to their own CSR programs as evidence (Krupa 1999; Snyder 2000a).

Representatives of the apparel industry also objected to the lack of corporate involvement in the WRC and its policy of unannounced inspections. Vada Manager of Nike said, "We object to the Workers Rights Consortium because it does not provide a seat on the table for companies. [...] Another issue is it has a 'gotcha' monitoring system, which in our minds is not a serious way to achieve the common goal that we all want to achieve, which is to eradicate sweatshop conditions" (quoted in Greenhouse 2000a). Here again, as in the last chapter, we can see the core apparel corporations using corporate “social responsibility” programs as a means to avoid and obfuscate the real issue, the structure of the industry whose commanding heights they control, while presenting the appearance of caring about and trying to solve the problem of sweatshops. They tried to make the case that, not only are they willing to be partners in the quest to end sweatshops, but that without their involvement--and on their own terms--the movement cannot succeed.

Nike was not only particularly vocal in its criticisms of the WRC as it attempted to reframe the issue, but went beyond other companies in the counter-measures it took--in April 2000, the company began actively retaliating against schools that joined the WRC, specifically Brown University, the University of Michigan and the University of Oregon. Nike started by canceling its three-year contract with Brown to supply hockey uniforms, with one year remaining in the contract (Asher and Barr 2000). Michigan was next--Nike
abruptly cancelled talks on a six-year extension of its contract with Michigan (Asher and Barr 2000; Greenhouse 2000b). While the Brown contract may have been small potatoes for Nike, this was not the case with Michigan, one of the Big Ten sports schools--

“Michigan's contract extension would have been worth between $22 million and $26 million over six years […]. That would have made it the most lucrative such deal in college sports history” (Asher and Barr 2000). In both cases, Nike justified its actions by saying that, through joining the WRC, the schools had unilaterally changed the terms of the contracts, specifically the conditions under which production would be monitored (Asher and Barr 2000; Greenhouse 2000b). In the case of Oregon, the retaliation was of a more personal sort. Nike’s president Phil Knight was an alum of Oregon, as his father had been before him, and over the years Knight had donated $50 million to the school. In response to the university’s decision to join the WRC, Knight canceled the donation of an additional $30 million he had pledged (Asher and Barr 2000; Greenhouse 2000a, 2000b). A Nike spokesman explained Knight’s decision: "The University of Oregon, despite its unique relationship with Nike and Phil, is free to align itself with the Workers Rights Consortium. However, it does not mean that we are required to support those efforts with which we have fundamental disagreements" (quoted in Greenhouse 2000a).

On one level, Nike’s retaliation seems to have been successful--the University of Oregon’s administration, which never had been very committed to the WRC, soon withdrew from the organization (Steffan, interview, 2007). On another level, however, it backfired. According to Caine (interview, 2007),
It brought more attention to the issue and it gave the WRC a different
legitimacy too. […] This is the Worker Rights Consortium, it’s just a
small organization starting up, there was nothing to say that they were
going to be able to do anything, but if Nike's going to cancel a $30 million
[donation] over it, then it makes it seem like they really could do
something. So that was a bad campaign strategy for them to try to prevent
the WRC from going forward. It made the WRC look more legitimate, not
less.

Nor did Nike’s decision cause Michigan or Brown to withdraw from the WRC; Michigan
in fact made a lucrative deal with Nike’s rival, Adidas (Steffan, interview, 2007).

The Foundation of the WRC

Even as this campaign was unfolding, as the WRC’s first staff person, Roeper was
doing the necessary work to prepare for the organization’s founding conference,
including setting up an office and finding a fiscal sponsor for the grant they had already
secured for the WRC. Her job involved more than just paperwork though. She had to
establish a distinctive identity for the Worker Rights Consortium, so that it was clear that
it was autonomous not only from the apparel industry, but also from USAS and the labor
movement, particularly UNITE. “I was supposed to be in the role of establishing an
organization with the credibility of a research organization, not an activist one” (Roeper,
interview, 2007). This was necessary to create a group that colleges and universities
would feel comfortable joining, one that they felt they had some ownership of and was
not simply the tool of the student activists who had been occupying their offices or a labor union like UNITE, which many administrators saw as having dubious, protectionist motives. Thus the WRC office was originally established in New York City—Washington, DC, where both USAS and the FLA were headquartered—to clearly mark this independence (though the WRC did later move its offices to Washington) (Roeper, interview, 2007). At the same time, the activists involved in creating the Consortium wanted to ensure that it remained true to its original purpose. Thus, according to Thomas Wheatley (interview, 2007) the group drafting the initial framework for the by-laws, which was probably all of three paragraphs, [...] wrote it intentionally to make sure that universities would never have a majority of their own, they would have to share power with external advocates, who were not the most radical of them, it wasn't UNITE or Charlie Kernaghan [of the NLC], but it was Kate Pfordresher [of the People of Faith Network], David Schilling [of the Interfaith Center for Corporate Responsibility] and folks like that.

The founding conference itself took place on April 7, 2000. Attendees were organized into three caucuses—USAS members; members of an Advisory Board—the external advocates—consisting of advocates and scholars who had long been involved in the anti-sweatshop movement, including representatives of groups from the Global South; and college and university administrators. Members of each caucus were to elect members to the WRC’s board of directors and four working groups that would finalize the by-laws and help define the details of the WRC’s policies. The conference itself
consisted of a day-long meeting, featuring a panel of activists and scholars who had been instrumental in creating the WRC, taking questions from the audience about how exactly the Consortium would work and what the working groups’ tasks would be. It also featured two speakers who were third-world labor activists, Alice Ming-wai Kwan of the Hong Kong Christian Industrial Committee and Maritzah Paredes of the Collective of Honduran Women (United Students Against Sweatshops 2000). The situation was an unusual one, because in this forum the anti-sweatshop activists were clearly in command of the situation. While USAS and its allies were well organized, the college and university administrators were meeting with each other for the first time; they had to request more time in order to organize themselves and decide how they would elect members from their caucus to the governing board and working groups (Featherstone and United Students Against Sweatshops 2002; United Students Against Sweatshops 2000).

School officials also had a wide range of concerns about various aspects of the WRC, raising a number of issues with the presiding panel. Some were basic questions about how the Advisory Board’s membership had been selected. Others were about how much the proposed structure of the WRC was open to change. College and university administrators were particularly concerned that the Consortium be open to engaging in dialogue with major apparel firms and that USAS’s firm anti-FLA position not be that of the WRC. Many schools also belonged to the FLA, with officials from such schools arguing that the goal should be to reform the Association, not undermine it. The panel explained many of the details of the WRC were open to negotiation and that the Consortium was certainly open to dialogue with industry; certain core features, however,
were non-negotiable, such as the absence of industry representation on the WRC’s board, which would compromise its independence. The panelists also indicated that USAS’s anti-FLA position was its own and would not be the position of the Consortium. At the request of one school official, the working groups were expanded from four to five in order to address some of these concerns (United Students Against Sweatshops 2000). As we shall see in the following chapters, the WRC has indeed maintained a cordial relationship with apparel companies and the FLA, engaging them in dialogue and working with them, as long as doing so does not compromise their principles.

Roeper (interview, 2007) said of her experience working with school officials in the various working groups:

At the time I thought [their behavior] was obstructionist, but really it was more that I was young and wanted to move forward quickly and colleges and universities are among the most cautious institutions out there. […] They just were worried about everything, so we had to get opinion letters about this legal issue, opinion letters about that legal issue; there was all kinds of legal issues that I think a lot of the colleges and universities were actually genuinely concerned about.

Through the founding conference and the working groups, college administrators were able to have some role in shaping the WRC--and thus to develop a stake in the organization--but in a way that the Consortium remained true to the ends for which the anti-sweatshop movement had initiated its creation. By late 2000, the by-laws were finalized and the board hired Scott Nova as the WRC’s executive director.
In the next chapter, we will look at the organization of the WRC and their “fire alarm” approach to monitoring sweatshops; and, in the chapters following that, the international work that the WRC, USAS and other anti-sweatshop organizations have done in collaboration with groups in the Global South. What we have seen unfolding in the past few chapters is a conflict between the anti-sweatshop movement, on the one side, and the apparel industry and the FLA, on the other, made up of a series of moves and counter-moves by the social actors involved. Following our review of the WRC, we will see another series of moves and counter-moves, leading to more innovation on the part of the anti-sweatshop movement, in the form of the Designated Suppliers Program.

What we have also see in this chapter, in the crafting of the WRC as an innovative, strategic response to the FLA, is the dialectic between action and reflection (Ryan and Jeffreys forthcoming; Ryan et al. forthcoming), ideology and experience that is at the heart of the development of strategy by social movements. The US anti-sweatshop movement had been taking action based on its existing ideology and strategy, seeking new points of leverage over the apparel industry, in particular experimenting with codes of conduct for college licensees as a means to this end. As they did so, they ran up against obstacles: the realization of the impracticality of relying solely on local labor rights groups to carry out monitoring and the apparel industry’s formation of what USAS saw as a deeply problematic monitoring organization in response to the movement. The movement then took the time to analyze their experiences, reflecting on them in light of their ideology of worker empowerment. They did so collectively, drawing together activists from a range of groups, with different constituencies,
experiences, and networks, thus greatly broadening the range of insight they could draw on, far beyond what any one individual or group would have brought to the table alone. In doing so, they generated a new strategic innovation--not simply the Worker Rights Consortium as an organization, but a new model of monitoring; and they deepened their understanding of worker empowerment and its relevance to their struggle, coming to understand that monitoring would never be enough, that workers needed to be able to exercise voice and power through their own organizations.
Chapter 11: Embedded Autonomy and the Fire Alarm Model: The Organization and Monitoring Practices of the WRC

The WRC’s Embedded Autonomy

Although it was USAS and other members of the anti-sweatshop movement who pushed for the creation of the Worker Rights Consortium, once created, college and university administrators formed a significant part of the organization’s constituency. If the WRC was to have credibility in the eyes of this group, the organization had to take into account their perspectives and concerns, as well as those of the anti-sweatshop movement. This meant that it had to have some autonomy from USAS and the other organizations of the anti-sweatshop movement—it could not be seen as a simple extension of USAS, something that was a real danger early on. As we saw in the last chapter, school officials were particularly concerned that the WRC engage in dialogue with the apparel industry and the FLA, instead of simply taking a purely oppositional stance to them, as many USAS activists were inclined to do. The WRC has in fact been willing to engage the apparel industry in dialogue and show some sensitivity for their concerns; indeed, the WRC’s staff have found this to be a strategically wise choice and central to their success in many ways. At the same time, to accomplish its goals, it has been critical for the WRC to maintain ties with an extensive network of anti-sweatshop groups, not only in the US, but throughout the Global South, wherever factories producing licensed goods for schools might be found. These groups in the South form the WRC’s “eyes and ears” (Schmaedick interview, 2007), who alert it to cases of potential labor rights violations that it should investigate. Thus, the WRC has forged a wide, strategic network
of ties with both industry and the anti-sweatshop movement, while remaining relatively independent from the organizations that make up both sectors.

The WRC’s relationship with other groups, particularly in the anti-sweatshop movement, is perhaps best characterized by a phrase Peter Evans (1995) coined in a much different context—*embedded autonomy*. Evans used the phrase to refer to the relationship that successful industrializing states (such as those of Japan, South Korea, and Taiwan) have to other social groups in their country, particularly business elites. In much of the third world, states have been *captured* by local business and/or landed elites—that is, the state is largely under their control, following their dictates. In most of these cases, such elites are too short-sighted and too focused on their immediate self-interest to strategically promote anything like a coherent industrialization program. To promote successful, broad-based industrialization (“economic development”), states must instead have some independence from these elite economic interests, so that they can shape the policies of the business sector with a combination of regulations, incentives and central coordination. However, while being captured by business interests will not let the state do this, neither will be completely isolated from such social actors. Instead, state bureaucrats in charge of promoting industrialization must develop dense social networks with business leaders. This may be by both formal means, such as joint state-business councils that determine industrial and economic policy, and informal means, with retired state bureaucrats assuming positions in industry. These ties allow state bureaucrats to negotiate and coordinate with leading capitalists in order to define their goals vis-à-vis industrialization and the strategic policies to reach those goals. This relationship is what
Evans meant by “embedded autonomy”—the state is embedded in a set of social networks without being controlled by any of the other social actors in these networks, instead maintaining its autonomy.

Using this frame of reference, it is clear that the Fair Labor Association was captured by business interests from the moment of its creation. The structure of the FLA’s board and the nature of its funding has allowed business to play a disproportionate role in shaping the Association’s policies, resulting in successive monitoring programs that have been largely ineffective at addressing the problem of sweatshops (though they have been quite effective in allowing business to maintain its legitimacy, arguably their main goal). Indeed, “capture” may be the wrong word, since this implies that at one point the FLA was independent, when it never has been (although, as noted in chapter nine, some anti-sweatshop activists see it as having grown less independent—and consequently less effective and honest as a monitor—over time).

In contrast, the WRC was designed to be autonomous from industry—no representatives of business sit on its board nor does the WRC take money from the business community. Instead, its board is made of up five representatives each from three constituencies—college and university administrators, United Students Against Sweatshops, and the independent labor rights experts who make up the WRC’s Advisory Council (Worker Rights Consortium 2007c). As we saw in the last chapter, this autonomy from business was fundamental to the way anti-sweatshop activists conceived of the WRC. USAS member Thomas Wheatley (interview, 2007), who played a role in crafting the WRC, said of the FLA, “It’s the fox guarding the chicken coop. You can’t
have the people who have it in their interest to drive wages and working conditions to the
bottom guarding the door of the monitoring process that is designed to do the opposite.
Structurally it just doesn't work.” According to USAS member Ken Abrams*, in looking
at the WRC vs. the FLA and other similar corporate-sponsored monitoring programs, The WRC just represents universities, they’re multi-university. The fact
that they’re independent of industry allows the WRC to be more
aggressive in pressing companies because no one has veto power over
what they do publicly. All these other organizations, either through formal
or informal means, there are very powerful voices of the companies in
determining what gets said, what gets done.
Despite this emphasis on autonomy from industry, the WRC does maintain connections
to apparel companies. In particular, when inspections reveal that a contractor has been
violating workers’ rights, the WRC tries to work with the companies involved--both the
core apparel firms and their contractors--to rectify the problem. This means that the WRC
needs to maintain open lines of communication with the FLA and the apparel industry,
particularly companies’ social responsibility departments. We will explore this
relationship with companies in more depth below, after looking at how the WRC carries
out its inspections.
Through the university and USAS caucuses, it is instead, as Abrams said,
members of the higher education community who have the most weight with the WRC.
The university caucus is structured in such to reflect the diversity of interests among
schools--two of the five university board members must come from schools with large
licensing programs, two from schools with small programs, and one from among the
schools with no licensing programs (only procurement agreements) (Worker Rights
Consortium 2007c). Affiliated schools pay an annual fee to the WRC, which varies from
school to school. Those with licensing programs pay 1% of the previous year’s gross
licensing revenue to a maximum of $50,000, with a minimum of $1,500; schools without
licensing programs pay a flat fee of $1,500. These fees make up 45% of the WRC’s
budget, with the bulk of the remainder coming federal and foundation grants (Worker
Rights Consortium 2007b). Although the WRC has a model code of conduct (Worker
Rights Consortium 2007d), member schools are not required to follow it. Instead, they
may implement their own codes of conduct. Such codes must include disclosure of all
factory locations and provisions regarding “basic protection for workers in each of the
following areas--wages, hours of work and overtime compensation, freedom of
association, workplace safety and health, women's rights, child labor and forced labor,
harassment and abuse in the workplace, non-discrimination and compliance with local
law” (Worker Rights Consortium 2007b). One point of contention that remains between
the university caucus on the one hand and the USAS and labor rights experts caucuses on
the other is that many schools’ codes of conduct only have provisions requiring the local
minimum or prevailing wage (which usually is a paltry sum), not a living wage (though a
living wage is part of the WRC’s model code of conduct).

Through the involvement of USAS and its Advisory Council of labor rights
experts, the WRC is also embedded within the network of organizations that make up the
anti-sweatshop movement. Yet it is careful to maintain some autonomy from the
movement as well, a strategic necessity to maintain its credibility. In particular, “we don't take money from unions on purpose because we want to maintain our position as an entity that can assert itself as a neutral investigative body” (Blasi, interview, 2007). In the eyes of both the university caucus and many publics, close ties with the labor movement would be as suspect and delegitimating as close ties with the apparel industry. This is particularly important given that “the Fair Labor Association, tried to make this [the campaign for the WRC] out to be a protectionist front for UNITE and use the history of both UNITE and the labor movement as being somewhat protectionist to try to discredit us” (McSpedon, interview, 2007). The WRC also is careful to remain distinct from USAS, with which it could all too easily be identified, given that USAS was instrumental in its creation and in pressing school officials to join the Consortium. According to WRC staff person Nancy Steffan (interview, 2007),

USAS is just a different kind of organization. They're the student anti-sweatshop movement. We’re monitors and investigators, reporters. So they [USAS] have a very different relationship with the universities. […] We don't do protests. We don't condone protests. We don't work directly with unions or on behalf of unions. […] We do different kinds of things. But then we can also talk to universities and brands and get a very different kind of reception than USAS does.

Again, we see that the WRC’s autonomy is crucial to its work. But so are its ties with the anti-sweatshop movement. As we will explore in more depth below, the network within which it is embedded is essential to alerting it to problems it should investigate. And, if it
cannot work with companies to solve a problem, it is this network (not the WRC) that mobilizes to pressure the companies to change their course.

Both labor unionists and USAS members understand and appreciate the strategically distinct role that the WRC plays in the anti-sweatshop movement—and thus the necessity for its embedded autonomy. Eric Dirnbach (interview, 2007) of the apparel union UNITE-HERE said of the WRC, “I think they have helped probably a dozen unions at a dozen factories organize a union. [...] We actually are able to help workers in a number of factories and organize and that's tremendously important in this kind of issue, where that is almost impossible to do.” USAS member Nick Reville (interview, 2007) observed that it was extremely exciting for student activists to see something as concrete as the WRC and its monitoring program come about as the result of their efforts. He saw the WRC as “lock[ing] in our wins,” creating an institutional presence that has, through colleges’ and universities’ ability to suspend and cancel licensing agreements, some enforcement power. There was no sense among the people I interviewed that the WRC was potentially vulnerable to capture by universities, but an understanding that the WRC was strategically placed to carry out a role—credible, independent monitoring—that no other organization in the anti-sweatshop movement could perform.

The WRC’s “Eyes and Ears on the Ground”

One of the first things that the WRC had to do following its official founding in April 2000 if it wished to effectively carry out its goal of independently monitoring conditions in apparel factories was develop a network of contacts throughout the Global
South. As USAS member Laura McSpedon (interview, 2007) said, when they were designing the WRC, “it seemed important that there was someone who was not at a 202 [Washington, DC] area code phone number for workers to call.” It was not enough for the Consortium to have a relationship of embedded autonomy with anti-sweatshop groups in the US; it had to develop a similar network of relationships with groups who were in contact with the workers it hoped to aid. These groups are, in the words of Agatha Schmaedick (interview, 2007), a former investigator for the WRC, the Consortium’s “local eyes and ears on the ground. They have contact with the workers and if there's a problem at a factory they get word of that and they pass it on to us.” Groups and people who serve as the WRC’s local contacts include “unions, community organizations, faith-based organizations, women's rights organizations, doctors who work in occupational health and safety--there's a whole gamut of individuals and organizations that are constantly hearing worker's grievances” (Schmaedick, interview, 2007). The WRC’s inspection program, which we will look at in more depth below, also relies on the expertise, both professional and local, of these groups and individuals to aid them in their inspections. As part of maintaining its autonomy, however, the WRC must be careful not to use contacts who report potential labor rights violations to them to do investigative work on the same cases, since this would involve a conflict of interest. This further reinforces the importance for the WRC of developing a wide network of “an extensive variety of people so that we could always have somebody available for the assessment team” (Schmaedick, interview, 2007). In describing these networks, I am relying
primarily on reports by WRC staff; I am not in a position to evaluate how successful they have been in developing these relationships--only what their intentions are in doing so.

Schmaedick (interview, 2007) gave me some specific examples of the sort of groups the WRC works with from her own experience in Southeast Asia:

In Indonesia, one of the groups that we work a lot with is [Yayasan] Lembaga Bantuan Hukum (LBH). It's one of the oldest and more competent NGOs in Indonesia. It's a legal aid organization and it's one that workers frequently turn to for legal advice because it's free--you can just go in and get a consultation and they also have chapters all over Indonesia. They were one of the first groups we started working with in Indonesia. We let them know that we existed and where our factories were. We also frequently go to them and involve lawyers from their organization in our factory assessments. In Thailand there's an organization called WEPT and it's an organization of survivors of occupational injury. It was started by a woman who has brown-lung disease--she has essentially dedicated her life to this cause. She's constantly talking to workers, particularly in the textile industry, which she was in herself and where she got sick. She hears about problems and she reports them to us and sometimes we would involve people from their network in our factory assessments.

The initial process of setting up this network took about three years, from 2000 to 2003, (though the WRC is always working to expand its networks) (Schmaedick, interview, 2007). Schmaedick (interview, 2007) was deeply involved in this process,
particularly in Southeast Asia, an area she had worked in before and had personal connections with. Of forging these relationships with local groups, she said,

We had to get our message out there that we existed and that we were a sympathetic ear and moreover an avenue for redress. If they had a violation to report we might be able to do something about it, if they were making collegiate apparel or if their factory had made collegiate apparel in the recent past or when the violation had taken place. A lot of the work I did was just trying to understand the lay of the land and to essentially understand who the players were and gaining their trust, which takes a lot of time.

Indeed, people who had been involved in the relationship-building process repeatedly emphasized the importance and difficulty of building up trust with the WRC’s contacts in the Global South. Common goals and ideals do not mean that groups automatically trust each other or can work easily together. In particular, US imperialism and the US labor movement’s complicity with such imperialism during the Cold War has left a lot of bad blood between US and third-world groups (Armbruster-Sandoval 2005), as have the patronizing attitudes some US groups continue to hold (Krupat 2002).

According to the people I spoke with, whether or not the WRC was able to overcome such mistrust often had a great deal to do with whether there were previously existing ties between the WRC’s contacts in the US anti-sweatshop movement and those groups it hoped to form ties with in the South. USAS member Marion Traub-Werner (interview, 2007), who had worked extensively with women’s and labor rights groups in
Central America before the founding of the WRC, played a role in helping establish the Consortium’s network in that region. In the case of Guatemala, she told me it was her ties with the AFL-CIO Solidarity Center which ended up determining which of the major unions the WRC was able to establish a long-term relationship with.

In Guatemala, there were three main union federations. One was the one that had an organizing project with the Solidarity Center. One was the one that had had that kind of project for years but was part of that Cold War era [phase of the Solidarity Center’s work], so it was the most conservative union federation and they [the Solidarity Center] were kind of transitioning out of that into this more middle-of-the-road one. And then there was the left one, which projected itself as the most popular and grassroots and also had ties to the former guerrilla movement, which is now a part of the UNE [political party]. So I would go talk to the left one, right? But we never did direct work with them. We weren't going to fund them and the Solidarity Center wasn't funding them, so they didn't have a reason to talk to us. They also didn't trust us, I'm sure--I don't think they would trust US groups so much.

As the above quotes indicates, one of the challenges the WRC had in building ties with groups in the South was that the sort of relationship it was hoping to build was one that differed significantly from that which most third-world NGOs were used to forming with US groups. “As soon as it's a Northern organization that was networking with this other [Southern] one, you have to be upfront about what the question is about funding,
financing, right? Because all these relationships have been totally monetized through the NGO-ization of life. So you know, all these NGOs are looking for funding. And the WRC is not a funder--so to even get in the door sometimes when you say that, you have to explain what's the incentive and what's the motivation to work with the WRC” (Traub-Werner, interview, 2007). This monetization and NGO-ization to which Traub-Werner refers is one of the major trends among non-governmental organizations, both North and South. Increasingly, such groups are not grassroots, membership-based groups, drawing their members’ fees and donations for funding. Instead, they are smaller, professionalized organizations, which rely on groups in the Global North--not only NGOs and private foundations, but governments and multilateral bodies--for their funding. This has caused some concern, because it allows these Northern funders to heavily influence the agendas of many Southern NGOs--not the people the NGOs are officially working on behalf of (Sikkink 2002). In the WRC’s case, because it did not fit this established model, it made building bridges more difficult. Indeed, as Traub-Werner explained in the case of Guatemala, they sometimes had to rely on US allies such as the Solidarity Center who did have funding ties with groups the Consortium hoped to work with.

In the experience of the people I spoke with, once the WRC forms its initial ties with a local group, they are strengthened over time through jointly working on investigations of specific allegations of labor rights violations. WRC staff person Jeremy Blasi (interview, 2007) said, “The real quality relationship is built through practice. If the first time the union or NGO makes a complaint about a case, we do a good job documenting what happened, and are able to work with various stakeholders to achieve a
successful outcome, that's a foundation for a good relationship.” According to Blasi (interview, 2007), those groups that have had good experiences with the WRC will often also pass the word on to other groups in their networks; this may lead those groups to in turn get in touch with the WRC if they are dealing with a problem in which they think the WRC might be able to help. To help strengthen its existing relationships with groups abroad and make it easier for new groups to contact it, the WRC has permanent staff in a number of countries around the world (Blasi, interview, 2007), including (as of February 2010) Bangladesh, Cambodia, China, the Dominican Republic, El Salvador, India and Thailand (Worker Rights Consortium 2007f).

Once the WRC began developing this network of ties, representatives of the organization had to work with local groups to help them understand what the Consortium could and couldn’t do. Schmaedick (interview, 2007) took part in this process.

It was basically helping them to understand that we weren't looking to parachute in and parachute out like many other factory monitors, but that we were about building local capacity and that's what the local mechanism feature was about. It bolstered up those local networks that already existed and it gave them an extra tool in their toolbox to address grievances. A lot of that in those early years was going and meeting people, understanding how they work, where they work, going over the factory disclosure database with them, and helping them understand what that information meant. We would interpret it and show them how to file reports.
Once the WRC had some successes under its belt (a process we will look at in the next chapter), its field representatives such as Schmaedick (interview, 2007) incorporated those into their trainings.

A lot of times I would facilitate trainings where workers got to talk with other workers. That was probably by far the most valuable thing, I felt. One of the fun things to do is to go and introduce workers who have successfully won a union drive or got their people reinstated or had people get compensation for injuries, things like that, to sit down with other workers who were facing the exact same problems and they would help them understand how it [the complaint and inspection process] works and walk them through it.

The WRC does not simply educate its contacts about what it does though. There is much the WRC can learn from the members of its network, since they have a local expertise that the Consortium, based in the US and with small staff to execute a global mandate, cannot develop on its own. Blasi (interview, 2007) told me, “Groups that are primarily based in these countries that represent garment workers know far better than anyone else the problems in the country. One thing that baffles me about corporate monitoring is that if I was trying to do a real credible job and I worked for Nike or whatever, the first thing I would do is go ask the union what are the problems in this zone, in these factories.” Local organizations’ expertise in their countries’ legal and regulatory system can also prove important.
For example, in Central America, the Caribbean, most of the countries have a law called *fuero sindical*, which means you can't fire the union committee leader without establishing just cause—you just can't under any circumstances. And if you want to fire someone for just cause you have to get prior approval from the government to do that. It's a very important law for unions in those countries and it's also much easier to enforce than more general laws, which say you can't retaliate against workers because of their participation in the union. [...] It's just real black-and-white whether or not the company got permission to fire them [...]--there's no room for debate. [...] That's the kind of thing we might learn from the [local] union or labor lawyers (Blasi, interview, 2007).

Such knowledge is crucial—knowing what laws are easier to get enforced and can thus more easily be used as tools to fix problems significantly increases the WRC’s chances of success in any particular case.

**The Fire Alarm Model: The WRC’s Monitoring Practices**

Just as the WRC’s structure and relationship to other groups differs fundamentally from corporate-sponsored monitoring organizations like the FLA, so does its approach to monitoring. The FLA and its kin rely primarily on some form of certification, whether of factories or of brands (Esbenshade 2004b). As noted in the last two chapters, anti-sweatshop activists saw serious problems with this practice, fearing it could mislead consumers into believing that goods so labeled were genuinely sweat-free. Former WRC
staff person Maria Roeper (interview, 2007) noted that when the WRC was first being created, there was some confusion around this point among rank-and-file USAS members. “Many people tried to say, ‘Join the WRC and be sweat-free.’ And many of us in the leadership [of the movement] were saying, ‘We won't actually be sweat-free, because you don't overnight have perfect working conditions anywhere. It’s a long, involved process […] They're not going to fix it overnight.’” Unlike the FLA, the WRC does not regularly inspect factories--instead, it responds to news of possible violations of workers’ rights. They rely heavily on their local networks of their allies for such news.

Further, as I quoted Schmaedick saying above, the WRC has tried strategically to design its monitoring approach to strengthen the capacity of its local contacts over the long run, with the hope that they will increasingly have the capacity to address labor rights violations on their own.

The staff of the WRC refer to their approach towards monitoring as the “fire alarm model”. Rather than relying on regular inspections of factories, followed by certification, the fire alarm model as a strategy involves investigations of factories in response to complaints by workers or their advocates or other reports of potential code of conduct violations. According to Steffan (interview, 2007), “We work with local organizations to check out the factories where we have received complaints of problems and where there's local interest in working with us to improve working conditions. One of the most common complaints we receive is from workers who have allegedly been fired illegally for attempting to exercise their associational rights,” i.e. trying to organize a union. Workers filing a complaint can do so either directly with the WRC or through the
intermediary of one of the Consortium’s local contacts. The complaint process is meant to be a worker-friendly one (Esbenshade 2004b), not something that involves large volumes of paperwork or working with a labyrinthine bureaucracy. Thus the means of submitting the complaint is purposefully flexible--it can be verbal or written and can be delivered to the WRC through any medium--phone, fax, postal mail, e-mail or a form on the WRC’s website. Further, the complaint does not need to get into the technical details of how the alleged labor rights violations contravene the codes of conduct of the WRC’s affiliate schools--it is enough that it is clear that a serious problem has occurred; the complaint must, however, be specific about what these problems were. Throughout the ensuing inspection process, the Consortium and its partners protect the confidentiality of the complainants to guard them against retaliation by management (Worker Rights Consortium 2007e).

Once the complaint has been filed, the executive director of the WRC (a position held by Scott Nova since the inception of the organization) looks into the charges to see whether a full-scale investigation is warranted, consulting the WRC’s staff, the WRC’s Board and three constituent caucuses, its network of local allies in the place where the alleged violation took place, and anyone else whose input may be valuable. Members of the Consortium’s Board can call a special meeting to override the executive director’s decision to investigate or not, if they feel the director has made an incorrect decision. A particularly important standard in determining whether the WRC will carry out an inspection is whether or not the workers affected by the alleged violations want the Consortium to intervene (Worker Rights Consortium 2007e). Again, we see the WRC
attempting to put the workers who the monitoring is supposed to help at the center of the process--instead of at the margins, as with the corporate “social responsibility” programs, which leave business at the center.

According to Blasi (interview, 2007),

A substantial percentage of our complaints involve workers who've been fired for trying to organize their union or organize in some other way in their workplace to improve the conditions, eliminate violations. And so, case after case after case, the actual work of what we're doing involves, in part, documenting the ways in which the firing of these workers, who are seeking to improve things in their factory, was illegal, because you can't fire someone for organizing a union or trying to improve conditions in your factory. And then trying to get those workers reinstated into the factory, if that's what they want, so that the efforts, the collective efforts of workers in these factories to improve things, can go forward.

Officially, the WRC only has jurisdiction in cases where collegiate apparel is being produced. In practice, they end up dealing with a wide range of companies, many of whom do not produce college-licensed goods. This is due to the fact that any one factory produced goods for several brands and so will be producing goods for the general market alongside college apparel. Blasi (interview, 2007) told me, “Although our focus is on collegiate apparel factories, many of the cases where we have been most successful have been instances in which the factory was producing for both collegiate and non-collegiate brands. There are many non-collegiate brands that, like collegiate licensees, have adopted
codes of conduct and may even have their own compliance staff. We've found that some
non-collegiate brands that have experience dealing with these issues can be responsive
when we contact them about a particular case.” Thus, the WRC’s influence is wider than
the small part of the apparel market over which it has formal surveillance powers. And
many of the non-collegiate brands that the Consortium deals with have plenty of
incentive to do so--they care about their brand images and there is always the danger that,
if they do not deal with the WRC, then they will have to deal with USAS or other more
confrontational members of the anti-sweatshop movement.

As discussed in chapter five, members of the anti-sweatshop movement are
generally critical of the shortness of the inspections done by the Fair Labor Association,
which usually last only a few days--what Schmaedick (interview, 2007) referred to above
as “parachuting in and parachuting out”. Such short inspections not only prevent the
investigators from doing a thorough job; they also prevent the inspectors from building
and drawing on ties with local groups and helping them build their own capacity to carry
out monitoring--thus the metaphor of parachuting in and out, with its implications of a
lack of any long-term connection to the site of the inspections. Rather than a few days,
the WRC carries out its inspections over a period of several weeks. Once the inspections
are complete and the reports issued, the Consortium remains in touch with the local
actors, trying to ensure that its recommendations have actually been implemented--
something the FLA has not historically done. Thus, the WRC is usually involved with a
particular factory for at least a few months; in some cases, where either the factory’s
management or the brands who patronize them have been resistant to changes, the
Consortium can remained involved for years on end, as it did with the BJ&B factory in the Dominican Republic (though this was an extreme case). Schmaedick (interview, 2007) told me of her experience as one of the WRC’s field representatives and monitors,

I used to spend months worth of time in Asia and then I'd come back to the States for a month and then I'd go [to Asia] again for a month or two. There's a lot of back and forth. Obviously I wouldn't be working on just one factory, I'd work on several. It's a lot of time to build up the trust and the rapport and to make sure we understand what the problems are and then, more importantly, that the recommendations that we put forward make sense in terms of actually addressing the issue at hand.

Steffan (interview, 2007) noted that “The first step is never going to a factory and doing inspections—it's always talking with workers. That's the only way to get the real information about what's going on and make sure we do something meaningful, that people want to happen and are going to work to try to [work with us to] obtain the truth.”

Again, we see a monitoring strategy that is meant to be worker-centered and emphasizes building local relationships. The WRC’s representatives also take care in putting together their inspection teams. Although the Consortium consults with unions representing the workers on what problems need to be addressed and the best way to do so, union representatives are never included in inspection teams because of the obvious conflict of interest (Steffan, interview, 2007). As noted above, any advocacy group which filed a complaint with the WRC in relation to a particular case is also barred from the inspection team working on that case, though the inspectors may consult with them in the same
manner they do with unions. Any inspection team must include both representatives of the WRC and representatives of local groups who have relevant expertise. In a case where there are charges of the violation of labor laws, this would include lawyers with expertise in local labor law; in a case where there are charges of health and safety violations, this would include doctors specializing in occupational injuries and diseases; and so forth. The Consortium may also draw on people with expertise from outside the region (Worker Rights Consortium 2007e) (Schmaedick, interview, 2007)--for instance, Mark Barenberg, a professor of Law at Columbia University who specializes in labor issues, has been involved in a number of WRC inspection teams.

All sorts of specialized knowledge may prove useful in surprising ways. Roeper (interview, 2007) told me of an early case where the Consortium was investigating labor rights violations at PT Dada, a Korean-owned factory in Indonesia:

A lot of tensions and a lot of difficulties sometimes comes up between managers and workers who don't speak the language, and there's also a lot of cultural differences between Korean management and Indonesian workers, so we brought along a Korean person who would be working on health and safety issues. [...] There were allegations that workers had been fired for organizing. They [management] had written on a form in English that a person had been fired for something work-related, but it was written in Korean “union instigator” on the form. It became very clear to us that the actual reason that she was fired was because of her union activity, but we only knew this because we had the Korean investigator with us.
The WRC’s inspection teams rely on a wide range of means to gather data. These include actually visiting and inspecting the factory, as well as going through the factory’s records--for instance, going through its payroll records to look for evidence of failure to pay workers’ their wages properly. The inspection teams also rely heavily on interviews with a wide range of concerned parties. Particularly central to the inspections, as already noted, are interviews with workers. In chapter nine, I discussed the ways in which the anti-sweatshop movement critiqued the FLA and corporate CSR programs for failing to protect workers’ confidentiality in such interviews. The basic inspection protocols of the WRC (2007e), on the other hand, mandate such confidentiality. The protocols also require the monitoring teams to approach workers for interviews outside of work, through intermediaries, such as local advocacy groups or sympathetic doctors, that the workers know and trust. Without this, workers have no way of knowing that the WRC’s assessment team is not actually affiliated with factory management or the brand-name companies who contract with the factory--and without such knowledge and trust workers would have plenty of reasons to be less than candid, if only to protect themselves from retaliation by their employers. The investigation protocols also require the Consortium to redact quotes from workers in their final reports in such a way that all information that might identify individuals is removed.

In some cases, it is important to get out information promptly, before the investigation is complete. WRC Executive Director Scott Nova (interview, 2007) told me of the case of Kukdong, a maquiladora in Mexico (which we will look at in more depth in the next chapter).
Union leaders were fired during the [organizing] campaign--it was critical that they were reinstated. The purpose of the firing was not just to deprive workers of their leaders, but to scare the hell out of those who hadn't been fired. So it was critical that the chilling effect be halted […], which required responsiveness on our part. So we were able to investigate very quickly and issue a preliminary report within a matter of a day clearly outlining the obvious violations, the illegalities of the firings.

If the union leaders had not been reinstated promptly, they would have been forced by economic necessity to find work elsewhere, eliminating the workers’ own leadership over the long run. Groups such as USAS were able to use this preliminary report (Worker Rights Consortium 2001b) to put pressure on the brands, such as Nike and Reebok, that did business with Kukdong’s owners to reinstate the fired workers. Meanwhile, the WRC continued on with a more in-depth investigation, eventually putting out a full report (Esbenshade 2004b) (Nova, interview, 2007).

As part of the WRC’s long-term orientation towards monitoring, they try to remain involved to see that the recommendations they make for correcting labor rights violations are actually implemented--unlike the FLA and many other corporate-sponsored monitoring programs. In chapter nine, I quoted Schmaedick (interview, 2007) critiquing the FLA for its lack of follow-up in seeing that problems its inspectors found were addressed. To her, such follow-up is central to any successful monitoring program.

Finding violations, unfortunately, is almost too easy--the violations are so blatant. But the follow-up ensures that promises that are made are kept.
Moreover, say for example the issue is excessive overtime or excessive, forced and even unpaid overtime, often it's easy to correct the unpaid part—people can be paid. But to correct the excessive part means the restructuring of the factory production lines and the workday and spreading out production over more time, more days. That takes longer and sometimes you think you have addressed it—-and then it shows up in other problems where people aren't making the production deadlines or something, so you need to readjust, you need to reassess. That requires going back and forth and finding solutions that actually address what you were trying to address rather than creating new problems.

Monitors who simply parachute in and out are unable to see if management has made the recommended changes, to see if these changes adequately address the problems found, and to build the long-term relationships with factory-owners, workers, and local advocacy groups that ensure such changes are carried out. The WRC, with its long-term commitment, has a much better chance of doing so.

The WRC also seeks to build the capacity of local groups with which it works, so that they are better able to address labor rights violations on their own (Worker Rights Consortium 2007e)—again a major difference between it and programs like the FLA. Schmaedick (interview, 2007) told me, “It's all really about capacity building […]—especially in setting up internal grievance systems within the factory that really work, making sure there's new respect […] formed between management and the workforce and that the workforce has a voice, an organized voice, in the workplace, so they can address
grievances in real time and rely less and less on external monitors such as myself.” The WRC is also interested in building the capacity of local advocacy groups besides unions, both so that they can work with the Consortium on future investigations more effectively and so that they can act on their own to more effectively fight sweatshops (Worker Rights Consortium 2007e). The WRC, a small organization, only has the capacity to be involved in so many investigations; thus building the capacity of local groups means there are fewer cases where it needs to intervene directly and it can use its limited resources more effectively.

The Worker Rights Consortium has thus developed a large network of contacts—its “eyes and ears”—throughout the Global South with whom it tries to maintain mutually beneficial relationships. Being embedded in this network is essential for the WRC if its monitoring strategy is to have any hope of real success. In turn, the WRC offers its partners a means of strengthening their own hand in the battle for labor rights. If the WRC was not embedded in these networks, it would be a far less effective organization. At the same time, it needs to maintain its autonomy for its factory inspections and reports to have credibility. Its wide range of contacts means that it is not dependent on any one organization in its network when it is carrying out an investigation. Not only does this mean it has a wide range of experts with which it can work, it means it can avoid conflicts of interest that would compromise its integrity.

Issuing Reports and Working with Companies
While the WRC works with anti-sweatshop groups in the context of its investigation of alleged worker rights abuses, it primarily works with companies--both the major apparel firms and their contractors--in the context of trying to correct those abuses they find. Roeper (interview, 2007) told me, that, unlike USAS, in the case of the WRC, “there's a fair amount of talking and working with the companies rather than against them,” especially their CSR departments. Such lines of communication need to be kept open if the companies are to take the WRC’s recommendations seriously and even consider implementing them. Thus, the Consortium needs to remain embedded in a set of relationships with the apparel industry. At the same time, it works to ensure that its autonomy is never compromised. Not only are corporations barred from sitting on the WRC’s board or donating money to it, but the Consortium places a high value on transparency. It makes all its reports public, documenting the violations it has found--unlike the FLA and other corporate-sponsored monitoring groups, which treat such reports as the confidential property of the lead apparel firms (Esbenshade 2004b). The Consortium tries to maintain this balancing act of both keeping good relations with industry and transparency by giving the companies involved in any particular case the chance to correct labor rights violations before the Consortium publishes the report and acknowledging any such corrective action in the report. On the other hand, if the companies fail to address the problems the WRC inspectors raised, the WRC will publish this failure as well--leaving the companies vulnerable to campaigns by USAS and its allies.
The nexus through which the WRC both works with companies to persuade them to comply with its recommendations and maintains its public transparency is the reports that its investigate teams put together. These reports not only document violations of labor rights and codes of conduct, but they also contain recommendations for actions on the part of the companies involved, put together by the monitoring team in consultation with local advocacy groups. The WRC’s office in Washington, DC then goes through them to prepare them for the final public release, editing them as necessary and clarifying points that may be obscure to those uneducated about workers’ rights. Steffan (interview, 2007) told me of a report she had just finished working on, “It came from our field staff in Thailand and Cambodia, and it was written by a guy in Cambodia who doesn't speak English as a first language, so it just needed a lot of editing.” Beyond that Steffan needed to clarify why some problems were actually problems, so that the reports can stand up to critiques by the anti-sweatshop movement’s detractors, whether in the university or industry sector.

For example, maybe there's a factory in Cambodia where one of the problems was verbal abuse by this supervisor in the embroidery department and one of the things she was doing was screaming at workers who would leave work at the end of the shift even if they hadn't finished their quotas--you can't legally force a worker to past their shift even if they haven't finished their quota. […] Well, the skeptic here might say that, Well, the person didn't finish their work. Of course they should've gotten yelled at […]. So I had to put in a footnote saying that it is a violation of
Cambodian law […]. We have to make sure we're thoroughly explaining why everything's a violation because there's always going to be someone who says, Well, that doesn't sound so bad to me. Clearly, these are people that have no idea what it's like to be a low-wage worker in Cambodia. We're taking the problems as workers describe them to us […], but we have to make sure we're explaining it in a way that's airtight, and see whether they're a violation of law, a violation of codes of conduct, a violation of ILO principles. It's got to be described in that way and in relation to something that's not controversial (Steffan, interview, 2007).

In some cases, these reports may even serve to strain relationships with the companies the WRC needs to work with by publishing things those companies would prefer not to be known. It is, however, the principle of the thing that is important. According to Roper (interview, 2007), “It was a big, big issue early on in the creation of the WRC that all of these other monitoring organizations--the FLA, Verité, etc.--did not make their reports public. Part of the concept of the WRC is that public accountability is very important. Disclosure of factory locations is important, as is public disclosure of information.” Even if few people read the reports thoroughly, the fact that they are public makes them available to those groups, like USAS or the Solidarity Center, that might launch a campaign against a company that fails to deal with the problems in good faith. If the WRC’s efforts to work with companies through making recommendations does not lead to public accountability, such campaigns may be able to do so instead--an issue we will look at in the next few chapters.
After the report is put together, but before it goes public, according to Schmaedick (interview, 2007),

We will give a copy of that to the brands involved, to the factory management, and to the workers that filed the complaint or the trade unions, depending on what the situation is with the labor at the factory. We give the main parties involved a chance to look at everything before it goes public. We say these are the violations and there are some very serious ones but if you agree to these recommendations, we will definitely put that in our public report. It gives everybody a chance to save face. It gives the management and the brands a chance to say, Wow, we didn't realize that was happening and it's really bad and [...] we're going to do whatever we can to fix that right away. So we would put that in the public report. I don't think brands were expecting us to do that, initially. [...] I led a lot of those initial visits with brands, where we would report our findings to them quietly at first and they still knew we were going to go public with it, but they started to feel, overtime, that if there was cooperation from them in the beginning, it would fare far better for them in the long run.

Beyond the obvious issues of trying to maintain good relations here, there are also some issues of cultural sensitivity. Since many factory-owners come from East Asia--Japan, South Korea, Taiwan--giving them a chance to say face is especially important. Schmaedick (interview, 2007) said, “Especially as a young female, if I had gone into their factories and just read them the riot act right off the bat and didn't even give them
the chance [to fix things], it would have destroyed any opportunity to really work with them to change things.”

In addition to working with companies, the WRC has also at times worked with the FLA, as discussed in chapter nine. The FLA’s public view is that the two organizations play complementary roles in fighting sweatshops. Auret van Heerden, the former executive director of the FLA, said of their relationship, “The WRC has great connections on the ground and an early-warning system that is invaluable at times. There is an obvious synergy emerging. They can uncover problems. We can get the brands to get us both in the door” (quoted in Esbenshade 2004b).

The WRC staff people I spoke with felt like that they had successfully established cordial, constructive relationships with the factory-owners and the core apparel firms, achieving some degree of respect from them. Steffan (interview, 2007) told me, “The brands were very skeptical at first; then we went through a period where we were developing good relationships with them, at least in terms of specific factory cases. If there was a problem that we had documented at a factory, we could generally count on at least the bigger brands to intervene--they're more sophisticated with corporate social responsibility programs.” Obviously, the relationships the WRC had with the brands and even the FLA were never as tight as those it had with the anti-sweatshop movement, since the Consortium’s purpose is to act as a watchdog over those companies. In any such relationship, there is bound to be some degree of strain. And those relations--with both the companies and the FLA--have since grown more strained over the last few years, as the WRC has pursued implementing the Designated Suppliers Program (DSP). This is
because the DSP asks of the brands more than simply fixing violations at the factory level, but changing the way they do business—an issue we will look at more closely in chapter fifteen.

Clearly, there are marked differences in the way in which the Worker Rights Consortium has related to other organizations in the anti-sweatshop movement and to the companies it monitors. In both cases, however, the relationships may be characterized as embedded autonomy, though with more emphasis on the embeddedness in the case of the anti-sweatshop movement and more on the autonomy in the case of the apparel industry. To pursue its monitoring strategy effectively, the WRC has needed to maintain relationships with a wide range of organizations, including anti-sweatshop and workers’ advocacy groups that alert it to problems and help it carry out its task of monitoring; and the companies that are monitored, in order to find ways to address the problems that its monitoring program reveals. At the same time, to maintain its credibility as a watchdog organization, it must clearly not be beholden to any other organization or set of organizations that have a stake in the wider conflict over labor conditions. In many ways, the WRC has proved an effective monitor. Indeed, one of the signs of their success is that they are usually able to say in their public reports that the companies involved have taken steps towards fixing the problems raised. This is not, however, always the case; in such cases, the wider anti-sweatshop movement takes advantage of the information the WRC has documented to undertake campaigns against the non-compliant companies. We will look at these campaigns in the following chapters.
Chapter 12: Solidarity Campaigns

The Kukdong Campaign

The campaigns we have examined so far—to win codes of conduct for licensees at college and universities and to establish the Worker Rights Consortium—were not fought for their own sake. They were fought to give the anti-sweatshop movement more leverage in its efforts to support workers in sweatshops fighting for their rights, particularly the right to form labor unions, so that they can exercise power and voice on their own. To do this effectively, US groups must work closely with the workers they wish to support, letting those workers set the main agenda—in other words, the US groups must find ways to act in solidarity and seek to empower the workers not only in their own workplaces, but in the transnational campaigns against sweatshops. Such solidarity and empowerment includes not only engaging in specific campaigns to help workers at specific factories, but also finding ways to establish long-term relationships between US groups and groups representing the workers they wish to help. While the majority of campaigns are in support of workers in the Global South, United Students Against Sweatshops has engaged in at least one major campaign to support workers at a US factory, the New Era Cap factory in Derby, New York. In the next two chapters, we will look in depth at the global political opportunity system within which these campaigns take place and at the strategic models that guide USAS and their allies in these campaigns. First, however, it will be useful to examine at least one of these campaigns in depth to see the process by which they actually unfold, much as we did with the campaign on Duke’s campus in chapter five.
The first major solidarity campaign that USAS undertook after the establishment of the WRC was in support of workers at a Korean-owned factory, Kukdong, in the town of Atlixco, in the state of Puebla in central Mexico. The plant--owned by a multinational that also had factories in Indonesia, Bangladesh, China, and South Korea--produced goods mainly for Nike and Reebok, both of which had licensing agreements with colleges belonging to the WRC (Hermanson 2009; Ross 2006). Long-time labor solidarity activist Jeff Hermanson (interview, 2007), who at the time was with the AFL-CIO Solidarity Center’s Mexico office and participated in the Kukdong campaign, told me, “This was really the campaign in which USAS and the WRC established themselves as effective players in the global sweatshop arena--very effective players.” Indeed, they were central to the success of the Kukdong solidarity campaign. As such, it makes sense to take the Kukdong campaign as our illustration of what such struggles look like.

Atlixco and the surrounding area consist of impoverished villages; traditionally an agricultural region, it was devastated by the glut of cheap agricultural goods that flooded Mexico as a result of NAFTA. It was also a region with a long history of rebellion and resistance to injustice among the peasants and workers. Prior to the opening of Kukdong, the major employer in the region was the Matamoros Garment factory, where locals considered the conditions to be abysmal. The main alternative to working in the maquiladoras, however, was immigrating to the US. When Kukdong was opened in November 1999, the managers recruited workers by promising them better working conditions at their factory than were available elsewhere in the region (Hermanson 2009; Ross 2006). Particularly attractive was the promise that management would provide free
breakfast and lunch--a strong draw when many families did not have enough money to feed themselves adequately (Worker Rights Consortium 2001c). As with most such factories, the employees at Kukdong were predominantly young women--85% of the eight-hundred-person workforce were women between the ages of sixteen and twenty-three (Ross 2006).

Conditions at the Kukdong factory proved to be less than ideal. Managers, many of whom were inexperienced and had little training, both physically and verbally abused the young women working there. The wages did not even meet the minimum required under Mexican law, let alone reach a level sufficient to support a family. Workers were denied both maternity leave and sick leave. Clean water for drinking was often unavailable and the bathrooms were filthy. Even the promised meals were problematic. The lunches were made from rancid food, served on dirty plates, causing a number of workers to fall sick. The breakfast consisted only of coffee and bread, in a region where the cultural norm was for breakfast to be a substantial, nourishing meal (Hermanson 2009; Worker Rights Consortium 2001c).

In May 2000, the Kukdong workers also discovered that, without their knowledge or consent, management had, shortly after opening in December 1999, struck a deal with the Revolutionary Confederation of Workers and Peasants (Confederacion Revolucionario de Obreros y Campesinos or CROC) to “represent” them as their union. The CROC is the smaller of the two unions that are associated with the Institutional Revolutionary Party (Partido Revolucionario Institucional or PRI), which ruled Mexico when it was a de facto single-party state from 1910 to 2000. Even after the transition to a
multi-party system following the PRI’s loss of the presidency in December 2000, it remained dominant in many areas—including Puebla. Given its close connection with state power, the CROC cannot be considered a genuine, independent union. Indeed, in most cases, as with Kukdong, it makes no efforts to actually represent the workers enrolled in it. Instead it signs contracts with management that guarantee workers only the wages, etc. that are the minimum requirement under Mexican law, while providing that any worker who refused to join the union and pay dues would be fired. The union officials make their living off these dues, while in return they help management control the workforce and repress any dissidents (Hermanson 2009; Ross 2006; Worker Rights Consortium 2001c).

Following the establishment of the WRC, with the aid of the Solidarity Center, David Alvarado, a former USAS member originally from Mexico who had attended the University of Wisconsin--Madison, traveled around his home country in the late summer and early fall of 2000. His purpose was to let Mexican workers at factories producing goods for schools affiliated with the WRC know about the new organization and the ways in which it might aid them—something only possible because of USAS’s victory in the earlier struggle over the disclosure of factory locations. Alvarado also laid the groundwork for a larger, five-person USAS delegation to come through later, one that would be accompanied by Hermanson. One of the places he visited was Kukdong, where there was enough discontent among workers and interest in what Alvarado had to say that this became one of the places the USAS delegation visited in November 2000. They did not make any attempt to organize the workers, but simply let them know that USAS was
willing and able to support them in any struggle they undertook (Hermanson 2009; Ross 2006) (McGrath, interview, 2007). USAS member Molly McGrath (interview, 2007), who took part in this delegation, told me,

That's the first time I think I had ever been in an apparel factory. It was pretty neat for me. […] We ended up meeting with these Kukdong workers. It was a short meeting--it was like having a cup of coffee after dinner. I think they had just gotten off work, so we had an hour-long conversation with them, explained to them what USAS was and what we had been doing for the last couple of years. That was it, but I think it helped to give them and other workers an idea that there would be an international network there.

The knowledge that such an international solidarity network existed and might have the power to help them was apparently sufficient to transform the workers’ discontent into open revolt. Hermanson (interview, 2007) told me,

Those workers, all of a sudden, began to organize themselves. It wasn't really predicted, but it wasn't totally unexpected either. And as soon as that began to happen, we began to plan how we would support these workers if their organization actually reached critical mass. And then as we're in the midst of planning that, of course, there was the rebellion of the workers, which was crushed by the state authorities and then all of our planning had to really be rushed and we had to move into action.
On December 15, 2000, the five workers who had met with the USAS delegation organized a one-day boycott of the cafeteria, demanding better food. Based on trumped up charges, Kukdong’s management fired the leaders of the boycott on January 3, 2001, sparking a larger revolt, as six hundred workers (out of an eight-hundred person workforce) walked off the job on the 8th. They escalated their demands to include not only better food and the reinstatement of the fired leaders, but the right to join an independent union, instead of the CROC. On the 11th, the police, thugs working for CROC, and the local head of the CROC himself attacked the workers as they camped out around the plant in the middle of the night. The young women sat with their hands in the air, singing the Mexican national anthem, as they were beaten up. Seventeen ended up in the hospital, while the assault was broadcast on Mexican national television (Hermanson 2009; Ross 2006; Worker Rights Consortium 2001c). Management and the CROC refused to allow many of the striking workers to return to work; others were required to sign loyalty oaths to the CROC or forced to resign (Worker Rights Consortium 2001c).

Upon receiving word of the start of the strike, USAS and other US anti-sweatshop groups began to mobilize. The day immediately following the attack on the workers, Evelyn Zepeda, a Salvadoran-American USAS member at Pitzer College in California, arrived in Atlixco to help coordinate actions between the workers and USAS via the internet. She remained there for the duration of the campaign, with the financial support of the Solidarity Center, staying with Marcela Muñoz, one of the fired leaders (Hermanson 2009; Ross 2006).

USAS also began mobilizing in the US. USAS member Eric Brakken (interview,
2007) recalled,

We had a lot of schools who by this point had gotten their
[administrations] to do the code of conduct, signed on with the WRC and some, on some level, were looking for something to do. What's the next stage of this, what are we going to do? They had already had a mobilized student base and were ready to be activated around something and this gave us the excuse to do that. It was nothing huge. I don't think we even had any sit-ins around Kukdong. We had protests, we had letter-writing campaigns, we had e-mails campaigns.

Specifically, USAS put out an e-mail, urging its members to take action, targeting both Nike and Reebok, as Kukdong’s major customers, and those colleges who had contracts with the two companies. USAS took advantage of newly developed technology, to which they were given access by the AFL-CIO, to inundate Nike and Reebok with mass e-mailings, demanding action--now a standard tactic, but then something that took the companies somewhat by surprise. They also held protests outside Nike stores in a number of cities, committing civil disobedience in Chicago and San Francisco (Ross 2006) (McGrath, Stoppard*; interviews, 2007). McGrath (interview, 2007) noted that by this point, of the anti-sweatshop groups in the US, USAS, “was the one that had the most ability to turn out the grassroots arm. […] Whatever USAS decided to do as far as actions on campuses or sending public messages to companies had a lot of influence.”

USAS also pressured their schools’ administrations to follow up on their commitments as members of the WRC. By this point, most administrators were relatively
responsive to USAS—they had been through enough sit-ins and other such actions that they knew there could be trouble if they didn’t respond to students’ demands. Thus, USAS members needed to do little more than hold educational events and public rallies (McGrath, Stoppard; interviews, 2007). Additionally, now that they had joined the WRC, a minority of administrators genuinely felt they had some stake in this issue and in seeing that Nike and Reebok actually abided by their agreements (Nova, interview, 2007). At this stage, USAS was not asking schools to suspend their contracts with Nike or Reebok—just to get in touch with them and let them know of their concern. The threat of suspended or canceled contracts was certainly in the background of these conversations though and both Nike and Reebok knew there could potentially be unpleasant consequences if they did not follow through on their commitments to maintain high labor standards among their contractors (McGrath, Stoppard; interviews, 2007).

Other groups in the US also took actions in support of the Kukdong workers. USLEAP and the Campaign for Labor Rights also had sizeable grassroots networks they mobilized through their e-mail lists (Brigham 2003) (McGrath, interview, 2007). UNITE put up a video on its website behindthelabel.org, in which a fourteen year-old girl who had worked at Kukdong spoke about her experiences. All this activity generated significant media coverage, including in such prominent papers as *The New York Times*, *The Washington Post* and *The Financial Times*, which further increased the pressure on Nike (Brigham 2003; Hermanson 2009) (Hermanson, interview, 2007). Nike tried to actively counter both its bad press in the national media and the e-mails circulated by USAS. Brakken (interview, 2007) told me, “We'd be writing communiqués all the time...
on our list-serves about what was going on there and Nike would be responding in real time. They had a special Kukdong section on their web site. We had this running dialogue with Nike, each of us putting out communiqués--and that is a testament to the fact that a lot of people were engaged all over the country and they were taking action.”

Additionally, on the advice of the Solidarity Center and USAS, the workers at Kukdong filed a formal complaint with the WRC in January 18, 2001. As a result, the Consortium began to prepare to investigate the situation on the ground (Ross 2006; Worker Rights Consortium 2001c).

As a result of the pressure on them, Nike and Reebok soon began, in their turn, to pressure Kukdong’s management to reinstate the fired leaders. Kukdong, however, was reluctant to do so. In an effort to move things along, Hermanson drew on his own contacts and invited in some Korean allies of the Solidarity Center, the Korean House of International Solidarity (KHIS), a group of lawyers and academics who were supporters of the progressive Korean Confederation of Trade Unions. Given their status as professionals, Kukdong’s management was willing to give them a hearing. One of them, Francisco Chang, was a Korean raised in both Argentina and the US; as a result he spoke Korean, Spanish and English and had an understanding of the cultures of all three societies. Chang and the rest of the KHIS delegation found a way to bridge the cultural gap between Kukdong’s management, the Mexican workers and the US solidarity activists, and on February 19, 2001 persuading the company to reinstate the workers and recognize an independent union (Brigham 2003; Hermanson 2009) (Hermanson, interview, 2007).
They explained to management how the return of the leaders was required by law and by the codes of conduct of their customers. The reinstatements had to be seen not as an admission of guilt by the company, but as an ‘olive branch’ to try and put the dispute behind them and get back to work.

In fact the reinstatement of the workers would prove that *Kukdong* was an ethical company, committed to generous treatment of their workers (Hermanson 2009, italics in original).

As a result, three of the five leaders of the striking workers were rehired. Following this, they set out to persuade as many as possible to return to work (and their worried parents to let them), with the goal of continuing the struggle from within. After a couple of months of such organizing, about half of the workers did so. They set up a new union, the Independent Union of Workers of Kukdong International--Mexico (Sindicato de los Trabajadores de la Empresa Kukdong Internacional de Mexico or SITEKIM), but they could not get official recognition for it. The Puebla Local Board of Conciliation and Arbitration--the official body charged with settling labor disputes in the maquiladora sector--was controlled by the PRI. The last thing the PRI wanted to see was the CROC decertified or workers allowed to vote for an independent union--this might set a precedent and encourage workers in other factories to pursue the same course of action (Brigham 2003; Hermanson 2009) (Hermanson, interview, 2007).

Even as the workers were moving forward with their struggles at Kukdong, a number of separate delegations came to visit the factory and the region to evaluate the situation. One was sent by Nike, which sought to assess the situation itself. The
delegation was lead by Arturo Alcalde, a Mexican lawyer who sat on the board of the International Labor Rights Fund (ILRF), one of the few labor rights groups still associated with the FLA, but one which the Solidarity Center continued to regard as a genuine ally (Brigham 2003) (Hermanson, interview, 2007). USAS member Marion Traub-Werner (interview, 2007), with the help of the Solidarity Center, set up a second delegation, consisting of administrators and students from a number of colleges and universities.

I was there for like a week and something setting up all the groundwork, and then within three weeks, there was a delegation of twelve university lawyers and administrators. And there were a couple of students on that too. I led them on this one-week, fact-finding mission, and we interviewed everyone. The idea was, Okay, here we have this case and what are universities going to do? We took them to the factory, we took a tour, we talked to management, and then we took them to the different towns, because this was a factory where the workers actually migrated daily from indigenous towns around it. […] They talked to workers about what happened, talked to the government, to the Solidarity Center, all the players.

This allowed the university representatives to assess the situation independently of both Nike and the WRC. Since this was the WRC’s first case, the school officials could not be sure what sort of job the Consortium would actually do.
Under pressure from Nike, Kukdong’s owners also agreed to a joint delegation by representatives of the WRC and Verité, an FLA-accredited monitoring firm (Brigham 2003). They took care, however, in putting the inspection team together. It was lead by Mark Barenberg, then president of the WRC’s Board of Directors and a professor at Columbia University who specialized in US, Mexican and international labor law. Other members of the team included Scott Nova, the WRC’s recently hired executive director; two representatives of USAS, Marikah Mancini and David Long; Marcella David, a professor at Iowa College, who represented the WRC’s university caucus; Rev. David Dyson and Rodrigo Olvera, both labor rights activists; and Huberto Juarez Nuñez, a professor of economics at the Autonomous University of Puebla, who was also part of Verité’s team (Worker Rights Consortium 2001c). Given the urgency of the situation, the WRC put out a preliminary report on January 24, 2001, stating that the Kukdong employees’ right to freedom of association had clearly been violated and that the striking workers, particularly their leaders, should be reinstated immediately (Worker Rights Consortium 2001b). If this was not done, the workers would need to find work elsewhere, thus endangering the efforts to set up an independent union (Nova, interview, 2007).

Meanwhile the WRC continued with its investigation, in preparation for a more in-depth report, which was published on June 20, 2001. Since this was the Consortium’s first report, they spelled out their methodology in some detail, in order to bolster their credibility. “The WRC Panel of Investigation made findings of fact on evidentiary points only when corroborated by several, credible eyewitnesses and by accurate documentary evidence […]]. On points of fact seriously contested by any party, the full report recounts
evidence weighing for and against each finding” (Worker Rights Consortium 2001c). The inspection team spoke extensively not only with the Kukdong workers, but representatives of Kukdong’s management, officials from both the CROC and the Puebla state government, local human rights activists and academics, Alcalde (the ILRF representative who had conducted the earlier inspection for Nike), and a representative of Reebok, who was coincidentally at the plant at the same time as the WRC. Explaining the evidence for their conclusions in pains-taking detail, the report largely confirmed the workers’ complaints, noting that these were serious violations of colleges’ codes of conduct, Mexican law, and the International Labor Organization’s standards. As became the custom with its future reports, it noted in its June report the steps Nike, Reebok and Kukdong had taken towards dealing with the problems, while also discussing the ways in which they still fell substantially short of their obligations (Worker Rights Consortium 2001c).

During the course of all this, Nike refused to talk to representatives of USAS, since they considered the organization outsiders without a legitimate stake in the dispute, who were simply intent on destroying their company (Hermanson, interview, 2007). They also publicly attacked the WRC, arguing that its lack of experience made it unqualified to conduct an investigation (Brigham 2003). Nike did, however, get in touch with the Solidarity Center, after being referred to them by the director of the ILRF. Since their inspection team did not consist of Nike employees, they were a bit unsure of its reliability and wanted a second opinion. According to Hermanson (interview, 2007),
The Solidarity Center has an institutional presence and the prestige of being an institution of the AFL-CIO, not viewed as radicals or crazies or extremists, and I think that helped. I don't think that's enough--I do think that institutional asset has to be exercised very carefully. You have to gradually build up, because Nike's not a fan of the AFL-CIO--but at least they know who we were and they're ready to take our calls, where they wouldn't take USAS's calls.

As a union organization, Nike knew that the Solidarity Center ultimately wanted to reach a deal--they did not think the Solidarity Center simply wanted to take them down, the way they saw USAS. Hermanson also had a great deal of experience in Mexico and understood the country’s labor laws; thus, he could credibly represent himself as an expert who would provide reliable information (Hermanson, interview, 2007).

The Solidarity Center thus made a strategic decision not to engage in explicit protest, but play the role of a broker, relaying communications between groups that would not directly talk to each other. “What we could contribute to the struggle was to be a credible voice to Nike, to Kukdong, to the press, to the Mexican government, to the US government, but not to be seen as the campaigners. I mean, everybody knew that we were the AFL-CIO, and which side we’re on. It’s just that we're not going to be the ones demonstrating--there are other groups that can do that better than we can” (Hermanson, interview, 2007).

Over the summer of 2001, Nike began cutting significantly cutting its orders with Kukdong, publicly attributing this to a seasonal drop-off in demand. As a result,
management was forced to lay off large numbers of employees, reducing its workforce to 350 (Ross 2006). This pressure convinced the factory-owners that they had to find some way to get rid of CROC and work with an independent union if they wanted to retain their business. The factory-owners finally struck a compromise with the labor Board and the CROC. Kukdong formally closed down and reopened as another company, Mexmode. It paid the CROC off--officially, compensating them for damages--while it negotiated with the workers. Workers in turn dissolved SITEKIM and created a new independent union, the Independent Union of Workers of Mexmode (Sindicato Independiente de Trabajadores de la Empresa Mexmode or SITEMEX), which the labor Board agreed to recognize (possibly, after they too received a pay-off from Mexmode’s owners). Even as the labor Board was deciding to certify the union, Mexmode and SITEMEX were busy negotiating a contract. They finally agreed upon one on September 30, 2001, nine months after the initial strike (Hermanson 2009).

While tensions between management and workers certainly remained, things improved considerably. “The first contract at MexMode had a nominal 10% wage increase, in recognition of the losses the company had suffered during the nine-month struggle and as a show of good faith by the new union” (Hermanson 2009). It also contained language clearly protecting workers from abuse by supervisors. The contract lasted only six months, so it could be renegotiated in March 2002, when management hoped to have the factory back at full production again and able to provide the workers with better compensation (Hermanson 2009). Nike, however, initially refused to return its orders to the factory to the pre-strike levels. A group of Mexmode workers went on a tour
of the US, speaking at a number of colleges with which the brand had licensing agreements. As a result of renewed public pressure, Nike significantly boosted its business with Mexmode (Ross 2006). SITEMEX and Mexmode’s management signed a new contract on April 1, 2002, which gave the workers a 38% bonus--effectively a substantial raise that made them among the best paid workers in the region (Hermanson 2009). Thus, USAS and the WRC--in alliance with a number of other groups, such as the Solidarity Center, the Korean House of International Solidarity, and a number of US-based groups such as UNITE and USLEAP--were able to successfully support the workers in their struggle for justice.

**Other Major USAS Campaigns**

The Kukdong campaign was not the only major solidarity campaign undertaken by USAS and its allies. Two other important ones, which I will only review here more briefly, were in support of workers at the BJ&B plant in the Dominican Republic and at the New Era Cap plant in Derby, New York.

The BJ&B campaign began before the establishment of the WRC, in 1997, just as USAS was coming together as a national organization. The BJ&B factory was owned by the Yupoong Company, based in South Korea. It produced baseball caps for a wide range of customers, including universities, professional sports teams and some of the major brand name companies, including Nike. As with most sweatshops, the vast majority--95%--of the 2,000 workers were young women. And, as with most such factories, conditions were highly abusive--workers complained of verbal and physical abuse, sexual
harassment, undrinkable water, forced overtime, and poverty-level wages. In 1997, a Dominican Union, the National Federation of Free Trade Workers (Federacion Nacional de Trabajadores de Zonas or FENATRAZONAS), contacted UNITE for help. The US union, in its turn, published a report on the situation in 1998, specifically orienting it towards students, in order to pull the newly developing USAS into the struggle on the side of the workers—a sensible strategy, given that a significant portion of BJ&B’s production was for US colleges and universities. UNITE also organized a US tour for two workers from BJ&B—nineteen-year-old Kenia Rodriguez and twenty-year-old Roselio Reyes—which included a number of speaking events at colleges. Unfortunately, the Yupoong company was highly resistant to making any meaningful concessions and the struggle dragged on for years (Esbenshade 2004a; Ross 2006).

After the WRC was founded, they investigated the situation in January 2002, as a renewed unionization effort began at BJ&B; Zepeda—the USAS member who had spent the duration of the Kukdong campaign in Puebla—also went to the Dominican Republic, to coordinate between the union there and USAS. BJ&B’s management engaged in retaliatory firings of the union’s leaders and publicly accused them of being terrorists. The WRC persuaded Nike (BJ&B’s largest customer) and the FLA to come on board and join it in pressuring the factory’s management. Even with this pressure, management still resisted negotiating with the union or even treating its workers decently. It was not until March 2003 that BJ&B signed an agreement with the BJ&B Company Workers’ Union (Sindicato de Trabajadores de la Empresa BJ&B S.A.) (Esbenshade 2004a; Ross 2006).

The New Era Cap campaign was a bit different from most other USAS solidarity
campaigns because its focus was on solidarity with workers at a factory in the US (in Derby, New York), rather than overseas (though New Era has contracted other work abroad). New Era produced baseball caps both for major league sports teams and a number of colleges and universities. The company started off as a small, family-owned business, with generally good relations between management and their employees. As the business grew and became more impersonal, these relations soured. By 2001, there were three major points of contention between the roughly 350 workers and management. The first was that working conditions did not meet proper ergonomic standards, leading to pervasive on the job injuries and work-related ailments such as carpal tunnel syndrome; often times, workers did not report these for fear of being fired. After the workers at the Derby plant voted to affiliate with the Communication Workers of America (CWA) in 1997, management responded with persistent union-busting tactics. It also became clear during the course of the struggle that management simply had no respect for the workers, which was, in many ways, the straw that broke the camel’s back. Although representatives of the CWA tried to persuade the workers to take less confrontational actions (such as working to rule), in July 2001 they voted overwhelmingly to go on strike--a strike which lasted eleven months (Carty 2006; Worker Rights Consortium 2001a, 2002) (Howald, Palmer; interviews, 2007).

Even before the strike began, the CWA had begun contacting other groups in hopes of mobilizing a solidarity campaign behind the New Era workers. Through the local chapter of Jobs with Justice (a national organization focusing on building ties between the labor movement and progressive community organizations), the Derby
workers got in touch with USAS. After interviewing workers and documenting pervasive on the job injuries and union-busting, the students concluded that the New Era factory qualified as a sweatshop. They began a national campaign against New Era, urging their schools to suspend their contracts with the company until such time as the labor dispute was resolved. New Era workers spoke at college campuses across the country and at USAS’s annual national conference. After the workers filed a formal complaint in May 2001, the WRC also undertook an investigation, with which New Era’s management initially refused to cooperate. The Consortium thus published an initial report in August 2001, documenting the problems and management’s refusal to cooperate. As more and more schools began suspending their contracts, New Era’s management eventually came to the bargaining table and reached an agreement with the workers in March 2002, recognizing the CWA and correcting the ergonomic problems. Afterwards, the WRC followed up on its previous investigation and issued a new, final report, which reported that New Era’s management had fixed the bulk of the problems and was working in good faith on the others (Carty 2006; Worker Rights Consortium 2001a, 2002) (Howald, Palmer; interviews, 2007). David Palmer (interview, 2007), a national organizer with the CWA, who was deeply involved with the New Era campaign told me, “And, it is my belief--and I've told USAS people that were involved--if it was not for the student movement, I do not believe we would have been successful at New Era Cap. They did one heck of a job. The student movement was a key piece of CWA strategy.”

Unfortunately, neither the Kukdong/ Mexmode nor BJ&B victories have proved lasting. This follows an all too common pattern in the anti-sweatshop movement. The
problem, as has been noted before, is that once conditions for workers improve, their employer’s cost of doing business goes up—and its patrons among the major brand name firms will look elsewhere for cheaper factories (Armbruster-Sandoval 2005). In the case of Mexmode, it has lost a good deal of business to China, where prices are generally cheaper to begin with—and independent unions illegal (Robert J.S. Ross, personal communication, 2010). In the case of BJ&B, shortly after the victory at that factory, Yupoong began shifting production to factories it owned in Vietnam, where independent unions are illegal, and to Bangladesh, which has export processing zones, another site where unions are banned. BJ&B’s major patrons, Nike and Adidas, began moving their orders to these new factory locations as well. In February 2007, Yupoong abruptly shut down BJ&B without providing the workers there the necessary legal notice time. Additionally, the company refused to negotiate with the union on terms of their legally required severance pay. Instead, it required workers to sign an agreement stating they would not press for more severance pay, in return for which Yupoong would provide with only what they were legally required to pay them under Dominican law. Nike meanwhile continually misrepresented the situation, insisting that Yupoong had come to a negotiated agreement with the union. It was only after more pressure was applied to Nike and Adidas that Yupoong finally agreed to negotiate with the workers and provide them decent compensation (Clean Clothes Campaign 2007; Nova 2007b, 2007c). The temporary nature of these victories was one of the major factors leading USAS, the WRC and others in the anti-sweatshop movement to reconsider their strategy and design the Designated Suppliers Program, which we will explore in chapter fifteen.
Having examined these individual campaigns, we can now turn to looking at the common elements that underlie these struggles. We will start by taking a closer look at how the structure of the global apparel industry shapes the political opportunity system of USAS and the anti-sweatshop movement--what kind of organizing space they have, where they have points of leverage, etc.--before moving on to look at the common strategic model behind these campaigns.
The Global Political Opportunity System

While every solidarity campaign is different, there are common threads that run through all of them. Each campaign is waged in a similar set of social arenas, trying to use similar points of leverage—in other words, the political opportunity system within which the movements fights these battles is more or less the same across campaigns, with differences primarily due to the nature of the companies involved and their relationships to each other. The movement also has developed a standard strategic model for such solidarity campaigns—though, as with their strategic model for waging campus-based campaigns, they will adapt it to suit the circumstances of the individual campaign.

When we examined campus campaigns, the political opportunity system was relatively simple, in that we were looking at one social arena—the college campus. At its most complex level, as with the battle for the WRC, the struggle was fought in parallel on multiple campuses, with students coordinating their actions across campuses, while also fighting a secondary battle in the arena of the national mass media. Even in this case though, we can more or less understand what was happening by looking at how the campaign was waged on individual campuses. Solidarity campaigns in support of workers at factories producing college-licensed goods involve a much more complex POS, one that is fought in multiple social arenas—the actual factory where the workers labor; the brand name companies that do business with these factories; the schools with licensing agreements with these brands; and the national US mass media. Additionally, at times, the governments of the countries where the manufacturing takes place may get
involved, whether to repress the workers or (more rarely) to support their right to form a union. The battles here make use of three main points of leverage—the workers’ ability to disrupt production (for instance, through a strike) at the factory; the brands’ desire to maintain their good public image, which students can sully on their campuses and the US movement as a whole in the national mass media; and colleges’ and universities’ licensing agreements with the brands. The last two intersect with each other on the college campus, since licensing agreements are, in many ways, a highly specialized marketing strategy. The battles of this campaign are then fought at various locations on the commodity chain—the production process in the factory, the marketing process in the mass media, and one important site of consumption, college campuses.

We have already examined in depth in chapter two the nature of apparel commodity chains, describing the power differences between core and peripheral nodes—that is, between the lead firms and the contractors. Here, we will look at how they form a chain of interlinked social arenas that form a single political opportunity system, within which the anti-sweatshop movement must maneuver.

**Social Arenas and Organizing Space**

As discussed in chapter two, many of the core firms in the apparel industry are sometimes referred to as the “brands”—they do not manufacture; instead, they market, an orientation that allows them to control the most profitable points of the production system and thus gives them the lion’s share of power. Thus, whatever brand-name corporations are involved in a particular struggle constitute the key decision-making arenas in the
struggle. USAS member Molly McGrath (interview, 2007) told me of the brands, “They've been able to just shut down a factory where a lot of people are organizing. Brands don't own the factories but brands have a tremendous influence over the factories that they can just take their orders out of them. There's nothing a factory really can do. A lot of times the business relationship is so important that a factory owner will just do whatever the brands tell them to do.” As discussed in chapter two, however, the brands rarely actually tell their contractors to keep workers’ wages down and implement sweatshop conditions. Instead, they tell them to keep manufacturing costs as low as possible--a condition that almost inevitably leads to sweatshop conditions, but allows the core firms to plead ignorance. But, just as the brands and the contractors are core and peripheral nodes in the production process, they are also core and peripheral decision-making arenas in the political opportunity system. Because the brands hold so much power, the decisions they make have important consequences for those located in other decision-making arenas. The contractors, in their peripheral location, have relatively little influence on decisions made in other arenas.

The challenge for anti-sweatshop activists is that, regardless of their relationship to the commodity chain, whether as workers or consumers, they have no direct access to the core decision-making arenas constituted by corporations. These organizations are highly anti-democratic, closed systems that make little room for outside voices to be heard. Thus, activists must find ways to indirectly effect the decisions made by the brands’ boards of directors and major executives. Students, as we have explored, may, with the right strategy, be able to exercise a fair amount of power within colleges and
universities, which are a major site of marketing and consumption. US activists more generally may, with the proper strategy, be able to influence the framing of a particular company in the US mass media, which can negatively effect their all-important brand image. Given the centrality of both the national US mass media and college campuses to the brands’ advertising strategies--and thus their profitability--both these sites are semiperipheral arenas. Though the brands still make the key decisions, they cannot simply shrug off what happens here in the way they can with their contractors. They must take the mass media and colleges campuses as social arenas into account if they wish their marketing to succeed. While they can abandon one contractor in favor of another, they cannot abandon the national US mass media; nor can they give up the college market altogether and they are usually very reluctant to surrender any school to which they do have access through a licensing agreement.

Jeff Hermanson (interview, 2007) of the Solidarity Center told me that press coverage of anti-sweatshop campaigns has been critical in the development of anti-sweatshop consciousness and, at certain times, critical in the development of certain campaigns--Kukdong is a good example. I think there are others examples--the BJ&B campaign in the Dominican Republic is an example where a mention in the press was important, mostly because of its impact on the companies that control the brands that you're trying to influence. They don't want to appear in the press, so when they do appear, they try to fix it. But it also creates a sense of our own power to the press--it helps the morale, it helps us see
ourselves, see our own power.

Getting such press is not easy. Former USAS member Trina Tocco (interview, 2007), now with the ILRF, told me, “In order for us to even call up The New York Times, I feel like I have to have a fourteen-year-old chained to a sewing machine.” The problem, as discussed in chapter three, is that the sweatshop issue has become “old news” and therefore it takes an extraordinary hook to get a particular instance of sweatshop abuses to get coverage. The Kukdong campaign could get such coverage because it was the first investigation undertaken by the WRC, an organization whose very creation had been controversial. The Kukdong campaign was therefore novel and interesting--and Nike and Reebok, as companies very much invested in their brand image, were particularly sensitive to such coverage.

Workers have access to the factory as a decision-making arena, something not true of other groups, who can only influence what happens there indirectly. Like the college campus, the factory as a social arena is undemocratic; unlike the college campus, there is little tradition in most such factories of management listening to and having to take into account the opinions of workers, the way college officials must do with students, however reluctantly. Trying to exercise power in such conditions is, to say the least, not easy--and often involves risking one’s life. Workers trying to organize face a number of challenges--unlike students on college campuses, their ability to form autonomous organizations through which they can mobilize is highly restricted; if they do mobilize, they are likely to face repression, both from their employers and, more often than not, the state as well; and, even if they can successfully pressure their employers,
their employers may have relatively little power to change working conditions, given their peripheral location in the commodity chain. Hermanson (interview, 2007) summed up the position of the larger, multinational manufacturing companies (like the owners of Kukdong/ Mexmode) thus:

The multinational production companies have an ability to close and move, but they're less mobile actually [than the brands]. They own the facilities, they don't just contract there. They too have a lot of capital relative to workers’ organizations. They have relationships with local governments especially, often corrupt relationships. The weakness of the production companies is that although they have a lot of capital, it's limited--it's not unlimited capital and therefore they need to make a profit just about every season in order to sustain their operations. Unlike the brands, which don't need to make a profit every season on any given factory or any given group of factories, multinational production companies need to make a profit on almost every one of their factories in order to survive in that location. They treat each factory as a separate profit center--if it's not making a profit, they close it down. They'll have big losses. They're very vulnerable to worker action because the conditions are so bad and so uniformly bad, which means that a single spark can start a prairie fire--it just doesn't take much to disrupt production in a Korean factory in Guatemala, Honduras, or Bangladesh.

Social arenas differ not only in their decision-making structures and the rules
which guide framing contests, but in the organizing space those within them have. Workers in third-world sweatshops typically have very little space to organize. While college administrators recognize the right of students to form their own autonomous groups, including ones that press for changes in policy at the college, most factory-owners do not recognize the right of workers to form independent unions. The factory-owner may well have signed onto a code of conduct requiring them to recognize such unions, but in practice, such measures are usually ignored or the company will try to substitute a “yellow” union--one controlled either by the company itself or (as with the CROC at Kukdong) by the government. While in the US, when the brands have engaged in counter-measures against the anti-sweatshop movement, they have primarily used framing strategies like corporate social responsibility programs, in most sweatshops, the first counter-measure employers will rely on is brute repression, often with the backing of the state.

USAS member Liana Dalton (interview, 2007) spoke about her experience working in the Philippines with workers facing government repression.

The Philippines was really an intense experience for me, because I was sleeping on picket lines with people who were wanted by the military and who couldn't go home, just because of their involvement in organizing. It really struck me one time because I met with this guy who was organizing an auto parts factory. He was telling me about his organizing drive and he was telling me, Oh, I actually want to tell you about the log I've been keeping […] and he said he wanted me to be an added witness and I said,
Okay. He detailed things like, October 12th, 7-9pm, two armed gunmen on motorcycles outside my house. He said he was keeping this log and he had one copy in his house and one at the union, so when he was murdered by the military, we have some documentation that proves they were involved and we could actually attack the government more concretely for killing him. How do you respond to that? He's already creating evidence for his eventual murder investigation that hasn't happened. But he says he's still standing and we're still organizing and we're going to get this union won.

The overall effect of these various factors that close the organizing space open to workers can be devastating. While in some cases, workers are able to organize and persevere, more often than not, this is not the case. Dalton (interview, 2007) also told me of her experiences in Cambodia, where the labor movement was less well organized, due not only to repression, but also due to the fact that the unions have simply been in existence for much less time.

In Cambodia, for example, you've got strikes that last for a few days or a week or a month--and then people get bought off, because their children are going to starve and the campaign strategy and organizing are not comprehensive enough to maintain very long-term struggles in many cases. They're going to take the money--you can't really blame them for taking the money, most people would take the money, in the absence of a clear plan to win. But this reality, compounded with the repression that
makes it an uphill battle for unions … I'm not saying they don't have a long-term vision, but it's very much a fight for survival and dealing with things as they come up on a daily basis. In Cambodia I would come to work in the morning at seven and I'd be like, What's the deal today? There'd be no plan for the work, because you wouldn't know what was going on--and all of a sudden there'd be a strike in this factory, okay, you've got to go there. You'd find out about it the day of or the day before. It's very much like that. It's really difficult, especially with the factories closing.

Organizing space can be limited in more subtle ways as well. In a study of worker organizing in Thai garment factories, Piya Pangsapa (2007) found that the way management organized work could make a significant difference. One factory she studied was organized in a paternalistic fashion--the bathrooms were clean, there was drinking water available, the owner allowed the women to take days off for medical reasons. This meant that the ways in which the women were being exploited were not clearly visible to them--they tended to see overtime work as a way of making more money, rather than to focus on the unfairness of needing to work overtime to make ends meet. Another factory Pangsapa looked at was more obviously exploitive--it was filthy, management had armed guards present, and the transportation to the women’s dorms left only after the overtime shift finished, making the coercion to work such hours obvious. Here, the workers organized and tried to resist management--at least for a time. Following the economic crisis of 1997, however, the managers of this second factory reorganized production
along a piecework system, under which the women were not paid by the hour, but by how much work they did. This system pitted the workers against each other, as each tried to produce more than the next and thus get paid more than the next. This innovation on management’s part was highly effective in ending worker organizing, since it undermined workers’ sense of solidarity with each other. Workers certainly still felt exploited, but they grew resigned, believing there was little they could do about it.

One of the main goals of the US anti-sweatshop movement is simply to find ways to increase the organizing space open to workers in these factories, so that their chances of creating an autonomous, independent union that can bargain effectively with their employers is increased. I heard this again and again from the activists I spoke with. For instance, USAS member Laura McSpedon (interview, 2007) told me,

I think for me, the ultimate long-term goal was to create the room for workers to organize in this industry. Ultimately, what workers need to guarantee better working conditions and better pay and all of that is a union contract. And so for me, [...] that was the long-term goal--to create a structure and to create systems that opened up that space, in a way that it was closed when we started. And so then, within that, creating the codes of conduct, creating a monitoring system, all of that was toward that end of workers having the power in their workplace to organize and have a voice--and these structures are just meant to facilitate and support that. Not that any code of conduct or any monitor was going to be able to create good working conditions--that we know is not true--but they could create
the possibility of workers organizing and being able to appeal to these structures that support that.

Long-time labor solidarity activist Stephen Coates (interview, 2007) not only concurred with this approach, but saw the work of USAS as having contributed significantly to it—though the problems still remain great.

The weakness in the labor movement in these countries makes it very difficult to achieve the progress on the ground that we would like to see with respect to worker organizing. I think an important development of the anti-sweatshop movement over the last fifteen years has been the emergence of […] USAS. I think they've been extremely powerful in putting a lot of pressure on companies and helping create this space for improved conditions or at least to create a space where workers can organize for better conditions. Unions have been so weak, particularly in Central America; they have been historically squashed and there's still a lot of intimidation around that, so it's very, very difficult even with the space that the Northern activity has provided for the workers to form unions.

The US movement cannot directly effect the decisions made by the managers of sweatshops. They can, however, influence the decisions made by core corporations—and these corporations, in their turn, can significantly influence the decisions made by sweatshop employers. USAS member Jessica Rutter (interview, 2007) described the power dynamics at work this way: The brands
are the ones who are making a large profit and everything, and so […] they pretty much have the power to determine everything that happens below them in the supply chain. We have seen the power of brands being able to say one word and have something happen. There was a worker who had been fired for months for union organizing and the brand stepped in and said, Hey, you guys have to rehire this worker. It could happen the next day. And so this is something that we knew from experience and also just from analyzing what the supply chain looks like--it's very obvious that the brands themselves are the ones that have the most power. They have the power to determine price, they have the power to determine again working conditions. I mean, not necessarily that they were [explicitly] determining working conditions, but they were by paying certain conditions and by not taking certain steps to ensure certain things. Whenever a problem is brought to the brands, they say, Oh, we didn't know about this. Thank you so much for bringing it to our attention, and I have no doubt that they probably didn't know about that problem, but that doesn't mean they're not responsible for it, because in the end they [the contractors] are making products for brands, so they [the brands] are responsible.

It is worth noting that governments also play a significant role in this--in the eyes of the anti-sweatshop movement, mostly not for the better. In addition to aiding in the direct repression of workers, the legal structure governing the formation of unions has a
large effect on the organizing space open for workers. In the case of the workers at Kukdong, at least in theory, they had the right to form an independent union, even if the local government did its best to obstruct that process. In China or Vietnam, however, workers would not even have that much freedom, since unions not affiliated with the state and the Communist Party are illegal. Hermanson (interview, 2007) observed that, as a result, “government repression was not as powerful [in Kukdong] as it is in China. They put down the strike, but then they didn't station troops there.” In many countries, such as Guatemala, Honduras and El Salvador, the very fact that there has been a long history of military governments using extreme levels of violence against the labor movement has left a legacy, even after the transition to formal democracy. The labor movements in these countries remain weak, workers are often fearful of the consequences of organizing, and, while conditions have improved, violence against progressive activists remains very much part of the political culture of those countries (Armbruster-Sandoval 2005).

The legal structure can have more subtle effects as well. USAS member Ken Abrams* (interview, 2007) observed that one of the difficulties in organizing in Central America is that the laws of those countries (as is also the case with the US) only permit union organizing by individual factory, not by industrial sector.

And without industrial unions in a sector where factories are constantly shutting down and opening up … I mean, it's actually how the factories are written into the law, right? Ten years of tax-free benefits means you're going to shut down in one town and open up in another. So this constant shutting down and opening up makes factory-based union organizing...
incredibly difficult, because what you need are institutions that aren't linked to the exact factory. I've seen this so many times--you have this great union executive committee, they have lists--an internally well-organized union, fighting for something in their shop... and the factory closes and now those people are unemployed workers, right? And if they go to another factory, they're not part of an organization anymore. You have to start all over again.

Occasionally, the government of a country may intervene in a positive way. In chapter three, for instance, in discussing the case of the Bibong factory in the Dominican Republic, I noted the positive role played the reformist Secretary of Labor Rafael Albuquerque in enabling unionization in the export processing zones in his country. Such cases are the exception to the rule though. In the vast majority of cases, governments back business, if for no other reason than that they are desperate to attract investment and so want to create as business-friendly a climate as possible.

**Exercising Leverage**

Having identified which arenas it is critical for activist groups to affect decisions in, the obvious questions becomes how those groups actually shape those decisions. If anti-sweatshop activists have no direct access to the very closed, anti-democratic arena constituted by a core corporation, how do they manage to get corporate leaders to make decisions that favor workers? Activists need to find ways to exercise leverage--that is, they must find structural points of vulnerability to which they can strategically apply
pressure to coerce authorities into changing the sorts of decisions they make. In the anti-sweatshop movement, such leverage has come from both ends of the commodity chain. Workers have exercised leverage by going on strike, thereby disrupting the production process. Most US activists have attempted to use damage to core corporations’ brand image--their major asset--as a point of leverage. USAS, with the help of its allies, has found a more powerful point of leverage--they rely on the nexus of brands’ concern for their image and their desire to have licensing agreements with colleges and universities to pressure the lead apparel firms. Importantly, neither point of leverage alone is enough. If workers simply strike on their own, they are unlikely to succeed. Instead, the most common course is for them to be repressed and for the rest of the world to hear little or nothing of this. On the other hand, US activists can do little to help workers if those workers are not already organizing and fighting on their own. It is essential for both sets of activists to work together and struggle in the arenas they have access to if they hope to achieve anything.

The sort of leverage that workers can exercise is fairly straightforward--without them working, nothing actually gets produced. When they go on strike, they disrupt the production process. As we have already noted, however, this is far more threatening to the peripheral contractors than to the core companies who actually hold the power. Even the larger manufacturing companies with multiple factories make a limited amount of money and need to make sure each factory turns a profit. Smaller companies may consist of only one factory, meaning that in the case of the strike, the owner has no other source of profit. In some cases, companies will simply shut down, lay everyone off, and reopen
under another name--but this may mean moving to another location and losing the money they sunk into setting up the factory in the first place. The core companies, on the other hand, can simply walk away from the conflict, because they have invested none of their own resources in these factories and there are many more contractors looking to do business with them. Thus, the workers can, with some degree of effectiveness, put pressure on their immediate employer, the peripheral manufacturing company; they have no leverage, however, over the core companies that actually hold the real power. For this, they must rely on allies in the US and Europe. On the other hand, US and European anti-sweatshop activists have no way of directly pressuring the contractors--they can only do so indirectly. And there is no way that the workers can be empowered if they are not fighting themselves. The goal, after all, is to get the contractors to bargain in good faith with an independent union representing their works--and, if the workers are not organized, there is no such union.

According to Dalton (interview, 2007), it was during her time working with USAS’s allies in Hong Kong and elsewhere in Asia that the importance of working organizing really became clear for her. “A code of conduct is just a piece of paper. And I really learned at the time how important it was for workers to be empowered and workers to be enforcing that code of conduct. No matter how good of an external monitor you had or how good a code you had, it didn't matter if the workers on the ground weren't fighting, especially in the context of China where there really is no public, independent organizing.” On the other hand, David Palmer (interview, 2007), a national staff person for the CWA, who worked with the local union during the New Era strike, told me that
the union itself did not have the power on its own to settle the strike with New Era Cap.

“It was really going to be the pocketbook of New Era that was going to settle this thing. [...] As the colleges one at a time started coming on board with suspending their contracts with New Era, the pocketbook thing started to come into play.” If a relatively strong, well-funded union like the CWA, working in a social environment where labor activists do not normally need to fear for their lives, cannot win the fight against a company like New Era on its own, the difficulties a smaller, more poorly funded union in a place where violence against labor unions is the norm become even clearer.

The main vulnerability of the core corporations, which the US anti-sweatshop movement seeks to use as a pressure point, is their brand image. As discussed in chapter two, a brand is a form of non-material capital and the major asset of many of the best-known apparel companies. Much of their time and resources is spent in trying to manage consumers, through means such as advertising and marketing, in order to ensure that they associate positive symbolism with the brand image (Arvidsson 2006; Klein 1999). When the anti-sweatshop movement succeeds in associating a brand with sweatshops and all the ills that go with them, they are doing damage to the company in question’s main asset, their main way of turning a profit. Thus, these companies find such actions extremely threatening. Despite the potential threat posed by anti-sweatshop groups, however, it is important to remember that the brands nonetheless maintain the upper hand in most cases. UNITE HERE staff person Eric Dirnbach (interview, 2007) described the situations this way:

We want to take that [the brand image] and associate it with something not
positive, i.e. we want to associate it with something the company does not
want people to know about, which are the tremendous sweatshop labor
problems that are going on, which are at many levels really horrifying, if
you can get consumers to recognize what's happening. The problem from
an activist standpoint is making that connection. It's very difficult, very
difficult to get regular consumers--not activists, but folks going about their
business that are not necessarily consumed by this issue--to be aware of
what's happening. And we don't have a billion dollars for advertising like
the industry does, otherwise we could run commercial and have billboards.
All we have are people handing leaflets and may be, hopefully getting a
news article, putting stuff on the websites, putting out an e-mail. That's
what activists have. It's disseminating information and it's people-to-
people contact.

Nonetheless, the brands feel threatened by such campaigns. Some activists I
spoke with felt like they had done permanent damage to some brands’ image. Scott Nova
of the WRC (interview, 2007) told me,

As long as Nike is around, people will have it in the back of their minds
that somehow Nike is related to sweatshops--and that has hurt their brand
image, to some extent irretrievably. It's still a really powerful brand image,
but it is somewhat less powerful because of the sweatshop issue. They can
never completely overcome that, although it is extraordinarily difficult to
quantify what it's cost them financially. They probably try to keep it
private, but there's no question it has cost them something significant and, more importantly, there's no question that they believe that it cost them something significant.

Other activists were a little more skeptical of how much impact they had had. McSpedon (interview, 2007) said,

I wouldn't guess we had any financial impact on these companies. I think their fear of us having financial impact was almost disproportionate to what would happen in reality. The amount they spent fighting it was an indication of how sensitive they were--the other companies didn't want to be Nike, right? Nike had been painted with the sweatshop brush--and Kathy Lee and Wal-Mart had been--and they didn't want that to happen to them.

Even if the financial impact was minimal as McSpedon thinks, as she notes, the brands are still terrified of the potential damage to their image--so, whether real or not, the anti-sweatshop movement has been able to turn harm to these companies’ brand image into a major point of leverage.

In some cases, they have been able to hit brands at sensitive moments in their marketing strategy. The New Era campaign, for instance, happened just as the New Era Cap company was trying to move from being a largely anonymous producer of baseball caps to one with a greater visibility and brand-name recognition. Jane Howald (interview, 2007), the president of the CWA local to which the New Era workers in Derby belonged, recalled,
They didn't want a blemish on their mark—they didn't want people to know New Era is a bad place. The way they designed the New Era flag, in our advertisements we used it against them. They said, We designed the New Era flag to represent the hard working American workers, and we said, So why are you treating us with disrespect? Don't label yourself a true patriotic company when you're sending all your work overseas and don't say it represents the workers when you won't even pay us a fair wage. We used their own words against them during a lot of the strike.

It should also be emphasized that there are many apparel companies who do not focus their marketing strategy on branding. Some of them are companies that are unknown to most people, such Cintas, the world’s largest uniform company; others are well known, such as Hanes, but their marketing strategy is based on being inexpensive, rather than having a particular image. Such companies represent much more a challenge to the anti-sweatshop movement. Abrams* (interview, 2007) said,

If it's a brand, it has a public reputation that it cares about; if its strategy is selling its stuff on the basis of their image--useful, sexy, etc.--then it's vulnerable. If its main strategy is selling stuff cheap, then the consumer, typically, doesn't care whether it's Fruit of the Loom or Hanes, because they're just buying a white t-shirt or some underwear and they're not as vulnerable for obvious reasons. So, it's much harder. The main thing I'm focusing on these days is a case in the Dominican Republic. Hanes owns a factory with dismal conditions and treatment of workers and it's been
really hard to get Hanes to respond. They just don't care that much. It's not part of their business strategy to appeal to a real sexy image so it's harder to threaten that image.

Even in the best of circumstances, a campaign to damage a brand’s image is an uphill battle. As Dirnbach noted, activists are handing out leaflets and working to get the occasional news story in an attempt to counter billion-dollar advertising budgets. What was important about USAS for the anti-sweatshop movement is not simply that they mobilized a grassroots base in a way that the movement hadn’t been able to do before, but that they were able to exercise leverage in a way that the movement had not been able to before. In chapter four, we discussed the ways in which licensing agreements are critical to many brands’ marketing strategies. In part, it is this very deep investment in cultivating the college market that gives USAS much of the power that it has. In part, it is the fact that USAS does not have to rely on the diffuse actions of individual consumers, but can instead exercise use the power of an institutional consumer, which gives them far more concentrated power than a campaign focusing solely on individual consumers ever could. Rutter (interview, 2007) said,

In terms of actually affecting Nike as a company, there's not really so much that you can do [as an individual]. But if you bring in the university as a consumer, as an institutional buyer … […] We could very much more easily influence our universities than the brands themselves, so the campaigns are structured in ways that we're kind of going up against the brands, but we're more going against our universities to demand that the
brands do certain things, which is just a much more effective strategy.

While this strategy is in part based on an ideology of worker empowerment, it is also rooted in USAS’s belief in achieving concrete results and a very hard-nosed assessment of where they actually can exercise power in such a way as to accomplish something. USAS member Zack Knorr (interview, 2007) said,

For the four or five years that we're students, the place that we have the most power is our universities. And so we should use that power as strategically as possibly to move universities. That's why the initial focus was on university licensing--because that's the most direct power that universities have over these companies is that we actually own the trademark and we have the power to take it away from you [the brands] whenever we want. And we have the power to dictate conditions to you if you want the ability to use it. There's not much more of a direct connection than that. Our analysis has always been that you use the power you have in the place where you're at--so that's why we've tried to figure out the ways where, knowing that we're going to be doing most of our work on campus, the universities have the most influence over companies.

A number of USAS activists I interviewed spoke of this need to calculate where you actually had leverage to exert power and making that central to your strategy. USAS member Amanda Plumb (interview, 2007) told me,

When you're talking about being strategic, it's not always about fighting for the most oppressed people--it comes from identifying where you have
power to make change. [...] It [USAS’s approach] is very strategic in that we have this power, there's this really clear target at the university level and that they has some power they can take--and then the fact that it's going on all around the country can really make big waves much quickly than individuals deciding not to buy Nike shoes. In that way, I think it was definitely a strategic campaign and probably the most strategic campaign for students to take on. Now I don't know if that same strategy would make sense for churches to take on--they don't license to companies. It doesn't make sense for workers to put pressure on schools--it only makes sense for students or faculty to do that.

In the right circumstances, such campaigns can have a profound impact. Palmer (interview, 2007) could very much see the results of USAS’s solidarity campaign unfolding as the CWA tried to bargain with New Era.

As the campaign went on, I believe the final total was ten or thirteen major universities that do business with the New Era--and this is through the WRC as well--actually suspended contracts with New Era because they would not negotiate in good faith with their employees. I remember the night that we settled the contract. Their biggest collegiate customer was Ohio State. And through the work of the student movement, I got a phone call from the students at Ohio State at 10:00 at night one night--and they let me know that I had the ability to go back to the employer that night at the bargaining table and tell them that if we didn't get the deal done
tonight, Ohio State was the next college to go off-line. It was really a nice moment for me—you don't get many of those types of moments when you do this work. We got the deal done that night.

USAS members and their allies are also very much aware of the limits of this form of leverage though—it only has a real impact on corporations to whom having licensing agreements with colleges and universities are important. Speaking of the Kukdong campaign, Knorr (interview, 2007) told me,

Because Nike cares a lot about the university market, that pressure was actually enough to get them to go and make sure that the workers got rehired and make sure that the union got recognized. Now if it had been a Nike factory that didn't produce for universities, Nike wouldn't care that much if the universities told them that they had to do this. Or if it had been some other brand, you know, Gap, that has no connection to universities. In theory, we could get our universities to tell Gap that they have to do something, but it doesn't really matter that much to Gap because it doesn't mean anything to them if the universities tell them this. But Nike, in this factory, because of this relationship, universities telling them that they had to do this or else mattered to them enough that they did something that they didn't want to do.

McSpedon (interview, 2007) expressed the hope that USAS’s campaigns might have a wider impact, despite the limited scope of their leverage.

Our thought was, it's not a majority of the garment industry, it's not even a
terribly huge percentage--but if we could at least create the space for workers to organize and improve conditions in the factories that made collegiate apparel, that that would spill over into other factories--because these companies have factories beyond the ones that just make collegiate apparel, but also because they're often clustered together in free trade zones. So if there's a way that us creating the space in this section of the industry can impact a larger piece of the industry ... It was just biting off that piece where we had a more significant amount of leverage over than we did as individual consumers against these other brand names.

The Political Opportunity System and Social Location

As I quoted Plumb saying above, only students can exert the sort of leverage over their schools that allows them to translate it into leverage over brand-name corporations--workers or churches cannot do this. This highlights an important point that runs as a subtext to what I have discussed above, but I here wish to address more explicitly--the fact that the political opportunity system always exists relative to the social location of a particular social actor, whether individual or collective. The workers in a contractor’s factory face different constraints and have different points of leverage open to them than do students organizing on a college campus. Most social movement theorists who have favored the concept of political opportunity structure, however, have not emphasized this point or explored it in depth.

Activists are well aware of the differences in leverage and degrees of repression
that differences in social location brings though. Dirnbach (interview, 2007), for instance, spoke of the differences he observed from his time as a student activist and working with the union UNITE HERE:

The university environment--it's a different environment than the workplace. In the university environment there's a lot less fear among the activists than in the workplace--you can take over a building, you can do things like that and may be at most you'll get suspended, or probably not even that. You're probably not going to get kicked out of the university, which is just really not going to happen--maybe you'll be arrested, maybe not. Workers in a workplace, it's tremendously difficult for them to organize--there's a lot of fear and harassment. People are desperately afraid of loosing their jobs and so you might be a little bit more timid about what you're going to do. That said, eventually you might be able to get workers to go on strike--that's very difficult to do usually. Even things like getting a bunch of workers to sign a petition, signing union cards, wearing a union pin or a t-shirt or doing a march on the boss to confront them--very difficult, very difficult to do. It's probably easier to get ten student activists at the University of Michigan to do something like that than it is to get ten workers to do it, just because the environment is safer.

Also, you know, there is such a thing as middle-class, white privilege--it's just safer for students like that--and most of them are middle-class, white students--I was one myself--there's just less ramifications. You're not
going to get fired, arrested or beaten the way you will if you're a worker of color in a factory. It's the unfortunate truth.

Just as it makes sense when looking at nodes in the production process or interlocking social arenas to distinguish between core, semiperipheral and peripheral nodes, William I. Robinson (2003) suggests it makes sense to distinguish between core, semiperipheral and peripheral populations of people. Sweatshop workers and students are incorporated into the apparel commodity chain at very different locations; while the workers are a peripheral population, the students are, depending on which school they are attending, a semiperipheral or core population. The workers are at the bottom of this social structure, interacting with their employers, contractors who themselves have relatively little power in the larger picture. The workers are, in many ways, a disposable population. The core firms certainly need workers, but there are an abundance of them and it is no loss to the brands if one set of workers is fired and another hired. Students, on the other hand, are consumers--and a particularly valued set of consumers at that, at which a great deal of marketing is targeted. In the eyes of the brands, they are anything but a disposable population--they are one to whom the brands not only want access, but whose loyalty the brands what to secure. The profits of those lead corporations who have invested heavily in their brand image depend on their relationship with students as consumers and these corporations do not want to give that relationship up. Given this, the brands worry far more about the attitudes and actions of students than they do workers, giving students openings that workers do not have--in particular, the ability to exert some leverage over the decisions the brands make.
The status of students vs. workers as core and peripheral populations reflects their relationship not only to apparel commodity chains, but within the larger global capitalist world-system as well. The workers in sweatshops are near the bottom of the global social hierarchy—perhaps only indigenous peoples and other subsistence producers are below them. Students at US colleges and universities, on the other hand, can expect, at the very least, to go on to become white-collar workers, if not managers or other professionals (depending on the status of their school). In addition to these class differences, as Dirnbach notes, race and gender factor in as well. Sweatshop workers are overwhelmingly women and people of color. While USAS’s base is diverse (and varies somewhat from school to school), white, middle-class students are clearly central to it. All of these factors affect other aspects of the political opportunity system, such as the level of repression they may have to face. The lower a group falls in the global social hierarchy, the more likely the authorities are to take the gloves off when dealing with them, relying on violent repression as the main counter-measure to movement activity. Thus, workers like those at Kukdong have to worry about attacks by the police; or even outright murder, as was the case with the Filipino union leader Dalton told me of. On the other side, as described in chapter four, when the University of Wisconsin’s president had students engaged in a sit-in arrested by the riot police, he had to resign, his legitimacy destroyed by using excessive force—even though a sit-in, unlike a strike in many countries, is actually illegal.

There can also be more subtle ways in which social location can constrain activists. A number of activists mentioned the ways that, in the US, labor laws
constrained unions, giving them less freedom take certain sorts of actions than students. Plumb (interview, 2007), who after graduating and leaving USAS, worked as an organizer with a number of unions, said, “USAS can afford to be more radical and take more risks because we're not playing by labor law. We don't have contracts that we have to hold up our end of. […] When you look at why we have labor laws, when you look at why unions have been sanctioned by the government, it's to create labor peace, not to give workers more rights.” She also noted more specifically that unions “can't call for certain boycotts, secondary boycotts. It's not illegal for students to boycott--it's not illegal for us, but it's illegal for unions to do some things.” Because of these differences, many unions “wanted students out there--I think that's one of the reasons that unions really like Jobs with Justice,” which brings together unions and progressive community groups, including students.

What not only Jobs with Justice, but the entire network that constitutes the anti-sweatshop movement does is try to find ways to draw on the different forms of power groups in different social locations can exercise and strategically combine these to accomplish more than any one group in a particular social location could on their own. The ability of workers to disrupt the production process is absolutely essential and no other group can accomplish that. But the ability of US consumers--and especially students--to wreak havoc with brands’ images is also essential and is not something workers (especially those outside the US, as the vast majority of them are) can do. Additionally, USAS and other US-based groups try to find ways to use their relative privilege to protect workers. The international attention they bring to any one strike can
reduce the amount of repression against workers, at least in that particular case. (Sadly, they have not been able to reduce the overall level of repression--workers whose strikes do not get this international attention continue to face brutal violence.) By reducing the level of repression and exerting leverage over the brand name corporations, USAS and other US groups are also able to expand the organizing space workers have open to them. Thus, US groups can act in ways that facilitate workers’ efforts to empower themselves through creating independent unions.

Thus, for the anti-sweatshop movement to succeed it is necessary for the movement to involve alliances between activists at different social locations relative to the apparel commodity chain. Part of this is that differences in social location bring access to different points of leverage--workers at the point of production, students and other US activists at the point of consumption and brand-image creation. Another important part of this is the differences in the degrees of repression activists in different social locations face and, consequently, the amount the amount of organizing space open to them. Students and other US activists have, for the most part, more freedom to organize around anti-sweatshop issues without fear of dire consequences. They, in turn, try to find ways to extend this privilege so that is serves to shield not only themselves, but the workers with whom they have allied. By highlighting workers’ struggles, it makes it more difficult for the brands and contractors to use the most violent means of repression. Thus, student-workers alliances offer the potential for increasing the organizing space open to workers--which, in turn, allows them greater potential to exercise leverage. None of this is to say that a US-based campaign automatically translates into workers’ rights
being respected. Sweatshop workers still face large amounts of repression and an uphill battle over difficult social terrain. US-based campaigns can, however, begin to even the odds slightly in workers’ favor. In the next chapter, we will look at how these campaigns are organized and conducted.
Chapter 14: Solidarity in Action: The Strategic Model for Solidarity Campaigns

Introduction

Having examined the power structures within which the anti-sweatshop movement must operate, we now turn to the ways in which they actually maneuver—their strategic model for solidarity campaigns and the ways in which they make decisions about how to implement and modify this model in specific cases. While the political opportunity system may present possible points of leverage, these exist only potentially until activists find ways to activate them—that is, until activists take actions that the targeted companies find actively threatening in some way. The anti-sweatshop movement’s strategic model for solidarity campaigns helps them to identify such points of leverage and the means by which they may activate them to put pressure on the firms, both core and peripheral, involved in any particular case of worker rights violations. The strategic model that underlies anti-sweatshop campaigns draws on several older strategic models, some of which we examined in chapter three—labor struggles against a particular employer, anti-corporate campaigns, and international solidarity campaigns. (Although there are some solidarity campaigns that are domestically oriented, as with New Era, the vast majority are international in scope. Thus, in many ways, the underlying strategic model for these campaigns is international in orientation, though it can easily be adapted for domestically focused campaigns like New Era.)

Over time, the ability of activists to apply this strategic model has grown more sophisticated, as they have discovered new tools that they can use in their campaigns. Jeff Hermanson (interview, 2007) of the Solidarity Center, for instance, told me, “I think that
there's been a constant learning curve. I think the Philips Van Heusen campaign [discussed in chapter two], for example, was the first time we involved Human Rights Watch, a human rights kind of organization. That was when I began to see the importance of the NGO community as opposed to the labor movement itself.” USAS has been responsible for one of the key innovations in such campaigns--the ability to use college codes of conduct to pressure companies, brands and contractors alike, to respect workers’ rights. Unfortunately, there are many campaigns where USAS’s ability to exert leverage via universities does not come into play, because the factories involved produce little or no apparel for WRC-member schools. In those instances where college codes do come into play, however, they often make a critical difference, giving the movement power over their foes that they would not otherwise have, changing the terrain of struggle just enough that the movement can often gain the advantage--though not without a great deal of organizing and campaigning.

An integral part of the strategic model for such campaigns is the way in which the international networks are organized. The initiative for any real solidarity campaign must come from the workers on whose behalf it is being waged--otherwise it is not truly a solidarity campaign. And the workers’ efforts at their own workplace must play a central role in the struggle; as discussed in the previous chapter, they are the ones with the most direct leverage over their employers. While the workers’ allies both in their own countries and abroad play an essential role in the struggle, there is in many ways no campaign without the workers themselves. Based on this insight, the US-based activists involved in a struggle attempt to put the workers on whose behalf they are campaigning
at the center of the network, letting their strategic decisions be shaped by the workers’ priorities, rather than those of some other group, such as the Solidarity Center or USAS. This, in turn, is rooted in the anti-sweatshop movement’s ideology, with the emphasis it places on solidarity (see chapter six). I will argue in this chapter that this approach not only makes sense in terms of the ethics of the movement, but has been a strategically important decision as well, contributing to the movement’s successes in its international campaigns. As Francesca Polletta (2005) reminds us (see chapters one and six), it is a mistake to draw distinctions between the instrumental and ideological.

The significance of solidarity to the movement’s success can be seen by looking at a striking counter-example, provided by the work of Ethel C. Brooks (2005, 2007) on a 1992-94 campaign targeting Bangladesh (discussed briefly in chapter three). Conducted by the AFL-CIO, US Senator Thomas Harkin, and the Child Labor Coalition, it was ostensibly intended to abolish child labor in the garment industry in Bangladesh. It was, however, actually met with by protests from Bangladeshi children’s rights and labor activists. On one level, it was successful in that new programs to discourage child labor were put in place in Bangladesh; Brooks argues, however, that in many ways it was a failure because it did nothing to address the root causes of such exploitation—and sweatshop conditions remain pervasive in Bangladesh. And while children who once worked in factories now go to school, the only job prospects they have open upon graduation is employment in these same sweatshops. The underlying problem with the campaign, Brooks says, was that the US groups involved had no ties with Bangladeshi labor and children’s rights groups and did not consult them in formulating their plan.
Their attitudes towards Bangladeshis were at best patronizing. Some Bangladeshi groups charged that the campaign was never meant to benefit them at all, but a protectionist ploy disguised in progressive language.

The Bangladesh campaign is not strictly comparable to the sort of campaigns which USAS has been involved with--the Kukdong campaign, for instance, aimed to help workers in one factory, while the Bangladesh campaign sought to alter policy in an entire nation. The differences are nonetheless striking. Even though the Bangladesh campaign succeeded in changing policy nation-wide, it was arguably less successful in improving workers’ lives than the Kukdong campaign, despite the latter’s much smaller scope. The Kukdong campaign clearly improved the lives of the workers involved (at least for a certain amount of time), while the Bangladesh campaign seems to have failed to do so. The most salient difference seems to have been the lack of involvement of local activists in the Bangladesh campaign. This meant that US activists involved in this campaign had little understanding of the realities on the ground in that country--and therefore what might actually be effective (Brooks 2005, 2007). This is in contrast to the Kukdong campaign, where US activists had close ties to local activists and therefore better information on local conditions and a better sense of what workers’ actual priorities were.

According to Brooks (2005, 2007), the US activists tended to see Bangladeshi workers not as active agents--as USAS does--but as passive victims. Given this ideological perspective, they did not see any reason to build local ties with Bangladeshi activist groups. Not having connections with local Bangladeshi groups, they were ignorant of the conditions that lead Bangladeshi parents to put their children to work in
factories. This was not because the parents did not value their children (as was sometimes implied in the US campaign), but because they were desperately poor and needed the additional income. Additionally, it did not occur to the US activists to consider the impact banning Bangladeshi imports would have on the workers of that country. The garment industry is the second major source of revenue in the Bangladeshi economy after remittances and the ban could potentially have devastated families dependent on work in the industry for their livelihood. This is one of the prime reasons that Bangladeshi activists opposed the campaign and denounced it as protectionist. In the rest of this chapter, we will explore some of the ways in which the approach of USAS and their allies contrasts with the patronizing tendencies of the activists who targeted Bangladesh and how this has contributed to the former’s relative degree of success.

The Strategic Model for International Solidarity Campaigns

The Boomerang Effect

In addition to the principle of solidarity, one of the central elements of the strategic model for international solidarity campaigns is what Margaret E. Keck and Kathryn Sikkink (1998) call the *boomerang effect*. This dynamic is central to a number of movements that are international in scope, including the human rights, environmental and women’s movements. The boomerang effect comes into play when local activist groups, generally in the third world, find that the political opportunity system is closed to them, but potentially open to international actors, particularly those in the first world. These international allies have the power to bring pressure to bear where domestic activists
can’t, potentially tipping the balance of power in favor of the movement. In the case of
the anti-sweatshop movement, workers find that they cannot effectively pressure their
employers, because these contractors actually have very little power. It is their patrons--
major apparel firms like Nike and the Gap--who hold the real power in these relationships
and whose policies force contractors to cut costs in any way possible, including violating
workers’ rights. To exercise power over their employers, workers need the help of first-
world activists who may be able to exercise leverage over companies such as Nike. The
boomerang metaphor refers to the fact that the transnational networks’ strategy involves
going out of the country where opportunities are closed, striking another target that is
vulnerable, and then relying on that target to turn around and put pressure on the original
one; the means of pressure is elliptical instead of straight-forward. In the case of the anti-
sweatshop movement, since workers cannot effectively pressure their employers--the
contractors--alone, they rely on US activists to put pressure on the employers’ main
patrons--the major apparel firms. The goal is for these firms to turn around and put
pressure on the original target, the contractor, to deal fairly with the workers. Rather than
simply directly targeting the contractors, they are targeted in a round-about way.

Other scholars have built on and critiqued this basic model, arguing that Keck and
Sikkink (1998) rely too heavily on the example of the human rights movement, not taking
into account the ways in which different issues may shape the nature of transnational
campaigns. Julie Stewart (2004) has pointed out that in many campaigns, it is not simply
that local activists choose to go transnational because of a closed domestic system, but
that transnational actors were involved from the start. This is certainly the case for the
anti-sweatshop movement, where transnational apparel firms are, in fact, the most powerful players. In looking at how the boomerang effect applies specifically to anti-sweatshop campaigns, Ralph Armbruster-Sandoval (2005) has cautioned that, while the aid of transnational actors is certainly important, Keck and Sikkink tended to downplay the importance of the agency of local actors. Keck and Sikkink tend to depict local actors as being able to do little more than contact international allies for support. Armbruster-Sandoval, on the other hand, emphasizes that the activism of local groups is as important as that of their international allies and neither alone can succeed. If workers do not go on strike, they cannot hope to win against their employers, even if that alone is not enough.

What all of these theorists have in common, however, is that they emphasize the importance of transnational activist networks, including members from both the Global South and North, in challenging inequalities in power on the ground in the South. They do not, however, attend to precisely how these networks are organized, how decisions are made in them, how groups from the first and third worlds relate to each--and the impact such things have on the strategy of the campaigns and therefore their success or failure. Keck and Sikkink (1998), for instance, make a few broad statements that transnational networks that are strong and dense, containing many nodes, with the different actors who trust each other, are the ones most likely to succeed. They do not, however, elaborate much beyond these basic points. In this chapter, we will explore in depth the issues involved in the organization of successful transnational campaigns seeking to take advantage of the boomerang effect.

The activists I spoke with were well aware of how the role the boomerang effect
plays in solidarity campaigns, even if they do not use the term itself. UNITE HERE staff
person Eric Dirnbach (interview, 2007), for instance, told me,

   Why do workers in developing countries need us? They can organize
   unions on their own. Do they need us? Well, I think they do need us. We
   need to work together. We can't do this alone--they need to be organizing.
   They can't do it alone--they need us to put pressure on the companies in
   the US that have the power in this industry. That is the benefit that we
   bring to the table here. We're in the US, the largest media market, the
   largest apparel market in the world, and the headquarters of almost all the
   major apparel companies. There's some power to doing activism here in
   the US, right? […] So that's what we bring to the table here.

In some sense, the boomerang effect is at work even in a domestic campaign like New
Era. The New Era workers could not succeed against the company alone and therefore
had to enlist outside supporters, both in their local community and nationally as well.
This basic division of labor between sweatshop workers and their US allies is rooted in
how their social locations give them access to different points of leverage in the political
opportunity system. Only workers can apply leverage directly to their employers by
disrupting production; but only their allies from the Global North can hope to exert
leverage over the core companies that hold the real power--and can compel the contractor
to change their labor practices in the face of the high economic disincentives they have
for doing so.

   For workers to successfully organize on the local level, it is not simply enough to
build an effective, cohesive, democratic union—though that is of vital importance (Robertson and Plaiyoowong 2004). The most successful organizing drives also involve forming alliances with other local groups rooted in the community, who can rally in support of the workers, helping them sustain a difficult struggle over the long run. For instance, in the Kukdong campaign, “well before they went on strike, the workers had developed solidarity links with a local women workers’ support centre and with students and faculty at the local university. And early in the strike the workers gained considerable local solidarity from the community around the plant and from nearby communities where most of the workers lived” (Wells 2009). Such community-based labor activism is what Kim Moody (1997) refers to as social movement unionism. Unions that take such an approach are interested not only in advancing the interests of their members, but in larger issues of social justice that affect everyone. From forming alliances with other groups in the community, it is a natural next step to reach out to national and international groups that have a similar interest in social justice issues. Indeed, it is often other groups in the community that provide unions with their first connections to the international groups that are also central to the success of a campaign (Wells 2009).

The Role of Transnational Bridge-Workers

Unfortunately, it’s likely that in all too many cases, such international alliances never coalesce. For them to happen, the unions involved need to be embedded in social networks that actually have such international ties—which is not always true. Philip Robertson, Jr. and Somsak Plaiyoowong (2004), two long-time labor activists based in
Thailand, argue that additionally it is essential that some person or organization in the network be able to take on the role of what they call a mid-fielder and other scholars have referred to either as a broker (McAdam et al. 2001) or a bridge-worker (Ryan 2005). This bridge-worker must be both bilingual and bicultural, able to act as a bridge between local activists and their international allies. Without a bilingual bridge-worker, it can be difficult to maintain communication. Important records documenting labor abuses will go un-translated and not get to Northern activists. Even if a document here or there is translated, without a bridge-worker, it is impossible to sustain long-term relationships between local activists and Northern ones—and without this, it is impossible to strategize in such a way as to ensure that the workers’ help to shape the agenda, and for Northern activists to get regular information on conditions on the ground, information which can greatly increase their credibility in campaigns. The density of bridge-workers varies from region to region—while there are many potential bridge-workers who speak both English and Spanish or Chinese, those who are fluent in both English and languages such as Thai are much less common—making it more difficult for Thai workers to contact international allies.

US-based anti-sweatshop activists are well aware of the necessity of having bridge-workers to facilitate coordination between local workers and their US allies. This is basic to their strategic models for running international solidarity campaigns. For instance, one of the first things USAS did when the strike at Kukdong began was to dispatch one of their members, Evelyn Zepeda, to Atlixco to act as a liaison between the workers and the student activists. Even before that, Jeff Hermanson of the Solidarity
Center had been acting as a bridge-worker, helping USAS conduct a tour of Mexico and make contact with workers producing apparel for WRC member schools. Representatives of the Solidarity Center have played this crucial role in many, though by no means all, of the campaigns in which USAS took part. When I asked her about building ties with local activist groups, USAS member Molly McGrath (interview, 2007) said,

The Solidarity Center plays a unique role with that. Almost all of the partners that USAS has are Solidarity Center members. There are a few cases, like the Philippines, where USAS is affiliated with a group that the Solidarity Center, because it's been around so long, has an ideological difference with. It's very important because USAS really won't have a campaign if they don't have a direct link with workers.

In addition to its close relationship with the Solidarity Center, USAS has set up its own program of international internships to help build its own set of bridge-workers. (We will look more at this program later in the chapter.) Even in domestically oriented campaigns, such as New Era, while a bridge-worker may not be necessary per se, it is important that communication between workers and their allies remain good, for the same reasons bridge-workers are important in international campaigns—to involve workers in setting the agenda and getting information about labor rights violations out.

_Framing Battles and Disruptive Tactics_

As noted, one of the things bridge-workers do is provide information about the local struggle to US and European allies. In particular, they help get out the word about
what specific abuses are occurring in any particular sweatshop where workers are trying
to organize. Such transmission of information is central to the boomerang effect, because
US-based activists then use it to wage a framing battle against the core companies
involved in this particular case (Keck and Sikkink 1998). Without relations of solidarity,
US-based activists would not have access to this information and their campaigns would
be much weaker. Given that many apparel companies’ principal weakness is their image,
fighting framing battles is absolutely central to the strategic model underlying solidarity
campaigns. One important tool that activists have in their framing battles is issuing
reports based on research. In many ways, this is one of the most important things the
WRC does--documenting the specific violations of workers’ rights in any one case. More
than that, the WRC uses the implicit threat of a report containing negative information to
get companies to make concessions, in return for positive coverage when the report is
published. WRC staff person Jeremy Blasi (interview, 2007) explained,

We try to not just publish things for the sake of publishing them.
Transparency is a goal and we're the only [monitoring] organization that
has a public disclosure database, with all the factories are listed. There's
some value in being public as much as possible. But at the same time you
want to use it as a tool, the threat of publishing your report is a way to get
a company to do something good. And you make every report a positive
report because you used threat of public disclosure to get them to take
some action. By the time you're ready to publish, you can report that
they've done all these positive things. So if you look at most of our
reports, a substantial number are actually positively toned. They're the final product along the process. In other cases, the case might be totally intractable. The company's not responding, so there would be value there to get it out as soon as possible.

Such was the case with the preliminary reports the WRC published in the case of both Kukdong and New Era--reports that then served a valuable role in the larger struggle over the framing of the issue.

The WRC is not, however, the only anti-sweatshop organization that does research and publishes reports. It is also an important part of what groups such UNITE HERE and the ILRF do. Like the WRC, they will send representatives overseas to investigate conditions in factories and publish reports on the results. They are less concerned with using their reports as a direct means to pressure companies to change their behavior in the way the WRC does and more concerned to use them to mobilize their grassroots base to pressure the companies in question. Talking about this in relation to the on-going campaign against Wal-Mart, Dirnbach (interview, 2007) said,

You take that research, that basic information and you covert that into public-friendly material. You put together fliers, you might put together a press release, you'll send versions of that to the media. You want to get the word out there to consumers and the media to raise consciousness about the sweatshop problem. You'll go to the store and you'll leaflet. You'll do it again and again. And companies are annoyed by that. I don't believe that it ever turns away enough customers for it to matter to them, but we want
to create the perception that that is a possibility. And it's just annoying to
them that their image is being tarnished by this kind of information and
people are in front of their stores in a real in-your-face manner. We want
to organize demonstrations at a store or at a shareholders' meeting, to get
some media attention, so that whenever Wal-Mart is mentioned, there is,
somewhere in the article, allegations about sweatshop practices, etc.

Another central tool in framing battles is bringing the workers involved in a
particular struggle on tour to the US to speak for themselves on the conditions they face.
Keck and Sikkink (1998) argue that direct personal testimony plays a powerful role in
framing struggles, humanizing the debate, while providing a legitimacy to the work of
Northern groups that reports simply cannot. With reports, it is always possible for the
movement’s opponents to claim that the movement, however well intentioned, is out of
touch with the workers on the ground. When the workers themselves are speaking, this
charge is much more difficult to make. Even more that reports, without relations of
solidarity, the US anti-sweatshop movement could not bring workers over to tour the US
and share their testimony. The workers in the New Era struggle found such speaking
tours to be a powerful tool for them. Jane Howald (interview, 2007), president of the New
Era CWA local, said,

When we were in the middle of the strike, I always said it was like Horton

*Hears a Who* [a children’s book by Dr. Seuss]--I wanted people to know

who we were, where we were and what we were going through. Without

USAS reaching out to universities across the United States, people in
Louisiana or California wouldn't have known who we were or that we make baseball caps for their team in Anaheim or Minnesota. USAS gave us the ability to take members on the strike line and go to their campuses and speak about the troubles we were going through. They invited us to their campuses so we sent members, off the strike line, to Louisiana, we sent them to California, we sent them to Ohio--just workers, not officers, not somebody that was educated and could speak. I remember one guy we sent to Louisiana said, I’ve never spoken in public in my life. Yet he cared about what was going on so when the students invited him he took our message to Louisiana. That's what USAS helped us do, helped us reach across the United States, to different universities and the students took us to their friends and their families.

According to USAS members, such worker tours were a powerful framing tool in their various campaigns. Speaking not only of the BJ&B campaign, but the USAS’s initial efforts to get their schools to implement codes of conduct, USAS member Laura McSpedon (interview, 2007) told me,

A big turning point for us on campus was a delegation of workers from the Dominican Republic who came in about April of 1998--Roselio Reyes and Kenia Rodriquez, two workers from a factory where they made baseball caps for schools, including Georgetown, came and spoke on a couple different campuses on a tour sponsored by UNITE. That really for us totally changed the dynamic of the campaign. You know, we'd been
saying for four or five months that these sweatshops existed, that they made Georgetown apparel, but to have two workers say, Yeah I've seen your logo before, I've sewed it on to a bunch of caps, made a huge difference. We had a huge event in the middle of campus with three or four hundred people who came and heard them speak. It was the first time the administration actually agreed to sit down and meet with us--and with the workers.

According to activist Caroline Stoppard* (interview, 2007), when I asked her about the difference between the WRC’s reports and worker tours,

I think people have a different reaction to workers speaking about their personal experiences than to reading it in a report. If someone talks about the experience of getting screamed at by their supervisor because they wanted to leave work at the end of the day that's very compelling--but when the WRC puts it in a report, [...] it's dry, it's coming from a US organization. [Some people will think,] Who are these people? Why are they making these claims about certain things? [...] I think the same person who would criticize something in a report, once they're face-to-face with the worker, would probably not say the same thing because it wouldn't be appropriate. And then also because they are more compelled in that kind of situation to understand why the conditions are bad.

When I asked her about whether the audience--an administrator reading a report versus a student at a public talk by a worker--made any difference, Stoppard replied, “It might.
Most of the people who hear workers who come on tour are not university administrators, they’re activists. But even when we bring workers to speak with administrators, they generally have a pretty strong reaction.”

When such framing tactics are successful, they can have a number of important effects. First, they are often quite directly threatening to core apparel companies, especially those like Nike and Reebok have invested a great deal in cultivating a certain brand image. Second, they help movement leaders mobilize their grassroots base to take other actions to pressure companies. Some of these can seem fairly moderate, but can still be mildly disruptive for companies. Tocco (interview, 2007) told me,

I've done letter drop-offs to retail stores. That causes a problem, because rarely does the company tell their retail stores what's going on, so it can cause a bit of confusion. So we give people sample letters that they can drop off. I've done it to Wal-Mart, I've done it to Bridgestone-Firestone. The letter will just state, Here are the demands, here's the problem, make sure you call your district manager and let them know we dropped off this letter. Then the corporations need to go back down through the chains and hand out information about why the letter is wrong. So it's more about causing them more work internally.

In the case of USAS, at schools which have joined the WRC, success in these frame battles puts college officials in a position where they feel compelled to do something to deal with their licensees who are violating their school’s code of conduct. Often, they need to do little more than to speak with the companies, with the implicit
threat of a suspension or cancellation of the licensing agreement hanging in the background. In cases where the US anti-sweatshop movement can mobilize such pressure, this often proves to be one of their most effective weapons. While at this stage in the game, USAS may be able to get their school administrators to take such action mainly through skillful framing and moderate levels of mobilization--petitions, public rallies, etc.--this ability is founded on past on-campus struggles that involved substantial levels of disruption through means such as sit-ins.

Thus we see in solidarity campaigns something similar to what we saw in campus-based campaigns--they rely on both disruption and changing the prevailing discourse for their success, not one or the other. Indeed, in many ways, changing the public discourse around a particular brand is in and of itself a disruptive action, since associating negative imagery--like the abuses that occur in sweatshops--with a brand is an attack on that company’s most important asset, their non-material capital. As for USAS and their ability to use the threat of the loss of college licensing agreements as leverage, this is, as already noted, built on a long history of disruptive activism tied together with reframing the issue of sweatshops on college campuses. And the threat of the loss of the licensing agreement is itself the threat of disruption--it would involve a loss of revenue coupled with the loss of an important captive audience for marketing, which the brands fear will be even more damaging to their profitability over the long run. Other groups generally seek to combine a particular framing of sweatshop abuses and disruptive actions as well, even if the actions they can take--such as the letter drop-offs discussed by Tocco--are less disruptive that what USAS can muster. This is not because these groups
do not want to rely on disruption, they just have less means of creating disruption for the companies involved.

**The Organization of Solidarity**

*Activist Niches and the Division of Labor*

Beyond the primary division of labor between activists in core and peripheral countries and the bridge-workers that link the two, there are finer ones, based on the capabilities of the groups involved. In her study of gay rights activist groups in Chicago, Sandra Levitsky (2007) refers to this division of labor as involving activist *niches*. She found that, while some groups might be moderately critical of other groups’ approaches—groups focusing on direct action vs. those focusing on litigation and lobbying, for instance—all were well aware that other groups played a valuable role in the movement. They ultimately saw the varying specializations of the groups as complementary, not contradictory. I found similar attitudes in the anti-sweatshop movement, with two principle differences—the people I interviewed rarely criticized the approach of other groups and at least some groups had the capacity to vary which niche they took on from campaign to campaign.

As one example of such niches, because of its social location, USAS is also able to mobilize a grassroots base that other groups do not have access to and can exert pressure on points of leverage that other groups cannot. On the other hand, a number of other groups, such as the WRC, UNITE HERE, and the ILRF are able to do research on their target companies that USAS simply doesn’t have the resources or staff to take on.
The Solidarity Center, meanwhile, has a network of international contacts that few other groups do, which is what allows it to take on the role of bridge-worker so often. The importance of having a division of labor is part of the movement’s strategic model, but it is also one of those elements of the model that varies considerably from campaign to campaign. Which roles different groups take on depends on a number of factors, including what specific SMOs are involved and what they can do in relation to the particular companies that are the target of any campaign. In a case involving factories that produce goods for WRC-affiliated schools, USAS is likely to play a central role. In others, USAS’s role is likely to be much more peripheral, simply because they have no particular leverage in such cases and USAS prefers to concentrate on the cases where it can make the most difference.

To give a more specific example, in many campaigns the International Labor Rights Fund (ILRF) is willing and able to negotiate directly with the company targeted. In their campaign focusing on Wal-Mart, however, they were unable to do so. They were entangled in a lawsuit with the company, which consequently refused to speak with them. The ILRF thus relied on the Maquila Solidarity Network (MSN) to negotiate with Wal-Mart for them, while the ILRF focused on more confrontational tactics. Meanwhile the MSN was in a position to remind Wal-Mart that if they do not negotiate with them, then the company would have to deal with the more aggressive actions of the ILRF. When I asked her if this arrangement caused any tension between the ILRF and MSN, Trina Tocco (interview, 2007), a former USAS member now working for the ILRF, said, “No, we actually we’re happy to play the different roles. The only tension I had was that it was
so aggravating to me because ILRF has the dedicated Wal-Mart campaign and it's just frustrating that Wal-Mart will not communicate with us because then I have to find groups, like MSN, that will commit to so much work on the various campaigns.”

We can see in this example another important role in many struggles--that of negotiator. While direct negotiations with the companies involved in sweatshop abuses is ultimately necessary to resolve the problem, not every group has open lines of communication. In particular, the workers rarely have access to their employers to negotiate with them--and almost never have direct access to the core firms that are the patrons of their employers. Part of what is involved in the boomerang effect is looking for ways to open up channels of communication. This is done partly through coercion of the companies involved, but some Northern groups may have lines of communication available to them from the start that workers simply do not have. In the Kukdong campaign, for instance, we noted that Nike flatly refused to talk to USAS, seeing them as outside meddlers intent on destroying the company. Nike was, however, willing to negotiate with the Solidarity Center. As a result, Hermanson (interview, 2007) said, the Solidarity Center was careful to refrain from directly involving itself in the sort of confrontational actions USAS was doing so that they could maintain their open lines of communication. The Solidarity Center’s ability to speak with Nike, Reebok and Kukdong’s management ultimately proved critical in getting the Korean company to sit down and engage in good faith collective bargaining with their workers and come to an agreement that improved working conditions considerably--the ultimate goal of the whole campaign.
Decision-Making in Solidarity Campaigns

Not every international campaign that seeks to make use of the boomerang effect is necessarily a solidarity campaign though. We discussed one case above--the campaign conducted by US groups to abolish child labor in Bangladesh documented by Brooks (2005, 2007)--that was clearly not a solidarity campaign, since the Bangladeshi workers whom it was supposed to benefit were not involved in formulating it and, in fact, opposed it. In ensuring that a campaign is genuinely a solidarity campaign, it is thus important to seek not only to empower the workers involved at their workplaces, but to include them in the decision-making processes of the campaign from the beginning. Indeed, such involvement in the decision-making process is as important an aspect of empowerment as exercising power and voice in the workplace. How well this process of decision-making works depends on the network of relationships that connect the groups involved in any campaign.

In international solidarity campaigns, a global network is involved in planning the strategy. Hermanson (interview, 2007), in speaking of the Solidarity Center’s international allies, told me,

In Taiwan we linked up with a group called Focus on Globalization, which was just a marvelous group. They were academics, they did research, they held demonstrations, they went to the stock market and a meeting of Nien Hsing [a manufacturing company targeted by the anti-sweatshop movement]; they went to the meeting of Tainan [another such company] when we had that campaign. It was a very great organization, added a
tremendous amount. And I must say this--that these organizations don't just provide us with an understanding of what's going on in their country, they also participate in the development of a global strategy. They're students of the global production system just as much as we are in the US-
-I think it's a real misconception to think that the strategy is developed in the US and then you link up with organizations in other countries to carry it out. Quite often, the reverse is the case. International solidarity campaigns are not, then, US-centric affairs, but genuinely international in their organization, conception and execution.

A particularly important element of these international networks is the workers themselves. Ideally, they would be in a leadership position in determining the direction of the campaign. In practice, the picture is more complicated. While the workers can make clear what their priorities and goals are and other groups can seek to organize around them, the workers in any particular sweatshop have only limited expertise about the global terrain in which the movement must maneuver; and they know even less about conditions on the ground in the US, where the core companies are located and can be most effectively pressured. Thus, there is an inherent tension in the organization of such campaigns. How successfully these two elements are balanced probably varies somewhat from campaign to campaign, though all the solidarity activists I spoke with seemed sincerely committed to trying to make sure that they were ultimately accountable in some fashion to the workers on whose behalf they were campaigning. At least in the New Era campaign, they seem to have been relatively successful. Howald (interview, 2007), the
president of the local representing the New Era workers, in speaking of her experiences with USAS and other allies, said, “They were very open to our suggestions on our activities; they worked hand-in-hand with our members. If our members didn't feel comfortable doing something, they was never any pressure on our members […]. If USAS said we're going to protest this and somebody said they didn't like that, they would back off.” While Howald and the other leaders of the local union needed to rely on outside expertise even to help them to understand how to run their strike locally, she never felt as though these more experienced allies were imposing anything on the local union.

On the other hand, according to Tocco (interview, 2007): “You're often working with unions that don't have experience or even understand the potential that could exist in using students as a tactic or just as part of a broader campaign. They don't read the articles, they don't know when sit-ins happen, there's just a lack of cultural understanding of what that means.” The workers, because of their circumstances, have no way of knowing what it is possible to achieve on the ground in the US. This brings us back to an issue we discussed in the chapter on the WRC’s network of allies--the importance of local expertise, both in the countries of the sweatshop workers and in the US, where many of their allies are. The workers have a good sense of the local terrain--the plant they work in and the surrounding community. While they may have some sense of the local political terrain, it is likely that they will have to work with allies in their own country to help them maneuver in that terrain. Many of these allies will be the same organizations--or at least the same sort of organizations--that the WRC works with. They are all part of
one international network, the anti-sweatshop movement. In terms of planning strategy in the US, groups based in the Global South—whether the workers themselves or their domestic allies—simply cannot have the detailed understanding of the political opportunity system in the US. As Tocco notes, they are not going to fully understand the role of brands in youth culture and college campuses and why this gives a group like USAS leverage over the brand-name companies. Therefore US groups must, of necessity, plan much of the US-based strategy themselves, working with the workers in any particular campaign to help them understand how precisely a particular strategy might affect them and discussing the ways in which it might be beneficial or harmful.

If communication is good, however, the workers should at least have a sense of what sort of impact any actions in the US are likely to have. From here, they can make informed decisions about whether or not a particular line of action makes sense, given where they are. Long-time labor activist Stephen Coates (interview, 2007) told me, for example, “We had a couple of conflicts with partner organizations that wanted to call for a boycott. We said, Well, that's not what the workers want. You may think that that's effective, but it's sort of a knee-jerk response, that's not going to work here. I think most people come around to that view.” Here, we can see the importance of Coates as a bridge-worker, communicating the needs and goals of the workers to US allies who do not have as much direct contact with them. Contrast this with the Bangladesh campaign, where the US activists engaged in plans that ran directly counter to what Bangladeshi activists wanted.
(Workers’ concerns around boycotts are generally that they could end up putting them out of work permanently. This is not what they want. Rather, they are looking for ways to pressure the brands that will not result in a loss of orders for their factory, if it can helped. USAS, for instance, prefers to rely on the threat of suspension of apparel firms’ licensees; an actual suspension is a last resort and they never seek a permanent severing of ties with a particular company. The goal is to ensure that workers can continue producing college-licensed goods, only under better conditions—not to end their relationship with colleges. This involves walking a fine line in terms of pressuring companies, but, according to Howald (interview, 2007), USAS was sensitive to this problem:

The students were pushing for contracts to be eliminated with New Era—but they also understood that if it happened, it could impact us and our return to work. So they put more pressure on universities to reach out to New Era and say, Look, solve the differences with the union that represent the members, recognize that it's there, work on the health and safety issues that the union has brought to light and see what we can do about getting this into a working relationship. USAS was highly, highly effective in doing that.

Like CWA national organizer David Palmer (quoted in chapter twelve), she noted that having Ohio State University threaten to suspend their contract was, for New Era, the final pressure point that got the company to come to an agreement with the CWA.)
In planning strategy, the international network involved in any particular campaign relies on a process of consensus decision-making that, perforce, relies very heavily on telecommunications—e-mail and, more recently, the internet phone service Skype. “There would be long e-mail chains with a lot of CC's in which strategies would be discussed and debated and developed; and assignments suggested and accepted or rejected. And out of that give and take, the strategy would emerge and actions would be taken” (Hermanson, interview, 2007). As discussed in chapter eight, while telecommunications has been an invaluable tool in facilitating helping activists coordinate globally, it only works if key people within the network have met face-to-face and already established relationships of trust (Fox and Brown 1998; Keck and Sikkink 1998; Olesen 2005). This is another reason that bridge-workers such as Evelyn Zepeda and Jeff Hermanson are so essential—they are among the key people in helping forge these relationships of trust, with their bilingual, bicultural position, keeping in direct touch with the workers in any particular campaign (even living with them in Zepeda’s case), while having close ties to US-based activists groups, such as UNITE HERE and USAS.

Simply because there are ties of trust does not mean that reaching consensus is easy. Indeed, it is the difficulty of forging consensus (particularly through a medium like e-mail, as opposed to the face-to-face meetings where the decision-making method originally developed) that makes such trust so important. Hermanson (interview, 2007) told me the story of one campaign where they faced particularly thorny decision. It involved a strike by workers at a factory in El Salvador, owned by Tainan Enterprises, a
Taiwanese manufacturer that also had plants in Cambodia, China and Indonesia and that did work for lead apparel firms such as Ann Taylor and the Gap. The question that came up was,

is it ethical to put pressure on the Gap to stop dealing with Tainan everywhere? Or only tell them not to deal with them in El Salvador until the problem is resolved? And there are always different views on that question. There's no hard and fast rule you can apply here. It depends on the situation and what's going to be successful. If you're successful, your pressure results not in their actually leaving Tainan, but it results in their forcing Tainan to fix the problem—which is what happened in the El Salvador case. But if you don't have enough pressure to make a credible threat, you might end up hurting factories that have very little to do with the basic dispute. So those kinds of things just were argued out, argued out, and argued out. I think in the Tainan case, we went for months before the view that we had to be more extreme or radical and demand a total boycott of Tainan by the brands—it took months before that view prevailed.

When I asked what lead to them finally settling on this consensus, Hermanson said, “Well, I think the situation of the workers got more and more dire and people became more and more convinced that half-measures weren't going to get the job done. […] And we came to that conclusion reluctantly, but in the end it did turn the trick and brought Tainan to the table and we negotiated an agreement.”
There are also cases where the network simply can’t come to a consensus. Because it is a network of groups working together voluntarily, those groups that oppose the direction the majority wants to take can simply opt out of a particular campaign. They still, however, remain part of the anti-sweatshop movement and can participate in other campaigns with the same groups. In the case of the Designated Suppliers Program (which we look at more closely in the next chapter), the Clean Clothes Campaign--one of the most important European anti-sweatshop groups--came out in opposition to it. They thought the program was too ambitious and too harsh on the apparel industry (a perspective that is probably due to the fact that unions and their allies tend to have a less adversarial relationship with corporations in Europe than in the US). According to USAS member Jessica Rutter (interview, 2007),

There were a lot of phone calls with them and meetings, to talk through what the program was. [...] Unfortunately, we weren't able to ever convince them, even though a lot of their allies were also supporting the program, that this was something that could happen, that it was doable. [...] And so, of course, we kept a relationship going and we would work together on very specific factory cases, but in terms of the larger campaign, they didn't want to endorse something like that.

Based on his experiences, Hermanson (interview, 2007) sees this flexibility and the ability of groups to opt out of certain campaigns or programs largely as a strength, in the sense that it creates an atmosphere of creativity, where people aren't afraid to disagree or to put out different ideas. I think at this point in the
development of the movement, that's absolutely essential because
nobody's got the answers--if we all had the answers, that would be simple.
But I think it could be a weakness if we're not able to bring to bear a
critical mass because people don't agree--but that hasn't been the case. We
haven't been able to bring together a critical mass in a lot of cases, but it's
not because of disagreements over strategy; it's because the organizations
don't exist--we're still building them.

Such flexibility in relations between groups is only possible if there is a certain degree of
trust between them; this in turn is only possible when the various organizations within the
movement have long-term relationships with each other. In the next section, we will look
at the ways that USAS in particular has cultivated such relationships with various groups
in the Global South through their internship program.

USAS’s Internship Program

USAS’s internship program started because a number of people among its early
leadership realized that it was essential for them to have some personal connections with
those workers on whose behalf they were campaigning if they were to be a genuine
solidarity organization. As with the WRC’s relationship to its partners, I am not in a
position to evaluate how well their internship program has succeeded in creating
relationships of genuine solidarity; it was, however, clear to me that the people I
interviewed were all quite serious about wanting to create such relationships and saw
them as of central importance to USAS’s work. The relations that are formed through
Internships have an additional role beyond fostering solidarity and facilitating transnational strategic decision-making—they also boost USAS’s credibility, allowing USAS members to counter the claims of some of their critics, who argue that the student activists can’t really know what workers want or what will benefit them.

The impetus for USAS’s internship program, officially known as the College Apparel Research Initiative (CARI), came from among the first generation of USAS activists, who, for a number of reasons, wanted their organization to have closer ties with the groups in the Global South, with whom they aspired to work in solidarity. USAS member Jess Champagne (interview, 2007) told me,

People are always looking at USAS like, You're not really workers, what you're doing is actually hurting them, you don't actually know what they want. I never thought that was true, but I did feel like I really wanted to know to more about what was happening in producing countries, so I was planning to use the study abroad program for the second semester for my junior year and then helped a little bit with the College Apparel Research Initiative.

USAS member Nick Reville (interview, 2007), who also helped start CARI up, told me,

One of the challenges in that context [student organizing] is you're basically first-world, at fancy schools, mostly white activists, trying to be in solidarity with workers in the third world that are getting screwed over. You have a lot of challenges around who speaks for who, what's the best way to be supportive--there's a lot of challenges there and there's a lot of
people just sort of saying, Here's what I think about what this should be. And so that was sort of the impetus [for CARI]--how do we make this a little bit more real, to have a conversation with people who are actually down there, and [better] understand what we're talking about?

Underlying the creation of the internship program, in other words, was an intuitive sense that it is difficult to act in solidarity with others if you--or at least some members of your organization--do not have a personal connection with them.

As noted in previous chapters, while some USAS members did have their own personal connections with activist groups in the Global South, USAS’s initial ties with these groups was for the most part through their allies. It was such allies--including the National Labor Committee, USLEAP, and UNITE--that helped USAS get in touch with third-world NGOs and unions and set up the initial set of internships (Champagne, interview, 2007). The Solidarity Center is also central to CARI, with student interns often working with that arm of the AFL-CIO, as well as local groups (United Students Against Sweatshops 2005, 2009b). Additionally, not only the Solidarity Center, but some US unions, such as UNITE HERE and SEIU, have supplied funding for the internship program (United Students Against Sweatshops 2005). In chapter six, we discussed a number of the types of organizations that the WRC is connected to. Since they are embedded in the same social networks and they both relied heavily on the Solidarity Center to help them form their initial relationships, USAS works with a similar variety of groups.
According to USAS member Liana Dalton (interview, 2007), CARI is crucial to maintaining USAS’s relationships with its partners abroad, although the staff members also play a central role.

As far as maintaining those relationships, a lot of it does fall on staff because of the student turn-over. It's just capacity and access to phones and stuff. I think the other main venue is through our summer international intern program […]. The interns are the ones that actually build the trust and relationships with their host organizations over the course of the two months that they're with them and then they serve as the liaison throughout the year. We conceptualize our international intern program as not a two-month program but a year-long internship.

While in the field, the interns serve their host organizations in a number of ways. Upon, their return to the US, in addition to maintaining their role as a liaison, they try to convey what they learned in their internship to other members of USAS, both in the leadership and in the grassroots base.

As the program had evolved by the early 2000s, students who wanted to participate in the internship applied during the school year. USAS reviewed their applications, looking for evidence of past activism, if not with USAS, then with some other groups involved with labor rights activism; the ability to speak a second language (although this was not absolutely necessary); and a commitment to continue working with USAS upon their return. Before going abroad, they would also go through an orientation lasting a few days (United Students Against Sweatshops 2009b). The number of interns
varied form year to year—in 2005, for instance, it included sixteen students assigned to thirteen countries (United Students Against Sweatshops 2005), while in other years, there were anywhere from eight or twelve interns.15

In designing the internship, the first generation of USAS activists were clear on what they wanted to avoid. Eric Brakken (interview, 2007) noted that “A lot of times groups in other parts of the world feel kind of used by US groups [...] they have to take a week out to come and tote a bunch of Americans around, show them all the horrors. The Americans go back and they do speaking tours and videos on the internet—and stuff doesn't really change in the country where they went to.” Instead, the people I spoke with consistently emphasized the importance of building long-term relationships, making themselves practically useful to the groups they worked with, and allowing those groups to set the goals. Indeed, they saw the internships as one of the main means of building the relationships necessary for “seeking guidance in the concrete demands from our partners as much as possible” (Dalton, interview, 2007). According to USAS staff member Zack Knorr (interview, 2007),

We are a student organization of students primarily in the US, also in Canada, but our demands and what we do really needs to be driven by workers on the ground because we're primarily just trying to use the leverage of our universities to support the organizing that they're doing. If we're not connected to them then we're not doing that. And we also have a small staff, like three people. So the best way that we can do that is having students go out and really spending time with them and then hopefully
bringing that back and keeping those relationships going so that we can really get direction and be driven by the organizations we're working with.

In accord with USAS’s ideology then, the internship is first and foremost about building relationships of solidarity and finding ways to empower workers not only in their workplaces, but in the transnational movement against sweatshops.

The people I spoke with in USAS, based on their own experience, believed that they were doing a good job of this. Dalton (interview, 2007) told me,

USAS has a really good reputation around the world. Some of the other interns in Latin America were saying people look at them and say, Oh look, it's this kid, and then all of a sudden they introduce themselves as being from USAS and they're like, USAS, great. I think the same thing is true in Asia. Everyone has a lot of respect for USAS. It's amazing to me, actually--we're just a bunch of students, we don't have a lot of money or resources, but people do respect us.

This trust is not, of course, automatic. When Dalton did her internship, it was a new partner organization, based in Hong Kong, whose trust she had to earn.

I came in as sort of the first person that really had ever interacted with USAS and the WRC. It was first about building trust because the situation is so sensitive in China, organizing is so sensitive. There's a super strong security culture in a lot of ways and they're not just going to trust some random white American. It was really intense at first because I felt like I really wasn't wanted and I didn't fit in. But then really quickly I started
gaining their trust. I really felt a part of things and almost identified more with them than I ever had with any organization or anything I had been a part of in the United States.

This, of course, is a self-assessment by a USAS member. Their partner organizations may have a different evaluation of the relationship, but, given that these groups continue to work with USAS, the relationships would seem to be positive in at least some ways for them.

While in their internships abroad, part of what students do is lend organizations their English skills and their computer and other technical abilities, helping the host organizations around the office and facilitating their ability to communicate abroad—acting as bridge-workers in others words. Having students present from the US may also be a help in and of itself, in terms both of boosting the morale of local activists and providing a set of eyes and ears that can convey word of labor and human rights violations to the outside world in a way that people from the Global South can’t (McGrath, interview, 2007). USAS member also do research on working conditions and the lives of sweatshop workers, knowledge they bring back to the US with them to use in USAS reports (a point to which we will return below).

Beyond this work of an immediately practical nature, the internships allow the participants—both students and host organizations—to exchange ideas and learn from each other. Knorr (interview, 2007) said,

People get to learn a lot about what's going on in different places, they get to bring back different organizing models, different organizing strategies,
and then we try to work with them and encourage them to take those and talk about their experience at other campuses, or to actually bring them into the organization so that we can learn from the organizations that we're working with and hopefully they can learn from us too.

Dalton (interview, 2007) emphasized that her internship had a large impact on the ways she thought about codes of conduct and what they could and couldn’t accomplish. This, in turn, significantly influenced the suggestions she made in the conversations involved in crafting the Designated Suppliers Program, a process which she was central to. Here we see a concrete way that USAS’s efforts to build ties with groups in the Global South had a major impact on their concrete strategy. (We will return to this in the next chapter.)

It is not solely USAS that learns from its host organizations. USAS member Agatha Schmaedick (interview, 2007) told me of her work in Asia, “Frankly, so many of the unions in Asia, at least the ones that I worked with, are new, so it's probably more the other way around. I was trying to bring to them information from the unions in the United States or other countries--ideas, organizing models or success stories. There has only been freedom of association for about ten years, so they're very new.”

When the interns return to the US, they are expected to take on a number of responsibilities in addition to acting as liaisons with their host organization. In particular, they are expected to contribute to USAS’s popular education efforts, both among USAS’s grassroots base and the wider student population. Dalton (interview, 2007), while admitting that USAS could do a better job of this, identified a number of means by which the interns do this. “The main way that the interns do that is through being active as
organizers on their own campuses and in USAS nationally, being leaders in the organization, interacting with students. [...] By being active in the organization upon their return, their perspective gets incorporated in how we make decisions.” She also pointed to,

the report-backs at the [annual] conference; and then there's the written report that they write. If there's any case work, they're supposed to bottom-line the communications around that, update students on specific cases.

And the other thing they're supposed to do this year is to organize trainings for different campuses in their region as a way of outreaching to different students and sharing their experience.

In 2005, they also produced a detailed and attractively laid out report on the conditions in nine of the thirteen countries where they worked. The report included a basic overview of the structure of the international apparel industry, the state of workers’ right to organize in the selected countries, a comparison between the cost of living and the average apparel workers’ income, testimony from individual workers, and an overview of USAS’s strategy for supporting sweatshop workers in their struggles (United Students Against Sweatshops 2005).

Conclusion

The strategic model for international solidarity campaigns is in many ways organized around the boomerang effect. It is what brings sweatshop workers and their local allies into a relationship with activists in the US and other foreign countries--the
fact that their local political opportunity system is largely closed and the consequent need
to work with groups abroad who had access to openings in the POS that the workers and
their local allies do not have. Specifically, US groups can exert pressure on critical points
of leverage than the workers and other third-world groups cannot. This does not mean
that the workers and their allies do nothing locally. Instead, the strategic model rests on
both the workers pressuring the contractors through strikes and other elements in labor’s
repertoire of tactics, while their US allies attempt to pressure the core firms employing
the contractors more directly, by attacking their brand image. Different groups take on
different roles, depending on their own skills, connections and resources and the
particular companies involved in the struggle. This allows for a good deal of flexibility in
how the strategic model is deployed from campaign to campaign.

The end goal of all these activities is to open more organizing space for the
workers involved and give them more leverage over their employers--to change the
political opportunity system within which workers must operate. In particular, the goal is
to create room for worker empowerment through the organization of an independent
union. This is what part of what makes the campaigns solidarity campaigns--the focus is
ultimately on the workers, their goals, and their empowerment.

This focus on solidarity is integral to the success of anti-sweatshop campaigns.
With these relationships in place, different groups can negotiate their roles in the various
campaigns, what specific actions they will take, all the time keeping in touch with the
workers to ensure that they are actually meeting the workers’ needs. Failure to do so
would probably result in the sort of efforts that Brooks (2005, 2007) documented--
campaigns that are, at best, misguided and do little to help those that they are nominally meant to. This means that US activists have to make sure that workers are incorporated into the strategic decision-making process in a way that lets them define the goals of the campaign. For this to work, there need to be relationships of trust between the participants in the transnational network. Usually, a few key people play the role of bridge-workers, using their bilingual, bicultural status to act as a bridge between workers and their domestic allies on the one hand and international groups on the other. These relationships must be actively maintained--this, for instance, is the main goal of USAS’s internship program. In the next chapter, we will examine the creation of the Designated Suppliers Program, which emerged specifically from feedback from groups in the Global South, included unions that had been at the center of some of the successful solidarity campaigns, about the limits of what they were actually achieving and the need to try a new strategy.
Chapter 15: The New Strategic Frontier: The Designated Suppliers Program

Introduction

The international solidarity campaigns we looked at in the last chapter scored a fair number of successes, in that many of them resulted in workers being able to form independent unions in their factories. The Designated Suppliers Program (DSP) was born out of anti-sweatshop activists’ frustration with the limits of such victories though. All too often, as happened at the Kukdong/ Mexmode and BJ&B factories (see chapter twelve), a year or two after they had helped workers successfully unionize, members of the wider movement would receive reports that the factory was closing down and the workers would soon be out of work--and the union, consequently, would be no more. As the factory-owners reached agreements with their newly unionized employees and improved working conditions, the factory-owners’ cost of business went up--to do the same work that they had done before there was a union, they would need to charge the lead apparel firms more. The reaction of the lead apparel firms--often the same ones who, under pressure from the movement, had pressed the contractor to recognize the union and cut a deal with it--would then decide that this increase in cost was unacceptable and take their business to another contractor. Soon the factory-owner in question would not have enough customers to continue running their business and would have little choice but to shut down. The core apparel companies might be willing to press their contractors to improve working conditions so their factories were no longer sweatshops--but the core companies were not willing to pay what it takes to run a factory in a sweat-free manner. Here, we come back to the structural roots of the problem of sweatshops in the basic
organization of the international apparel industry. It is this nut that the DSP is meant to crack, at least for college-licensed apparel.

Like the campaigns for codes of conduct for college and university licensees and for the WRC, the DSP is a significant strategic innovation--the development of an important new strategic model--on the part of the anti-sweatshop movement. It is rooted in the same dialectic of action and reflection (Ryan and Jeffreys forthcoming; Ryan et al. forthcoming), experience and ideology as underlay the creation of the WRC. Its origins are slightly different though, showing the diversity of conditions under which movements may choose to innovate. The codes of conduct were born of an attempt by UNITE to simply come up with as many new tools as possible in their anti-corporate campaigns--but the codes proved to not only to be a very powerful tool, but something that took on a life of its own, becoming a distinct strategic model within the anti-sweatshop movement. The WRC was the result of a protracted conflict over the codes of conduct--the apparel industry responded to the codes by creating their own, in-house codes and the FLA to monitor them, arguing that this was sufficient to solve the problem of sweatshops. The anti-sweatshop movement responded by creating the WRC as a counter to the FLA and as a model of a genuinely independent monitoring organization. Unlike the WRC, the DSP was not a response to specific actions that the apparel industry had taken. Unlike the codes of conduct, it was not one of a number of experiments that the movement was trying out. Instead, the anti-sweatshop activists were frustrated with the limits of what they were achieving under what was, all things considered, a relatively successful strategic model. They then went through an extensive process, involving widespread
consultations, in which they deliberately designed the DSP. When it was complete, they publicly unveiled it in 2005 and then began to organize a campaign in support of it (which, as of this writing in February 2010, is still on-going).

What the Designated Suppliers Program is meant to do is “to compel the brands to reward the factories that respect the rights of workers” (Nova, interview, 2007), instead of punishing them by taking their business elsewhere. Beyond that, it is meant to alter the relations of power between the core companies, their contractors and workers in such a way that the workers have more bargaining power in the commodity chain that they presently do. The means to this end is to require companies with college licensing agreements to do business with factories that the WRC has conducted a thorough investigation of and approved of as generally respecting workers’ rights, including that to a living wage and the right to form an independent union. This does not necessarily mean that they have to choose from a WRC-approved list--the licensees can nominate their own choice of contractors and the WRC is willing to work with them (within reason) to bring them up to speed, so that they meet the requirements of the DSP. As always, the workers can file a complaint with the WRC--and if the WRC finds that the contractor is not respecting workers’ rights, the contractor risks losing their contract and the licensee their license. In other words, the workers have some ability to decertify the factory at which they work--which would give them some potential leverage over the companies involved that they do not have now. Thus, if the DSP were successful in meeting its goals, there would be a shift, so that power relations in transnational commodity chains would not be quite so unbalanced, at least within the limited realm of college apparel.
Ideologically speaking, the development of the DSP involved a re-affirmation on the part of USAS and its allies of the importance of worker empowerment, as well as a renewed emphasis on the structural nature of the problem of sweatshops--and therefore the need for a structural solution.

**Origins of the Designated Suppliers Program**

The DSP was, in a number of ways, the product of the transnational network that constituted the anti-sweatshop movement and conducted the solidarity campaigns. As already noted, activists in the network were frustrated with the limits of the successes of the campaigns they conducted. Additionally, although the DSP was primarily crafted by US activists, they were specifically responding to complaints by their third-world partners about the limits of what they were achieving; and the US activists extensively consulted with their third-world allies in crafting the DSP, trying to ensure that the new program--while viable in the US--would meet the needs of activists in the Global South. The international solidarity campaigns we discussed in the last chapter thus formed the foundation for the DSP, in that the DSP would not have taken form if it were not for the networks built in such campaigns.

The international solidarity campaigns were also essential in that, if USAS and its allies had not been able to see the limits of their current strategic model, they would not have been motivated to begin developing a new strategic model that would try to address its weaknesses. USAS member Jessica Rutter (interview, 2007) explained how they began to see the shortcomings of what they were achieving:
So basically what was happening with a lot of the great successes that we had was the factories were starting to close because as workers organized—were able to successfully organize and have a union and increase wages, to improve their working conditions--prices were going up and so the brands were actually starting to divert their orders into other factories. [They would] say, Oh, unfortunately, for business reasons, we can't source from these factories. And we said, You're obviously cutting and running or trying to avoid these places, because now that their standards are better, it's a little more expensive than places where the standards aren't better. With a lot of the really important relationships that had been built with workers at certain factories, those workers were saying, We really need to keep our factory, that's the most important thing right now.

According to Rutter, this request required a rethinking of USAS’s strategy, since it “was really different than anything USAS had ever done before, because USAS generally didn't work to keep business in certain places, that's just not what we did--we supported workers organizing.”

This was not simply a matter of helping workers keep their jobs, but also of keeping unions alive. As discussed in chapter thirteen, because many countries do not legally allow for industrial unions, workers must do the slow work of organizing plant by plant--and if the factory closes down, the union no longer legally exists, all their work has come to naught, and they must start over again. While workers, especially union leaders, may still have organizing skills and ties to allied organizations who can help them, both
domestically and internationally, they are likely, in the search for work, to scatter to a number of new factories. This means that they then have to begin rebuilding the social networks within the factory that are necessary for a successful, democratic union from scratch--no easy task.

There were subtler problems as well. Winning campaigns in the first place is a time-consuming task. Eric Dirnbach (interview, 2007) of UNITE HERE told me, “The scope of the problem is so tremendous that I'm loosing patience--you just can't have a two-year campaign to help workers at one factory organize a union.” A two-year campaign entails a tremendous investment of resources on the part of anti-sweatshop groups--and, in the mean time, that limits the amount of resources they have to help workers elsewhere. The monitoring following a successful campaign has also proved to be time consuming. Nancy Steffan (interview, 2007) of the WRC noted that the Consortium found it had to remain continuously involved in many factories, long after an apparent victory. “We would go and write up a report--and then to get the situation fixed takes months. And we're still involved in most of the factory investigations we've done just to make sure things are kept up. If they're not kept up, then we should probably get involved again.” This in turn limited the number of new cases that they could practically take on--and thus their wider impact. As a result, according to WRC executive director Scott Nova in an 2006 interview with InsideHigherEd.com, of the 2-3,000 factories around the world producing college apparel, only eight met the WRC’s standards fully (Jaschik 2006).
Another problem Steffan (interview, 2007) raised is that they had made no progress towards securing workers a living wage.

The gains, while they were significant--getting unions recognized, getting harassment of workers to stop--they could have gained a lot more in one area where there hadn't been any progress[--]wages. You probably assumed that at this point the people are getting high wages--but the unions in the industry, the few that exist that are actually bargaining, are generally not bargaining over wages because the factories don't have the money to pay higher wages because they're under so much price pressure from their buyers.

The problem is again the structure of the industry, where the core firms seek the contractors who can keep costs as low as possible while still maintaining a certain quality. As a result, “the actual improvements have a ceiling on them, and then the improvements are actually being eroded over time because there's no reward for improving conditions in the factories” (Steffan, interview, 2007).

Additionally, the closure of unionized factories has wider repercussions. Rutter (interview, 2007) said, this pattern of closures “also sends a message to other workers that if you have a union at your factory and you improve conditions at your factory, then your factory will close--which is a really dangerous message to send to workers. It's another kind of intimidation tactic.”

Groups such as USAS and the WRC in the US thus were getting feedback from their allies, particularly the workers they had worked so hard to help improve their lives,
that made them question the long-term viability of their strategic model. In particular, some anti-sweatshop activists came to believe that the use of codes of conduct and independent monitoring as a strategic model, while valuable, was more limited in its impact than they had initially hoped it would be. This is, in part, because the major apparel companies have managed to partially co-opt the model, both through their internal corporate social responsibility departments and through the FLA. Brent Wood* (interview, 2007) was concerned that,

There’s been some change at least on the part of a lot of groups—a move in a direction where that tool of public embarrassment has been made secondary to an effort to use the existing codes of conduct and monitoring systems the brands have developed as a separate tool to promote change—in other words, a belief that through the codes of conduct and monitoring that the brands have opened up so that activists can walk through, that they [the brands] can be held accountable to their own self-proclaimed standards, that their own monitoring systems can be used to promote change. And that is true to a degree. The problem is the degree to which it’s true is a lot more limited than people recognize.

Again, the reasons for these limits are the structure of the apparel industry. In particular, there is the inevitable conflict of interest involved when corporations monitor themselves and their clients, which we discussed in depth in chapter nine. Wood believes that the model based on codes and monitoring “was worth pursuing, because at an earlier time there was more reason to be hopeful. There was less of understanding of the way that the
supply chain is structured would thwart efforts to use codes towards positive ends. But it's now clear that the level of progress that can be achieved is very limited.” That is, at least without altering the structure of the commodity chains--which the DSP aims to do.

In addition to the long-standing problems with the apparel industry’s structural reliance on outsourcing, a significant change in the political economy of the industry took place in 2004--the end of the Multifiber Arrangement (MFA), which had governed global apparel exports since 1961. As discussed in chapter two, the MFA gave developing countries quotas for how much in the way of textiles and apparel they could export to the US and Western Europe in any give year. The result of this was that apparel companies were compelled to contract out production to a wide range of countries, including some, such as Cambodia, that had relatively strong labor protections. According to Rutter (interview, 2007), “With the elimination of quotas, there was this fear that garment production would be able to just move based on wages, and these kind of efficiency standards have no respect whatsoever to workers’ rights or standards. In fact, it would increase the race to the bottom. […] There's this fear that now that the quotas don't exist, there's no incentive [to produce in places like Cambodia] and so there's this hysteria--what are we going to do about the MFA?”

These developments caused anti-sweatshop activists, in both the Global North and South, to realize that they need to re-evaluate their strategy and find a new direction. Fortunately, their experience and their analysis of the apparel industry gave them a good sense of what they needed to look at to move forward. Steffan (interview, 2007) told me that after they realized that “the system just wasn't getting us as much as we thought we
could, that it wasn't sustainable over time,” they “decided we had to look not only at the labor conditions but also the purchasing practices of the brands—the way they do business, the way their suppliers act, the prices they pay, the relationship they have with them, the way they organize their production to ensure that they're actually in a position to determine working conditions in a factory.” It was the focus on these factors that eventually lead to the formulation of the DSP.

**Strategic Innovation and the Crafting of the DSP**

*Organization and Decision-Making*

Knowing that you need to strategically innovate and actually innovating are two different things. The process by which anti-sweatshop activists innovated was a time-consuming one, involving widespread discussions and consultations, not only within the movement, but with outside experts. People came up with a number of proposals, which were discussed and debated until they settled on something broadly like the DSP. They then had to hone that model so that it could stand up in the conflict with both the apparel industry and reluctant school administrators that activists knew was sure to ensue. As with the creation of the WRC, this process of widespread consultation and consensus-oriented decision-making fostered both creativity--resourcefulness--and a deeper commitment to the resulting program on the part of the activists involved (Ganz 2000; Polletta 2002).

According to USAS member Liana Dalton (interview, 2007), even before the wider anti-sweatshop movement began convening the conversation that would produce
the DSP, USAS was already on its own trying to figure out what the next steps it should take would be. It had taken up a wage disclosure campaign, which, retrospectively, she thought was a poor idea. “But we really didn't know what we were doing at the time in terms of demands. We thought it would be useful--but I think people were kind of floundering around not knowing what to do with the concrete things like demands.” Like other anti-sweatshop activists, they had identified the lack of a living wage in the apparel industry as a major problem. They hoped that, by requiring companies to disclose the wages that workers were paid, in manner similar to the way in which companies were required to disclose factory locations, they could push the industry to increase wages.

“The rationale behind the wage disclosure was that it was a lead-in to a living wage campaign, which was something that USAS was running both locally and internationally. I think the wage disclosure was seen as a way to build towards something bigger.” Additionally,

I think the people who were really behind the campaign were still thinking that we had to keep galvanizing the student movement. We needed to have concrete winnable demands on campus. We needed something to keep this movement going with energy. Whatever we are fighting for, the important thing is that students are organizing, students are fighting and we're obviously going to still be doing the factory cases--this is going to be useful information. That was the rationale behind the campaign.

Eventually, however, “we started realizing that any sort of living wage campaign that we were going to do was not going to be really ideal and it was going to be more top-down
that we wanted. Really what we needed to focus on was unions directly. We should stop beating around the bush and stop pretending to go around it through these other mechanisms. We should focus on unions and support unions.”

Although Dalton was herself dismissive of the wage disclosure campaign looking back, it probably served a valuable purpose in clarifying the thinking of USAS activists. It is no simple matter to come up with strategic innovations of the scale that the movement was realizing it needed. This requires coming up with a number of different ideas and possibly testing them out. It should be remembered that using college licensing agreements as a strategy was simply one experiment among many UNITE was trying out at the time of its origin--an experiment that proved successful far beyond what anyone expected. The wage disclosure campaign, if nothing else, helped USAS activists see more clearly what they did not want to do--a top-down campaign, where reforms would be imposed from the US. This in turn helped them refocus on their core, ideological goals--empowering workers by strengthening the power of independent labor unions. As Dalton noted, it was also a way of keeping USAS active by giving them a new issue around which they could organize. This in itself is important, since activist organizations who don’t have campaigns to mobilize people around tend to fade away into obscurity. Given the high turnover in student populations, a student activist group could succumb to this unfortunate fate fairly rapidly.

In many respects, the process of creating the DSP was similar to creating the WRC--there was widespread consultation among a number of groups, with those involved working out their differences by means of consensus. Initially, these took place
through conference calls and e-mail lists, with people sending draft proposals back and forth and editing them (Dalton, Rutter, Stoppard*, Wood, interviews, 2007). Rutter (interview, 2007) summed up the decision-making process this way:

We really tried to talk to everyone that we could think of. We talked to US unions, we talked to NGOs--it was a lot of consultation, it was a period of just trying to figure out what could be done, policies that could be helpful, that could address some of these new problems. And so we actually had a retreat in January of 2005, where we tried to bring together a bunch of folks. So we brought together students from USAS, we brought together the US unions, we brought together some of the international allies and had this larger summit. It wasn't large--it was like a smaller retreat actually, but maybe fifty people.

In addition, the Solidarity Center and a number of allied academics were involved in the decision-making process (Stoppard, interview, 2007). After the conference, they continued to work on the proposal developed there--the Designated Suppliers Program--and unveiled it at the start of the next school year, September 2005 (Dalton, interview, 2007).

If anything, the network of groups involved was broader than in the creation of the WRC, since--thanks to the networks USAS and WRC had built up over the course of their international solidarity campaigns--groups from the Global South were better integrated. On the other hand, this was clearly an initiative lead by USAS and the WRC. Though they consulted their allies in unions and NGOs, these groups were not as
centrally involved as they had been in the creation of the WRC (Dalton, Rutter, Stoppard, Wood, interviews, 2007). USAS and the WRC has matured sufficiently as organizations that they were more in a position to take a leadership role in this process of deliberate innovation.

Rutter (interview, 2007) described the decision-making process as follows:

We tried to consult as many people as possible. And then we also tried to talk to some people who had some expertise about what they thought about the details—so have focused conversations with those folks. A lot of times that meant having arguments. I would say some of the bigger decisions were made on conference calls or at the retreat itself. Some of the smaller decisions on some of the detailed stuff was worked out more informally and then would be proposed on paper to people for approval, that kind of thing.

Wood (interview, 2007) said most of the debate was about the fine details of the program. His recollection is that, on the whole, the process was not a terribly contentious one because “the concepts are very straightforward—they're dictated by the economic reality. [...] I think we knew where we were from the outset because we had developed a very sophisticated understanding of the industry and how it operates and what it would take for a factory to be able to respect the rights of workers and succeed economically.”

Rutter (interview, 2007) believed that the consensus process produced a better product for two reasons. On the one hand, it made everyone feel like they had a stake in the program.
Something we really tried to prioritize was making sure that everyone felt a part of the process and that everyone felt good with the output. And obviously you can't always have everyone be totally 100% happy with the outcome, but making sure that people felt like that their opinion was being respected in the process and being considered and that once the final product was done that everyone was at least like, Yeah, this is pretty cool-if not, I agree with every single part of it, at least. This is good. So that was really, really important because the whole campaign hinged on making sure that all of our allies everywhere were going to support this in a real way.

On the other hand, Rutter also felt like it produced a stronger program at the end of the process, because we had to deal with a lot of different ideas and a lot of them got incorporated in some ways; and in other ways they were definitely used to create stronger arguments for what we had, so I think in every way that it was good that there was a lot of debate. And it was actually a really fun process in a lot of ways, being able to talk to so many people and hear different people's ideas and then think about ways that the program could incorporate or arguments for why the program shouldn't incorporate certain things.
This corroborates Marshall Ganz’s (2000) and Francesca Polletta’s (2002) arguments about the benefits of deliberative decision-making processes, which we examined in earlier chapters.

Beyond the use of consensus itself, there were quite deliberate efforts to make sure the decision-making process was inclusive. Rutter (interview, 2007) recalled, “I was one of the national organizers for USAS, I was pretty involved in a lot of the conversations that were happening with allies, but also trying to support the student input part of that and making sure that students were part of it every step of the way in terms of how it was shaping and how we were going to create a campaign around it, so calling students at a bunch of different campuses and having conference calls and also helping with the internship program.”

There was also a concentrated effort to include USAS and the WRC’s allies from the Global South, drawing on both the partnerships USAS had formed through its internship program and the relationships that the WRC’s field staff had developed. As I have noted in the previous chapter, in such situations, there is always the challenge that Southern groups don’t and really can’t fully understand the situation on the ground in the US—what is strategically feasible and what isn’t. They can make clear what their goals and priorities are and then US activists must try to find a way to create a viable program that honors those goals and priorities—something that necessarily entails some trust between the US and Southern groups. Dalton (interview, 2007) explained to me how this worked in relation to the DSP:
I think the core demands come from the unions and the partners in the South. I think that everyone pretty much agrees on what the fundamental issues that need to be addressed are--price pressures, labor flexibilization as a means of union repression. […] The necessity of student organizing has forced us to create this entity--and rather than being this concept of unionized factories and higher prices, it's become the DSP as an entity, as a program. It's become more about intricate little details and, to be honest, most unions don't give a shit about what does this paragraph of this forty-page report say. A lot of them don't have a good enough conception of the organizing reality of students and administrators relations--they don't understand why some of these decisions are being made. Therefore it's really difficult to continue that consultation process of keeping them having ownership and decision-making power on exactly what the DSP looks like in terms of the policy document. What's going to be important is for us to keep the policy flexible enough so that they can still shape it once it exists, once we've won it.

This shows what a careful balancing act is necessary in maintaining transnational relationships that genuinely embody the principles of solidarity. There are clearly limits to what consultations with unions representing sweatshop workers can accomplish in terms of designing a strategy. The US groups have to be able to act autonomously, using their knowledge of the situation on the ground in the US--what rules govern the different social arenas and what points of leverage US groups might have. What this means is that,
in many ways, the DSP is more a project of USAS and the WRC than the groups it is meant to help. Their hope is that it will, however, give their allies in the South more room to maneuver--more organizing space and new points of leverage. And, as Dalton noted, they have tried to design it be flexible so that, on the ground in the Global South, the unions there can adapt it to local conditions, using their local expertise, to turn it into a useful tool for whatever campaigns they are undertaking. This will allow these groups to retain their autonomy as well--indeed, one of the things USAS hopes to accomplish with the DSP is to strengthen that autonomy.

As noted, in the period running up to the January 2005 conference, the activists involved developed a number of proposals. Some of the ones that my interviewees described to me only bore a distant resemblance to the final product--the DSP. This is in contrast to the creation of the WRC, where from the beginning the people involved knew pretty clearly what they were trying to create--an independent monitoring organization, that would serve as a contrast to the industry-controlled FLA. In this case, they new what they wanted to accomplish, but were uncertain about what sort of program might help them achieve these goals. Nova (interview, 2007) said that their starting point was that “we knew we had to do something to create a situation where a factory that treated workers more respectfully could actually survive and indeed thrive in the industry and that something would require the brands to change the way that their supply chains operated. The initial concept was simply to compel the brands to reward the factories that respect the rights of workers.”
One simple proposal was to require the brands to make ten-year commitments to the factories that they contracted with, since this would at least stabilize the relationships between the two and keep the brands from cutting and running if workers succeeded in improving conditions. It was quickly recognized that the core apparel firms would never agree to such a long-term commitment and that they would need to develop an alternative proposal involving a shorter commitment period (Rutter, Stoppard, Wood, interviews, 2007). Dalton (interview, 2007) came up with a proposal of her own, based on her involvement with Just Garments, a Salvadoran apparel manufacturing co-op founded by workers who had been fired when they tried organizing a factory producing for Land’s End. “I was pretty emotionally attached to the case. […] I wrote a proposal about Just Garments, which was kind of a stupid proposal, fair tradey almost.” Despite this, she felt there was a core idea in it that was important—“I felt that we should have a third model and it should be how to support good factories. […] The idea behind it was that we needed some sort of mechanism, once we have good union factories, to support them.”

This basic notion of developing mechanisms to support good factories would, in the conversations that ensued from these proposals, become a central goal of the DSP. As with USAS’s wage disclosure campaign, while many of the initial proposals may have been problematic, they served to clarify the anti-sweatshop activists’ thinking, both about what precisely they wanted to accomplish and what might actually be possible, given the political opportunity system they were embedded within.

Eventually, they settled on a basic concept of what they wanted. Steffan (interview, 2007) described it this way:
We knew what the basic idea was: there was going to be a set of factories that were going to operate differently, that the current way the industry operated was just not conducive to respecting worker rights in countries. We needed--hence the term--designated suppliers. We needed to create a new world out there of factories, not geographically in a different place, but a new set of factories that would operate under different conditions, would have a very different kind of relationship with their buyer, and would therefore be in a position to meet high labor standards.

More exactly, they wanted to require that those brands producing college-licensed goods would have to commit to doing business with factories that met particular standards. One of the most crucial of these was independent worker organization--the workers at the factories would have to clearly be at liberty to unionize (or, as an alternative, the factories could be worker co-ops). Moving from this basic concept to a viable program that they could ask colleges and universities to sign onto required a good deal of additional work.

As part of the process, the activists involved did research to determine what would be practical and what conditions were needed to guarantee workers’ rights. WRC staff person Nancy Steffan (interview, 2007) said, for instance, that

We did this study on the retail price impact of living wage requirement so the we could show that we know how pricing works in the industry, we know much wages are going to have to go up, and we know what the effect might be for scenarios where the wages are raised--this is how it's affected. We did this very detailed living wage example that showed how
to do it--a market basket for each day for a variety of countries so that people can't say, Oh, you can't calculate a living wage--it's impossible. Here's the chart: they need rice, they need beans, they need milk, and they need to send their kids to school and buy pencils--straightforward and it can't be argued against.

They also worked with a consultant to the apparel industry--a man who had worked with a number of the major firms, but was not tied to any of them, and was, in fact sympathetic to the anti-sweatshop movement. Finally, they met with the factory-owners, interviewing them in order to work out the technical details of what standards the program would need to have in order for the contractors to live up to the standards of the program and remain profitable. Steffan (interview, 2007) noted that the factory-owners were happy to talk to representatives of the WRC about this. “Factories generally think it's a good idea to talk to people from the US who come to visit them. […] We [the WRC] represent universities. They're up for a friendly chat. It's often quite different if we say we need to come and talk to you about the fact that you're beating workers up at the factory, but we wanted to talk to them about their business, what kind of orders they receive, things they're used to talking to people about.”

In addition to doing research to help them determine what would be a practically feasible program, the activists needed to design the DSP in such a way that it would be politically feasible--that is, to take account of any criticisms their foes might level against it and try to address those as much as possible in the basic design of the program. Caroline Stoppard* (interview, 2007) gave this example: “Clearly, we knew before the
campaign started the idea of prescribing a list of factories from which Nike had to source, factories that we happened to like, was just not going to go over well with anybody. We can't credibly make the case to universities that we know who are better apparel sources than Nike. We never tried to make that case, but a campaign that implies that we think that is probably going to have less traction than a real basic approach.” This is the same cautious approach of trying to take counter as many of their opponents’ potential counter-framing arguments that we saw the WRC taking when they write their reports on labor rights violations at particular factories. Careful strategists not only seek to counter their opponents’ current actions, but to anticipate their responses to the strategist’s own moves and take pre-emptive measures to counter any such responses.

At the end of the process, when the details of the Designated Suppliers Program had been more or less hammered out, many anti-sweatshop activists were very excited about its potential—an excitement mixed with some skepticism that the movement could actually pull something like this off. Rutter (interview, 2007) recalled, “A lot of the international groups were like, Wow! This is pretty amazing. If you guys could do this, go do it! But it seems really unrealistic--how are we going to get the brands to do this, how are we going to get the universities to agree? This is really great. But just also people being like, Wow! This is craziness.” Dalton (interview, 2007) had similar memories. “We were all excited because finally we had something, after we had been floundering around--especially workers in Just Garments, they were so excited about this. The BJ&B workers were also excited--but they also felt that it's like pie in the sky, like we wish but we don't actually believe you can win this.” Dalton noted that some of this excitement was
probably as much due to all the time and energy that they had invested in crafting the
DSP as because of its potential.

I definitely have a lot more criticisms now than I did back in the day--I
thought this was going to be this great thing. And I think it's also a reality
of organizing--you just get so excited about it and I think you're willing to
be critical, but you're just thinking it's more than it is because you're
thinking this is so rhetorically beautiful. You're so excited that you're
focusing on all the positive elements. And over time you start to encounter
difficulties and then all of a sudden you start to focus on are the negative
things and the problems.

Despite the more critical eye she now takes to the DSP though, Dalton still supports the
program as the best next step forward for the movement.

*Shifts in Ideology*

The process of designing the DSP not only produced a significant strategic
innovation, but also a subtle but important shift in the movement’s ideology. As was the
case with the creation of the WRC, the process of deliberately crafting a new program to
counter actions by the apparel industry encouraged those involved to both analyze the
social environment in which they operated more closely and examine their own values
more deeply. One result of this was a re-emphasis on and reinforcement of the
movement’s belief in the importance of worker empowerment through independent
unions. Dirnbach (interview, 2007) had these thoughts on how the movement’s
experience with the limits of their international solidarity campaigns shaped their ideology:

I think that people always knew that worker organizing was important--I'm just seeing it explicitly acknowledged that worker organizing is crucial now. I think just seeing the industry response to the anti-sweatshop movement, which has again been anti-union and anti-worker in that sense, but pro-code of conduct and pro-monitoring, just seeing how that's failed, seeing that implemented on a wide scale, and report after report of factories in every country of tremendous sweatshop problems as the norm. No change. So I think folks know now … I think we've always known it, but we certainly now know that we've got to do things differently, and workers have to be organized. We simply have to increase the power of workers in this industry, compared to the brands.

Dalton (interview, 2007) echoed these thoughts, noting that worker empowerment and freedom of association had always been important to USAS, but that in the process of creating the DSP, “it was much more clearly articulated.”

The second important shift in the movement’s ideology happened in their social analysis. As with the core value of worker empowerment, this involved putting greater emphasis on something that they had known was important--but in this case, they had not really accounted for in their strategy. Specifically, they really began to examine the role that the core apparel firms’ practice of outsourcing had on the global structure of the industry. According to Stoppard (interview, 2007),
We certainly had known that it was an issue before. It wasn't like it just suddenly hit us that purchasing practices were something to look at... [...] But it wasn't that central to our thinking. We thought we could do this without seriously addressing purchasing practices. We thought that the brands would be forced to address their purchasing practices, even if we didn't impose that on them, because they would recognize that the only way to have their codes of conduct enforced was if they [increased their payments to contractors] ... but that was the last thing they actually wanted to change. So that didn't happen. We were running into a brick wall. It's probably something that people thought, if they had thought about it early on, is that if there's a living wage requirement, the brands would just have to pay more. But it didn't happen.

The anti-sweatshop movement thus did not make profound changes in their social analysis--instead there was a subtle shift in emphasis, with renewed emphasis being placed on something they had long known but not focused on. This subtle shift in analysis, however, resulted in a major shift in strategy--a move away from simply asking the apparel firms--both the core marketing and retail firms and the peripheral manufacturing firms--to uphold certain standards in their dealings with workers to trying to change the nature of the relationship between the core and peripheral firms. On one level, both the codes of conduct and the Designated Suppliers Program are similar in that they ask the companies that constitute the apparel industry to change some of their business practices. On another level though, the DSP strikes deeper than the codes of
conduct, targeting practices that are central to the reproduction of unequal power relations in commodity chains in a way that codes of conduct do not. In other words, through the DSP, anti-sweatshop activists hope to begin addressing the structural roots of sweatshops, the system of social relations that encourages the gross exploitation of workers. They seek to foster a shift in the balance of power, away from the core firms towards, not the peripheral contractors, but towards the workers themselves, creating conditions where the brands have to contend with strong, independent unions representing workers.

The Designated Suppliers Program

Workings of the Program

In order to see how they hope to do this, we need to examine the proposed Designated Suppliers Program itself in more depth. For reasons we will discuss later in the chapter, USAS and the WRC have not been in a position where they can actually begin implementing the Program; therefore, much of this discussion is hypothetical--what the plan of action is once they are in a position to initiate the Program.

The official summary of the Program runs thus:

Under the Designated Suppliers Program, university licensees are required to source most university logo apparel from supplier factories that have been determined by universities, through independent verification [by the WRC], to be in compliance with their obligation to respect the rights of their employees--including the right to organize and bargain collectively.
and the right to be paid a living wage. In order to make it possible for factories to achieve and maintain compliance, licensees are required to meet several obligations to their suppliers. Licensees are required to pay a price to suppliers commensurate with the actual cost of producing under applicable labor standards, including payment of a living wage; they are required to maintain long-term relationships with suppliers; and they are required to ensure that each supplier factory participating in the program receives sufficient orders so that the majority of the factory’s production is for the collegiate market. Licensees may bring any factory they choose into the program, provided the factory can demonstrate compliance with the program’s labor standards (Designated Suppliers Program Working Group 2006a).

Let us unpack this description in some detail.

The basic requirements of the Program are designed to force the core apparel companies to meet the standards of the codes of conduct, not just in the short term, when a campaign finds them at fault, but over the long term, whether or not the movement has directly mobilized a campaign around a particular factory or not. This does not mean that anti-sweatshop activists see the DSP as a substitute for mobilizing in campaigns. Rather, it is meant to sustain the gains made in campaigns over the long run, without activists needing to fear that the factory where they helped workers build an independent union last year is going to shut down this year. This can perhaps be most clearly seen in the fact that five factories--including Kukdong/ Mexmode and BJ&B\textsuperscript{16}--were grandfathered into

\textsuperscript{16} When I wrote this, I was aware of only one of these factories, Kukdong, and I assumed it was the factory in question. Since then, I have been made aware of BJ&B, which is also a factory engaged in this program.
the DSP; licensees who want to use these factories for production will not need to go through the usual approval process—they are already considered approved, as a result of the WRC’s extensive past work and positive relationship with them (Designated Suppliers Program Working Group 2006a).

Those involved in designing the DSP identified three major changes the core apparel firms need to make in their policies in order for their contractors to be able to meet the requirements of the codes of conduct and still remain profitable. The first is that the core firms must pay their contractors a price commensurate with what it is necessary for the contractor to be able to afford to pay their employees a living wage, maintain the factory at suitable health and safety standards, etc. This means that the core firms must pay their contractors somewhat more than they traditionally have, instead of pressing for the lowest possible prices. Second, the core firms must make a long-term commitment to their contractors—specifically, at least three years—so that the contractors can have confidence that they will continue to get orders if they go to all the trouble of meeting the code of conduct requirements; the requirement represents a promise of job security for both the factory-owners and the workers. (There is, however, an escape clause if the core firm finds that the contractor is either failing to meet the standards of the DSP or not producing quality products.) Third, the core firms must provide the contractor with enough business that over 50% of their production is done for the college market—thus guaranteeing them a stream of revenue high enough that they can ensure all their workers, not just those working on college apparel, benefit from the agreement (Designated Suppliers Program Working Group 2006a). Stoppard (interview, 2007) noted
that this set-up not only benefits workers, but “the DSP is actually great for factories who want to do this. The one problem could be is that they're not going to understand that the brands are serious about it and so they're going to be likely to not want to make the labor rights improvements even though the brands say they're going to give them the long-term contract. They get screwed by the brands all the time.”

The distinctiveness of the DSP can be seen by comparing these requirements with those of the Fair Labor Association. The FLA requires changes on the part of contractors in their practices, but not on the part of the lead firms (except that they should do business with contractors who meet the FLA’s standards). While under the FLA’s new “commitment-oriented” 3.0 approach (discussed in chapter nine), it does offer help to contractors so that they can meet the required standards, it does not require its member companies to pay their contractors so that they can afford to make these changes. The DSP places the burden of reform, both policy-wise and financially, on those social actors who hold the most power and control the most resources--the core apparel companies. Even under their new “commitment-oriented” approach, the FLA continues to place this burden on the contractors, who have very little power and few resources to make such changes. The FLA’s approach thus avoids those root causes of sweatshops that USAS and its allies hope the DSP will address.

The DSP also builds upon the traditional code of conduct in two ways. First, it strengthens considerably workers’ right to freedom of association--that is, their ability to form a union. Under the DSP, factory-owners not only have to refrain from union-busting activities, but make it clear to workers that, if they desire, they are welcome to form a
union (Designated Suppliers Program Working Group 2006a). Steffan (interview, 2007) said this was to deal with the fact that “workers in the apparel industry know that there will be consequences for joining a union. So they [factory-owners] have to take a lot of pro-active steps to develop a climate in the factory under which workers could, if they wanted to, join a union.” If managers have undertaken union-busting campaigns in the past, they need to take steps to make it clear to workers that they have turned over a new leaf (Designated Suppliers Program Working Group 2006a). Originally, the DSP was designed so that participating factories were required to be unionized (or worker co-ops). This requirement was later revised to meet the concern that it might unfairly exclude factories where management was willing to allow workers to unionize, but the workers chose, for whatever reason, not to (Designated Suppliers Program Working Group 2006c). Second, the DSP requires participating factories to pay their workers a living wage (Designated Suppliers Program Working Group 2006a). As we discussed in earlier chapters, this was a major omission from previous codes of conduct, one that anti-sweatshop activists saw as a major flaw in the older system, even before it became clear that their other gains were not sustainable over time. They took the opportunity of creating the DSP to remedy this problem. (As discussed in chapter nine, the FLA, by contrast, does not require a living wage and has a poor record when it comes to the right to unionize.)

The DSP represents changes of sufficient scope that USAS and the WRC have allowed for a gradual implementation process once it begins. There will be a six-month grace period, while the college licensees select which contractors they want to work with
and then bring them up to speed, so that they can meet the standards of the DSP. The WRC will then perform inspections of the selected factories. Should they fail, they get a second grace period, while the Consortium helps them improve conditions in the factory until they meet the appropriate criteria. If they fail a second inspection after this, they must wait at least a year until they can apply again to be a DSP-approved factory. In the meantime, the licensee will have to find another factory to work with. In the first year after the DSP starts, licensees will have to do 25% of their business with DSP-approved factories. That amount will increase by 25% per year to a maximum of 75% in the third year. This gradual phase-in is in recognition of the fact that there are a limited number of factories that will currently be able to meet the standards of the DSP—it is meant to give the core apparel firms the necessary time to work with their contractors to improve conditions, while still meeting their current obligations to their customers (Designated Suppliers Program Working Group 2006a). Thus, although the goal of the DSP is clearly to get the lead apparel firms to change their business practices, it is not meant to be unnecessarily punitive. Rather, it takes into account that the DSP involves a significant shift in the way apparel companies—both the core retail/marketing firms and the peripheral manufacturers—do business and that such changes do take some time to implement. On the other hand, they will hopefully not be able to drag their heels and stretch the phase-in time out indefinitely.

As another part of the implementation process, the WRC will work with local experts in the countries where factories are seeking approval to determine what constitutes a living wage for that area. They will conduct a baseline study to “construct a
culturally appropriate market basket of goods and services, for each country or region, sufficient to support a family of average size, and then determine the price for each of these goods and services in local markets” (Designated Suppliers Program Working Group 2006a). The WRC reserves the right to conduct further living wage studies in the future, should workers file a complaint that their current wages do not actually meet that standard (Designated Suppliers Program Working Group 2006a).

All monitoring, inspection and verification of Program compliance remains the exclusive province of the Worker Rights Consortium, with its autonomy from the apparel industry. Rutter (interview, 2007) noted that,

One of the demands also of the DSP became that the WRC would enforce this policy, because there's a pretty huge divide between the WRC and Fair Labor Association […]--some universities prefer it because it's much more conservative, it has companies on its board. It's an organization that USAS absolutely despises and doesn't trust. So we knew universities would try and say, Well, may be we can get the FLA involved and may be they can do this and blah, blah, blah. We definitely didn't want that to happen.

In addition to the initial inspection, when a factory seeks approval to join the Designated Suppliers Program, the WRC also retains the right to carry out inspections at any time, in response to worker complaints, as it has in the past for all factories producing apparel for member colleges. The WRC also remains committed to transparency--those college licensees who fail to meet the DSP’s standards and who do nothing to remedy the
situation will find that the Consortium will continue issuing reports calling attention to this fact (Designated Suppliers Program Working Group 2006a). They will thus remain vulnerable to being targeted for solidarity campaigns by USAS and its allies.

If there is a dispute, it is resolved through a two-step process. In the first stage, the WRC carries out inspections and issues its own ruling. If any of the parties is unhappy with the decision, they may appeal the decision to an arbitration board. The parties involved—schools, the licensees, the contractor, the workers’ union, NGOs—jointly select the members of the board, but the board must consist of independent labor experts, without ties to either industry, apparel labor unions, or any group involved in the dispute (Designated Suppliers Program Working Group 2006a). In this regard, the arbitration boards’ structure mirrors the embedded autonomy of the Worker Rights Consortium that we discussed in chapter eleven—the arbitrators are people who are embedded in the anti-sweatshop movement, but, because they are not tied to a particular union, retain their autonomy. The arbitration board will review the evidence and hear testimony from WRC representatives, then make a decision based on this, choosing whether to uphold the Consortium’s original findings or concluding that they were mistaken. The contractor and the licensee in the dispute pay for the arbitration board, with the licensee, as the wealthier party, paying the bulk of the fees. Additionally, the WRC has the right to initiate arbitration hearings if they have reason to believe that a contractor is not being paid sufficiently to meet the standards of the DSP, but is too intimidated to initiate a complaint themselves (Designated Suppliers Program Working Group 2006a). Originally, the WRC was to have the final say in such disputes. The arbitration boards were added so that
companies would not feel that they were entering into an agreement completely controlled by the Consortium (Designated Suppliers Program Working Group 2006c). The make-up of the board, while allowing for a second opinion, also ensures that concerns about workers’ rights will remain front and center within the entire process.

*The DSP and Structural Change in the Apparel Industry*

While the immediate goals of the DSP are to benefit the workers in approved factories, USAS and its allies have broader hopes for the Program. Specifically, they hope that it will be the starting pointing for bringing about structural changes in the apparel industry, an alteration in the ways outsourcing is done so that it does not involve a race to the bottom in which workers are inevitably mercilessly exploited as the burden of cutting costs is shifted onto their backs. They also hope that these changes will alter the political opportunity system for workers, creating more organizing space throughout the apparel industry. Ultimately, what they hope to accomplish is a shift in power within the apparel commodity chain, so that workers are on a more even footing with the companies. USAS member Marion Traub-Werner (interview, 2007) said,

> The thing about the DSP that I like is that it's a very structural approach, right? We actually need to change the structure of the industry. [...] To force the brands to pay a better price to the factories and so that price can actually get passed on to workers--the reason that doesn't happen is because workers don't have bargaining power. That's also the structure of capital here--this is an unorganized workforce. So can you actually raise
their standard of living through this other method? I don't know if you can, but it's definitely worth the try.

Dalton (interview, 2007) expanded on this.

[USAS staff person] Zack [Knorr] describes it pretty well when he talks about it in his dissertation--he talks about a non-reformist reform, because certainly the DSP isn't revolutionary, but the idea behind it is to empower different actors so they can continue struggling and make more revolutionary change. The original spirit behind the DSP is to support and build the capacity of independent unions around the world and to give them a lot more bargaining leverage than they have right now. […] Also to create an economic incentive for having a union. Right now all the economic incentives are to bust, bust, bust. [Under the DSP,] the economic incentives of having sustainable university orders is contingent upon having a legitimate representative union in the factory which is not going to be certified by you, but by the workers.

She acknowledged that the DSP did involve somewhat of a strategic shift on the part of the anti-sweatshop movement. “People are like, Oh I thought you were against certification and all this stuff--those are some of the critiques of how do you certify this. And we say the idea is to promote genuine unionism and it's basically going to be up to the local organizations as to what is genuine union and what's not.”

According to Dalton (interview, 2007), not only would contractors now have an incentive to recognize unions, but,
unions could use it as a bargaining chip. A union could say if you allow us to organize your factory, you're going to have access to this university market; you're going to get sustained orders. [...] So we sort of changed the power relations so that both the factory management and most importantly the workers would have more power to negotiate. The idea was to build capacity towards a tri-partite negotiation system where brands actually have to sit down and be accountable to workers. The other thoughts were the union was sort of the way that the factory management would have any bargaining leverage with the brands and that was a really unique power structure. In order for the factory management to complain that they weren't getting paid a high enough price, they would have to go through the union and it would be on the union terms. That would reverse the existing dynamic where as you go down the supply chain, it's a command [system]--you do this because we have power. This would hopefully revitalize the power of some of the unions given that factory-level union power has been eroded with globalization.

It may seem that the potential structural changes would be actually fairly limited, given that the immediate impact of the DSP would be confined to collegiate apparel--which, as discussed in chapter four, is only 1-2% of the total US apparel market. Originally, USAS and its allies hoped their codes of conduct would have an impact on the larger apparel industry because apparel production is widely dispersed. The DSP, if implemented, would instead concentrate this production. Anti-sweatshop activists still
hope to have a broader impact on the industry, just in a different way. The activists I spoke with repeatedly spoke of the DSP creating an example, one which could influence the rest of the industry. Wood (interview, 2007), for instance, said,

The fact that there are out there a certain number of factories that respect workers rights—it proves that it's possible to do that and still make a profit. That will then become the basis for putting new pressure on the brands and over time persuading paid observers that the brands are full of shit and they can do better than they're doing, because here is this shining example that shows that you can. The best defense now of the status quo is to say that you may not be achieving that much but, hey, we're trying and no one else is doing any better, so this is the best that can be done. If you can show that this, by any means, is not the best that can be done and in fact it's being done effectively elsewhere, then all their claims on why it can't be done are hogwash. It's possible that could form the basis of an effective campaign to pressure the brands that their credibility is at stake. But that's a ways off.

Knorr (interview, 2007) also invoked the idea of the DSP setting an example for others, but his take on it was rather more specific, seeing it as an example for other activist groups.

In many ways I think we see and hope that our role is to provide a model that then other people can use. […] Our real hope with the DSP is that we can show that with universities, this is a model that works. […] And our
hope is that we can create a model that can then be used by other organizations in different areas-- I think SweatFree Communities is a really good example. [SweatFree Communities is targeting city and state governments, seeking to create a code of conduct for the companies who supply their uniforms, in a manner similar to what USAS did with college apparel.] […] I mean what they're doing isn't exactly like the DSP, but in many cases it's similar. And I think the hope is that if we can show that this works and prove to everybody out there that this can be done, other organizations like SweatFree Communities can demand similar things […]. I can't imagine all the different possible areas where people will have leverage, but if they can use that leverage in a similar way, that will hopefully lead to the broader industry change that we're hoping for. And we realize that we have a limited sphere of power, but hopefully that the model that we can create in that sphere can then effect larger change. Ideally.

Dalton (interview, 2007) even hoped that the DSP might lead those lead firms involved to put pressure on other major companies. “The brands that are paying the higher price [under the DSP] […], they have to pay subsidies to other brands if they're not willing to pay for the higher standards. So it's not like the workers get 200% wages for producing the university orders and than 100% wages for producing the other orders. All the workers in the factory get the same wage, a livable wage.” In order to avoid
subsidizing other brands, Dalton hopes that the college licensees will start pressing other members of the industry to raise their prices as well.

How much of an impact the DSP will have beyond the college market remains to be seen. It is clear, however, that, when they designed it, USAS and its allies had their eyes on creating structural changes in the industry. This, in turn, they hope will significantly change the political opportunity system for workers trying to unionize. As has long been the anti-sweatshop movement’s goal, they hope to create more organizing space for workers. Under the terms of the DSP, not only will contractors be forbidden to engage in union-busting activities, but both the lead and peripheral firms in the apparel industry must actually take steps to encourage unionization—not something that, in the course of normal business, capitalists generally do. The DSP is also meant to give workers leverage over not just their immediate employers, but over the core firms that dominate the commodity chain within which the workers are embedded. For a core firm to be able to market goods in the valued college market, they will have to come to an agreement with both their contractors and the union at the contracted factory, paying the contractor sufficiently that the union feels its members’ basic needs are being met. While activists sought with the codes of conduct and independent monitoring of the current system to expand workers’ organizing space, this attempt to give them leverage over core firms is new. In the past, it was US and Western European groups allied with the workers who exercised leverage over the core firms. This attempt under the DSP to give workers themselves some degree of leverage is consistent with the movement’s ideology of hoping, over the long term, to make it so that workers and their unions can be largely
self-sufficient and not need to rely on more privileged allies. This is not to say that anyone thinks this will happen in the short-term solely as a result of the DSP--USAS and its allies plan to remain involved in workers’ struggles worldwide for the foreseeable future--but it does potentially represent a step towards that goal.

Again, the distinctiveness of this approach can be seen by contrasting it with the FLA. Under the Fair Labor Association, the most powerful actors remain the core apparel companies. As discussed in chapter nine, they are able to use both their formal voting power in the Association and the fact that they supply the majority of its funding to define the FLA’s code of conduct and basic strategy. The idea that power relations in the commodity chain might need to be changed is apparently not even something the FLA has ever considered--which should hardly surprise us given that those who hold the most power in apparel commodity chains also hold the most power in the Association. Those who hold such power rarely consider the possible injustice of this or give it up willingly. Indeed, as we noted in chapter nine, Richard M. Locke, Matthew Amengual, and Akshay Mangla (2009), in advocating something along the lines of the FLA’s new 3.0 approach, downplay the importance of unequal power relations in commodity chains and largely ignore the question of the disempowerment of workers. Again, the FLA tends to assume that the problems lie with the practices of the contractors, not with the core firms--ignoring the ways in which the latter shape the policies of the former. This includes the brands’ demands that contractors’ costs be kept as low as possible, a requirement that almost inevitably results in sweatshops--whether or not the core firms explicitly intend that outcome or not. The DSP hopes to change this balance of power, so that workers are
in a better position to bargain through their unions not only with their immediate employers (the contractors), but with those who are now the ultimate power-holders, the brands. If the DSP succeeded in this, even to some degree, this would result in a major shift in power relations, at least within the collegiate apparel sector. Unfortunately, since the DSP has yet to be implemented, it is too early to say whether it will meet these goals of shifting more of the balance of power towards sweatshop workers.

**The Campaign for the DSP**

The campaign to institute the DSP has been much harder than the campaigns on behalf of codes of conduct and the WRC. Indeed, as of this writing (March 2010), the DSP has still not been implemented, even though the campaign was launched in 2005. It took considerably less time for the previous two campaigns to reach the implementation phase. In part, this is because of legal barriers to implementing the DSP under the Bush administration than may now change under the Obama administration. In part, however, the problems seem to run deeper. There is both more opposition to the DSP from industry and schools--because it asks for much more fundamental changes--and the schools have become better at reacting to and containing student protests than they have in the past. This highlights the fact that in developing strategic innovations, coming up with a new plan of action is only half the challenge--actually implementing it successfully is another challenge in and of itself. In some cases, this may come from the difficulties in mobilizing support in the movement for such a change in direction. In the case of the
DSP, it is overcoming the considerable obstacles within the political opportunity system to its implementation.

Although people like Rutter had solicited input from the wider USAS membership base, the number of people who had been actively working on it was relatively small. The DSP was officially unveiled to USAS as a whole at their summer conference in Chicago in 2005, where the leadership worked to mobilize support around the new Program. According to Knorr (interview, 2007), “A big part of that conference was educating people about what the DSP was, coming up with a strategic plan for the next school year as to how we were going to organize around it, how we were going to win it, and providing people with materials, and really using that as a place to get people really excited and on the same page about working together on this really big, new campaign that a small number of people knew about before hand.”

USAS then launched the campaign in September 2005 by sending out a letter to colleges and universities, inviting them to join. The vast majority schools voiced a number of reservations, but over the course of that fall eight schools--Duke, Georgetown, Indiana and Santa Clara Universities, and the Universities of Connecticut, Maine--Farmington, and Wisconsin--Madison, plus Smith College--signed onto the DSP. Together with representatives from USAS, they formed the Designed Suppliers Program Working Group in March 2006. Jim Wilkerson, a Duke administrator who had long been supportive of the anti-sweatshop movement, chaired the Working Group. They allowed observers from member schools of the WRC who had not committed to the DSP, as well as the FLA and its member schools and the National Association of College Stores. The
initial goal of the Working Group was to revise the DSP to meet many of the concerns raised by WRC-member schools. The resulting document was released in September 2006 (it is this version of the DSP that I described above), along with a memo explaining the changes that had been made to the original DSP proposal and the rationales for those changes (Designated Suppliers Program Working Group 2006b; June 2006) (Wilkerson, interview, 2007). Some of the changes were in response to issues raised by schools, some by college licensees, and some by USAS itself (Designated Suppliers Program Working Group 2006c).

One obstacle to getting more schools to approve the DSP has been its ambiguous legal status. A number of companies opposed to the Program and schools closely aligned with them have argued that, if not formulated correctly, the DSP could violate anti-trust statues. Supporters of the DSP are confident that it can be implemented in such a way that it doesn’t violate anti-trust laws--it is simply a matter of finding the correct language. The DSP Working Group had submitted a business letter of review request to the US Attorney General’s office, asking for a ruling on its probable legal status (a standard practice). Under the Bush administration, however, the Department of Justice simply would not give them a reply, something anti-sweatshop activists took as a sign of the administration’s general hostility to the whole concept. Fearing that any eventual ruling would result in a rejection, they withdrew the request, waiting for a Democratic (and therefore presumably somewhat more friendly) White House to resubmit it (Nova 2007a)--something they have gained with the election of Obama. Until such time as the Working Group receives a positive ruling from the Attorney General, many schools have
reason for refusing to commit to the DSP. In some cases, this is merely an excuse, a sign of general opposition to the whole plan; in others, it is the natural caution of college administrators, concerned with anything that might put their schools at risk. Even those schools which have made a commitment to the DSP have done so in principal--they have not committed the specific proposal released by the Working Group and will not until its legal status is clarified.

In many cases, it is not the unclear legal status of the DSP that is the main problem though. Instead, it is the deep-seated opposition of the apparel industry to the Program and the reluctance of many college administrators to do anything that would unsettle their business partners. According to Steffan (interview, 2007), one unfortunate side effect of the campaign for the DSP is that it has considerably strained the relationships that the WRC had painstakingly built up with apparel companies. “Maybe they thought before that all they had to do was cooperate at the factory level and we'd be happy and that was something they agreed to do--but now they realize that we're asking for something more.” The lead apparel firms, of course, oppose the DSP because it would require fundamental changes in the way they do business, robbing them of their flexibility and thus one of the major means to keep prices down. Additionally, USAS member Stoppard noted,

I think that some universities aren’t happy with the DSP campaign because they would prefer that the WRC took a more accommodating approach with the industry. Instead, the WRC delivered the unpleasant news that the brands have failed to clean up their act and urged
universities to intervene much more aggressively in the industry’s supply chain practices, something to which the industry is, of course, extremely hostile. This strained the relationship between the WRC and some schools, not because administrators at those schools lack confidence in the WRC’s monitoring work, but because they see the WRC as rocking the boat in an unwelcome manner.

The apparel industry, of course, does not argue against the DSP on the ground that it would cut into their profits. Wilkerson (interview, 2007) told me, however, that the arguments that he is hearing against the DSP in the current framing contest are very familiar.

A good number of [the companies] are just saying to universities, We will never sign on to this sort of program and if you insist that we do, then we will just get out of the collegiate business. It is almost identical to the sort of statements we heard from companies back in the late '90s, you know, around 2000, when universities first developed codes of conduct […] Companies at that time just mounted an enormous anti-code of conduct campaign, saying to universities, We're not going to do it--if you try to make us do this, we're going to be gone, the sponsorship agreements you have with us are going to be gone. Some threatened legal action. It's almost identical to the sorts of things that we are hearing today from companies about the DSP. Unfortunately, some universities yield to that sort of pressure.
The Fair Labor Association has also waded into the battle, questioning the DSP’s potential effectiveness. Auret van Heerden, then head of the FLA, argued that, “You can’t audit a factory into compliance,” and said that the DSP wouldn’t work because it ran counter to the market organization of the economy (Jaschik 2006). Gregg Nebel, the director of social and environmental affairs for Adidas and a board member of the FLA, objected to the living wage requirement as well, repeating the long-standing argument that it is impossible to properly measure what would constitute a living wage. He instead touted the FLA’s new 3.0 system (discussed in chapter nine), which involves working cooperatively with management to bring factories up to standards (Gaus 2006). This is consistent with the apparel industry’s long-standing framing strategy--to claim that they have both a real commitment to ending the problem of sweatshops and, unlike student activists or the WRC, the expertise to do so, as a result of their insider position.

Stoppard (interview, 2007) noted that critiquing the living wage requirements was the most common counter-framing among representatives of industry.

It's much more convenient to bring up the fact that they can't calculate living wage, because it wouldn't look very good for them to be arguing that they don't want to pay enough to enforce the code of conduct. And they also like to deny that there's pressure or blame it on the factories--if they were more efficient, if they were operated in a better way, they could take the prices we pay them and use them to respect worker rights. [This is the argument underlying the FLA’s commitment-oriented 3.0 approach.]

But the factories are of course very efficient[--]there's so much intense
competition between factories that it's hard to imagine that there's an efficiency gain out there that hasn't already been realized.

Despite the fact that representatives of the apparel industry have focused in their counter-framing on the supposed difficulties of calculating a living wage, Stoppard (interview, 2007) said that she was “actually surprised by the lack of attacks on the WRC’s living wage studies. I figured somebody would try to go after it and say, Well, they don't need this rice here or this five percent discretionary income is too much, but no one has attacked them.” She attributes this to the fact that, before launching the campaign for the DSP, they had not only carefully considered the frames for their arguments, but had done the research they needed to back them up. The WRC both performed studies in El Salvador and Indonesia to verify the viability of their approach to calculating a living wage (Gaus 2006) and “they did this study on the retail price impact of living wage requirement so the they could show that they know how pricing works in the industry, they know much wages are going to have to go up and they know what the effect might be for scenarios where the wages are raised” (Stoppard, interview, 2007). USAS and the WRC also have relied on people, who are experts in the industry and can speak to the feasibility of what we're trying to do. We worked with this guy an apparel industry consultant. […] He works with companies throughout, the whole organization has companies that have problems with their apparel factories but he doesn't work for any of these companies--he doesn't have a personal financial stake. And he is supporting what we're doing and from that
perspective it makes sense, so we brought him to a couple of meetings at the university to talk through how this is actually feasible. Things like that: have people who can counter arguments we're going to get from the other side, and being prepared (Stoppard, interview, 2007).

While the staff of the WRC can defend the DSP as a program, it is not their place to actively pressure their member schools to adopt the Program--the staff of the WRC work for the schools and are their representatives. Thus, as we noted in chapter eleven, the WRC does not use protest tactics against their member schools. United Students Against Sweatshops, however, has no such allegiance to school officials and it is they who mobilize and use militant tactics to press schools to adopt the DSP. The basic structure of their campaign is a familiar one--it is based on the strategic model for campus campaigns that we discussed in chapter four. Thus, when USAS launched the DSP campaign in September 2005, they organized protests on at least forty campuses (Appelbaum and Dreier 2005). To their frustration, however, the members of USAS are finding it harder to win using the same set of tactics as they have in the past.

Knorr (interview, 2007) speculated that part of the problem was that the DSP asked for a substantially greater commitment than has been involved with the codes of conduct and the WRC--and thus generated greater resistance. He was also concerned, however, that college and university administrators had learned how to adapt to USAS’s repertoire of tactics. “Administrations have changed their tactics on sit-ins--the last two years, pretty much all the sit-ins we’ve done, people have been arrested that day. Administrations are no longer allowing students to stay.” Knorr was uncertain why
school officials were changing how they reacted to sit-ins, but offered the following speculations:

Given that there is a different climate now than there was maybe in 1999 and 2000, I think they may just not really necessarily fear arresting people. I think they think the general public won’t actually have that much of a problem with arresting students for occupying a building--unless the group has done a lot of work to build up community support, I think other than getting some press, I don’t know that they [administrators] get that much negative publicity in the community and I think we need to do more work to make sure that they do. […] I think they’re also getting used to our tactics. I think in 1999 and 2000, this was something unheard of. Now, you know, last year we had something like four sit-ins, the year before we had something like three--these are not like things that are coming out of nowhere anymore and I think they may have worked out a different kind of response to them.

As a consequence of the administrator’s adaptation to USAS’s tactics, Znorr (interview, 2007) felt USAS had become less effective in winning victories.

The sit-ins this last year, most of them didn't result in campaign victories. I mean, they mobilized a lot of people, they got a lot of press, especially the Michigan sit-in, which got picked up by the AP--it was in like fifty or sixty papers, it was in really big ones. The USC sit-in got some really big articles in the LA Times, but the administration refused to cave. At Purdue,
they did a twenty-six day hunger strike, got like eighty some articles throughout the mid-west—and they [the administrators] said, Too bad, we're not going to do it.

This adaptation of administrators to USAS’s tactics in consistent with Doug McAdam’s (1983) findings in his study of the interactions between the civil rights movement and the authorities during the 1950s, 60s, and 70s. According to McAdam, in response to each new set of tactics that the civil rights movement developed, the authorities would soon develop their own set of tactics that would defuse their power. For instance, in response to the bus boycotts, the Southern authorities began harassing car pool drivers, arresting them for minor infractions; they also arrested the organizers of the buys boycotts for organizing a transport system without a license; and, when the Supreme Court finally ordered the buses desegregated, the local authorities directed bus drivers to seat passengers based on “maximum safety,” creating an excuse to perpetuate segregation. In response, the civil rights movement had to develop further tactical innovations—as the bus boycotts began to lose their effectiveness, for instance, movement leaders shifted to supporting the sit-ins initiated by a group of college students.

When I spoke with Knorr (interview, 2007), he was considering what possible tactical innovations USAS could make, given the circumstances they faced.

As our universities start more and more to operate like businesses, I think it makes sense to target them as such, so I'm looking at where money is coming into the university, looking at strategically targeting donors who may be willing to either pull donations or at least communicate to the
university that they will be thinking about pulling their donations if they didn't do the right thing. I think that's one avenue. I think more community support, so that there's more outrage when a university arrests students. I think that maybe getting more faculty to communicate that they won't tolerate the arrest of students, and actually maybe doing something with that.

It is important to note that what Knorr is considering is a set of *tactical* innovations, not *strategic* ones. He is not contemplating dramatic changes to the basic strategic model by which USAS wages its campus-based campaigns. Instead, he is looking for new ways to effectively pressure administrators within this framework. Indeed, there have long been variations in the tactics USAS chapters have used from campus to campus. As discussed in chapter seven, some chapters relied more on disruption through sit-ins, others relied more on shaming, delegitimizing tactics such as hunger strikes. In doing so, they operated within a common strategic model, of seeking to undermine administrators’ legitimacy in their campus communities and pressure them to make concessions to students. Knorr is contemplating the possibility that they may need to introduce a new mix of tactics into this basic strategic model, to respond to the adaptations administrators have made. Whether such tactical innovations will prove successful remains to be seen.

The hope among USAS’s strategists is that once the Obama administration confirms the legality of some variant of the DSP and they reach a critical mass of schools who are committed to the Program, they will be able to begin implementing it. Dalton
(interview, 2007) told me that once schools had adopted the DSP, USAS members “also argue that their job is to lobby other administrators to join on as students are organizing on campuses. They have done that to some extent. Our assistant chancellor [at the University of Wisconsin--Madison] was integral in encouraging other university administrators to join on--but obviously student pressure is the only way to really win this.” The question is, how many schools constitute the necessary critical mass? When I spoke with him, Knorr (interview, 2007) was hopeful that the number was relatively manageable. “We have thirty-six universities signed on [as of July 2007], a number of large universities. We definitely need some more power before we force the brands to do it [the DSP]. […] I feel that we probably need one or two more of the major University of Michigan-style universities sign on. But, you know, the WRC was founded with about forty members.” Still, he admitted that this might not be the case. “It's not entirely clear how many [schools are needed] because this hasn't necessarily been done before. I mean we have enough to make this a legitimate program and to make it clear that it has a lot of university support. We may not have enough to say [to the brands] you have to do this and have the threat be enough for them to do it.” As of March 2010, the number of schools signed on had only risen to forty-six (Worker Rights Consortium 2007a) and the DSP has yet to be implemented. It remains to be seen if USAS can actually reach a critical mass of schools to initiate the Program.

Meanwhile USAS’s third-world allies are left in a difficult position. Dalton (interview, 2007) told me,
It's difficult for a lot of the unions to think about having a campaign that's going to run for five years before we can actually implement it. In Cambodia, for example, you've got strikes that last for a few days or a week or a month and people get bought off because their children are going to starve so they're going to take the money. [...] The DSP's too little, too late. That's the reality and there's nothing we can do about that. It's difficult because the workers say, We really like the DSP--but in three years our factory's going to be gone.

**Conclusion**

What we see with the DSP is the need for constant innovation on the part of the anti-sweatshop movement--and how even such innovation is no guarantee of success. We also see quite distinctly the ways in which the dialectic between ideology and experience, action and reflection (Ryan and Jeffreys forthcoming; Ryan et al. forthcoming) play out. In the two other episodes of innovation we looked at closely--the creation of the codes of conduct and the WRC--the movement’s ideology played a central role, providing both guiding values and a social analysis that activists used to reflect on their experience and come up with new plans of action. With the DSP, we see something a little different. Here, not only does reflecting upon their experience in light of their ideology lead them to alter their plan of action, but their experience leads them to modify their ideology as well, albeit in subtle ways. Their values--a commitment to worker empowerment--remain the same, but they have somewhat modified their social analysis. As my interviewees
said, they always knew that the structure of the apparel industry was the root of the problem, but their experiences—the frustration of seeing their hard-won victories melt away—lead them to put renewed emphasis on this aspect of their analysis.

This in turn lead to some changes in their norms of action. Supporting workers in their attempts to unionize and acting in solidarity remain central to anti-sweatshop activists, but the Designated Suppliers Program in some ways represents a new departure. Traditionally, USAS and its allies emphasized the importance of winning concrete victories. This remains important to anti-sweatshop activists, but they have found that these victories all too often are ephemeral. Thus, they searched for new norms of action by which they could preserve these victories. As a result, they came up with the DSP—which includes a form of certification, a practice of which they were previously wary, as we saw in chapter nine. The certification is not an end in itself, as it is with the forms of certification USAS has criticized in the past. That is, the certification process is not meant to be a guarantee of good working conditions in and of itself. Rather, the certification system is part of a larger plan to force the apparel industry to restructure itself—at least within the realm of college-licensed apparel; it is a tool that the movement hopes to use to bring about long-term structural changes, so that such programs are not needed in the future. Thus, their new norms are as much about seeking ways to directly bring about structural change, as they are about certification. Were the DSP to fail, it seems likely that USAS and its allies would instead look for other ways to press for structural change, rather than necessarily fixating on a better certification system. It also remains to be seen how much tension there will be between the movement’s continuing commitment to
winning concrete victories in the short term and their new focus on bringing about structural change in the long term.

For the DSP to have a chance to succeed or fail though--and the movement to learn any necessary lessons from this course of events--first it must be implemented. This is proving a challenge, for multiple reasons. First, the apparel industry and their allies among college administrators are resisting it more than any of USAS’s previous proposals, perhaps because it demands more deep-reaching changes on their part. Second, USAS needs to find ways to tactically innovate to succeed in their campus campaigns. This highlights two important facts. One is that, no matter how creative a movement is, they must deal with the realities of the political opportunity system in which they operate. In many ways, the DSP is intended to do just that--it targets those aspects of the system that present the greatest obstacles to workers in seeking to unionize and empower themselves. The problem is that this same POS may prevent them from implementing the Program, since the apparel industry may well have enough power to obstruct any attempt to implement the DSP. While it remains to be seen what will happen with the DSP, other movements have certainly run up against insurmountable obstacles in their social environment, often after a series of successes. The civil rights movement, for instance, won significant victories in abolishing the Jim Crow system, but was unable to successfully bring about the reforms needed to address the problem of widespread poverty in the black community as well.

Second, strategic innovation may need to be accompanied by tactical innovation. Innovation, in other words, must operate on two levels--and sometimes they are only
loosely coupled. In the case of the DSP, USAS and its allies came up with an innovative new strategy at the global level--but find that their strategy at the campus level, where they need to win their victories if they wish to implement this new global strategy, is falling short. It doesn’t appear that their campus strategy needs a fundamental retooling, in terms of the basic model of building up campus support and using gradually escalating actions to bring pressure to bear on administrators. It is a model that has stood the test of many decades of activism, one that USAS inherited from older student movements. Rather, the challenge will be to find new ways to bring pressure to bear upon administrators--that is new tactics--that they have not yet adapted to; this may involve more work to build up popular support among a wider community of people--certainly, Knorr’s suggestion of working with donors to pressure schools would require this. Such innovation is a constant struggle and it is possible that the time may come when a movement runs out of viable tactical innovations. McAdam (1983) argues that this is, in part, what happened to the civil rights movement, as they ceased being able to come up with new nonviolent strategies--leaving riots as the main form of new protest, a tactic that only further isolated the movement.

It may well be that USAS eventually succeeds in implementing the Designated Suppliers Program. If it does so, that will certainly not be the end of the story. Even if it is relatively successful, it will not change the entire apparel industry in and of itself--something which activists are well aware of. As discussed above, they see much of its potential in the possibility of setting an example, showing that it is possible to do business differently, in ways where companies can remain profitable (if somewhat less
flexible) without resorting to the most extreme forms of exploitation. To build on any such successes, the anti-sweatshop movement will need to continue to strategically innovate—something which it has proved successful at so far.
Chapter 16: Conclusion

Social Movement Theory

Over the course of this dissertation, I have sought to unravel the process by which the US anti-sweatshop movement, and particularly United Students Against Sweatshops and the Worker Rights Consortium, have developed their strategy, while positioning this process in the wider political opportunity system with which the movement must deal. In doing so, I have drawn on both the political process and cultural constructionist schools of thought in social movement studies. While both provide valuable insights, neither is able to stand on its own--nor does either theory adequately explain the process by which movements strategize. As an alternative, I have presented models of strategic development and the political opportunity system that draw on the strengths of both schools, synthesizing them together, while adding new elements to fill in the gaps.

Social Movement Strategy

The principle problem with most previous attempts to analyze strategy is that they did not distinguish adequately between individual tactics and overall strategy, instead focusing on the former in isolation from each other. A tactic, as I defined it in chapter one, is a discrete action that a group can take that is modular (that is, standardized and repeatable)--something such as a rally, a sit-in, street theater, or strike. Together these tactics can form a strategy. Strategy also includes such discrete decisions as the choice of organizational model, who to form coalitions with, and how to frame both issues and events in discursive arenas. Simply because an organization makes such choices though

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does not mean they have a strategy--they may make such choices more or less in isolation from each other, not thinking deeply about how they fit together. A strategy exists when these discrete choices are woven into a larger plan of action, in such a way that they build off each other. There is, of course, a continuum here. It is unlikely that any organization is totally oblivious to the ways these choices interact with each other. Still, some groups give much more thought to how these choices fit together so that they come together to form a more or less coherent strategy.

Looking at the overall strategy of movements--and not just the individual elements of strategy--can deepen our understanding of why movement actors make the choices they do and why they succeed or fail. The anti-sweatshop movement seems to be particularly adept when it comes to crafting strategy and, so far, to be relatively successful in winning incremental victories. It is entirely possible that other movements cling more dogmatically to strategies that have become outmoded and are less able to adapt as their social environment changes or they encounter unexpected obstacles. Such movements that cannot learn from their experiences are likely to be less successful (cf. Koopmans 2005).

Nor do all movements necessarily think strategically. A number of interviewees I spoke with said that--before connecting with the larger anti-sweatshop movement--they had very little idea what they were doing in terms of strategy. While they might be adept at organizing a colorful piece of guerilla theater on campus, they did not know how to link it up with other actions into a larger, overall strategy for effectively pressuring the school administration to adopt certain policies. According to their own testimony, they
were taking an approach that was basically tactical, not strategic. As a result, they were not terribly successful. A strategic approach differs from a tactical approach in that the tactical one merely considers individual tactics or frames in isolation, without linking them in any coherent way; while a strategic approach finds ways to interlink the individual movement practices into a larger, coherent whole, with the purpose of exercising power against those responsible for social injustices. Doing guerilla theater alone is merely tactical; doing guerilla theater in combination with other actions, as part of a larger, thought-out campaign is strategic.

In general, the anti-sweatshop movement does not operate in the haphazard fashion of those who only consider tactics, either on the campus or the global level. They carefully choose which practices they will engage in--which groups they will ally with, which frames they employ, which tactics they will use--and interlink them in a specific way to achieve their goals. Without understanding how this process works, we cannot fully understand the success of the anti-sweatshop movement. The study of strategy as a process by which movements attempt to make sense of and then alter their social environment is thus central to understanding the dynamics of social movements.

One important point of disagreement between political process theorists and cultural constructionists has been how a movement’s choice of tactics translates into success--that is, changes in policy on the part of their foes. As noted in the introduction, political process theorists have argued that it is actions that disrupt the smooth flow of social life that produce results, by interfering with elite’s ability to carry out business as usual, thus threatening their profits or power (Flacks 1988; Gamson 1990; McAdam
1983; Piven and Cloward 1977; Tarrow 1998). James Jasper (1997) of the cultural constructionist camp, on the other hand, argues that movements win their gains by altering the public discourse, forcing new issues onto the public agenda--issues which policy-makers must then deal with. What I have found is that, at least in the case of the anti-sweatshop movement, both schools of thought are right--it is not an either-or matter. Whether on campus or on the global stage, the anti-sweatshop movement has needed to change the public debate through skillful framing in order to get their issues onto the agenda and increase their own legitimacy, while damaging that of their opponents. When they have established such legitimacy, then they are in more of a position to successfully use disruptive actions to further their goals. Without such legitimacy, a campus administration, for instance, can easily arrest students engaging in a sit-in; with it, the campus administration has a much bigger problem on their hands and potentially faces a backlash if they handle the sit-in poorly.

I would go so far as to suggest that disruption and discursive change are, in fact, two sides of the same coin in many cases. When we look at how movements have successfully changed public discourse by putting new issues on the public agenda, as stressed by Jasper (1997), most often it is because they have sufficiently disrupted the normal workings of major social institutions that the news media and authorities must pay attention to them, even if that attention is disapproving. The civil rights movement forced itself to the center of the public agenda in the 1960s through such disruptive actions as the bus boycotts, sit-ins and freedom rides. In the US at least, the news media and authorities did not even begin to acknowledge that serious critiques of neoliberal
globalization existed until the 1999 protests in Seattle shut down the opening meetings of the World Trade Organization--and a string of other such high profile protests followed. USAS contributed to a larger change in the political discourse in the US around the issue of sweatshops through the high profile sit-ins its members conducted on many college campuses, demanding codes of conduct--which forced apparel companies to respond with a counter-framing of corporate social responsibility.

On the other hand, what constitutes the sort of disruptive action stressed by political process theorists is, to some extent, socially constructed. In his examination of the changing tactics of the civil rights movement, Doug McAdam (1983) notes that one of the ways actions such as sit-ins and freedom rides worked was by creating a “crisis definition of the situation” among all parties in the conflict--the civil rights movement, their segregationist foes, and the Kennedy and Johnson administrations (reluctant allies of the movement)--as well as in by-stander publics, who, for instance refused to go shopping in areas where sit-ins were happening, because they feared the unpredictable nature of the situation. Some of this can be seen in USAS’s actions as well--in larger schools, events such as sit-ins did not necessarily disrupt the smooth functioning of the administration per se, so much as cause a crisis of legitimacy for school officials; actions such as hunger strikes could have a similar affect. In some cases, causing a target to lose some of its legitimacy can be disruptive in and of itself--to the brands who are so dependent on their image, a loss in legitimacy means a potential loss in sales and therefore profits, a crisis for any company.
As noted in the introduction, cultural constructionist theorist Francesca Polletta (2005) has argued that it is a mistake to make a distinction between instrumental and value-rational or ideological approaches to strategy, even if one’s take is that movements seek to balance both. Instead, she argues that the process of determining what is instrumentally effective is a culture-laden process, involving a socially constructed interpretation of the world. My findings confirm this--ideology is central to the process of strategizing, not only in defining what a group’s values are and therefore what ends they want to achieve, but in helping them understand the social systems they are embedded in and what norms of action might alter those systems for the better. Without an ideology to help them make sense of the world around them, I find it doubtful that a movement could formulate a coherent strategy.

Here we return to the dialectic of action and reflection (Ryan and Jeffreys forthcoming; Ryan et al. forthcoming), experience and ideology that underlies the process of strategic development and innovation in the anti-sweatshop movement. For a movement’s strategy to evolve, the movement must both practically experiment by taking action, then take the time to reflect on those experiences and their outcome through the lens of their ideology. We can see this process at work in the creation of both the Worker Rights Consortium and the Designated Suppliers Program. In each case, members of the anti-sweatshop movement took the time to collectively deliberate about their past experiences, particularly the obstacles they were running up against, whether the FLA or the short-term nature of their victories. In doing so, they used their value of worker empowerment and their analysis of the structural nature of the sweatshop problem--their
ideology in short—to understand what was wrong with the current situation and what new
directions might make the most sense strategically. At the same time, a more subtle
process happened in both instances, where the experiences and their reflection on them
helped them deepen their ideology, more clearly seeing the imperative to empower
workers and (in the case of the DSP) putting the problem of the structure of the apparel
industry front and center in their thought about strategy. Thus, ideology shapes a
movement’s actions, but reflection on such experiences can also shape a movement’s
ideology.

I would also stress that it is important to distinguish ideology from another
cultural process, framing, not eliding the two as many political process theorists have.
Doing so overextends the concept of framing, thereby robbing it of much of its analytical
power. Framing is best understood in terms of the choices movements make as they vie
with their foes in discursive arenas, trying to represent the issues and events they care
about in ways that a wider audience can relate to. The distinction is important because, if
a movement framed things strictly in terms of their own ideology, they would probably
only communicate effectively with a much narrower range of people. The process of
framing involves finding ways to modulate their message to reach a wider audience who
may not understand or agree with their ideology. Both ideology and framing relate to
strategy, but in different ways—a movement’s ideology helps them define their strategy,
while framing is a strategic choice.

The emphasis political process theorists put on the role of organizations in a
movement’s success is correct, but they tend to define organizations rather narrowly as
mobilizing structures. Certainly, the role organizations play in mobilizing the movement’s membership is essential. But movement organizations are also--and equally importantly--decision-making structures. As Marshall Ganz (2000, 2009) has shown, the way an organization is structured to make decisions can result in critical differences in the quality of the resulting strategy, with deliberative, participatory structures producing far more innovation than top-down structures operating by fiat. But not all SMOs make their decisions through the sort of participatory, deliberative process that the anti-sweatshop movement does. Many individual labor unions, for instance, still make their decisions internally through much more top-down methods--which in Ganz’s analysis results in decisions that are less well thought out, more likely to rely on old strategic models than new ones adapted to changing social conditions. Movement organization is also essential in creating a system of institutional memory, though which knowledge of the movement’s ideology, strategic models, and individual strategic practices--tactics, frames, etc.--can be passed on. Without such institutional memory, each new generation of activists would be forced to reinvent their strategy from scratch, greatly slowing the rate of progress by which movements can bring about change. Student movements are potentially particularly vulnerable to this, given that a generation on a college campus is only four years long. Thus, social movement organizations play an important role not simply in mobilizing members once a strategy has been formulated, but in formulating that strategy as well.
**Political Opportunity Systems**

Using the US anti-sweatshop movement as a case study, I have tried to give the concept of POS more specificity, while also redefining it as a political opportunity system, instead of a political opportunity structure--a system that includes social structures, but also cultural factors and non-movement social actors. To summarize, the POS is made up of multiple, interlocking social arenas, both discursive and decision-making ones, which may be hierarchically arranged, or only more loosely coupled. While it is useful to analytically distinguish between discursive and decision-making arenas--and most arenas are principally discursive or decision-making--all arenas have both discursive and decision-making elements. In the mass media, the social actors fighting frame battles must deal with the decisions made by journalists and editors in terms of what to cover and how; they may even lobby the decision-makers to cover certain stories in certain ways. In decision-making arenas, social actors must make their case, framing their arguments in ways that will persuade others--even if they are also bringing other pressures to bear, such as the threat of a strike or sit-in. In waging campus campaigns, USAS had much more success if it first met with the administration to frame their demands in a more conventional way, presenting their arguments in a dialogue with school officials; then going to establish their frame as the normative one on campus through getting positive coverage in the campus newspaper; and only then exerting leverage through sit-ins to force administrators to agree to codes of conduct, joining the WRC and/or the DSP, etc.
Such arenas, whether principally discursive or decision-making, can vary in many ways, affecting the degree to which they are open or closed to activists; formal democracy is one of these factors, but only one. Non-democratic arenas can also provide openings, especially where there are some norms of consultation, as with the ways in which college administrators are expected to give some audience to student concerns--and as opposed to the way sweatshop owners generally regard the concerns of their workers. The general level of repression is another key factor. These various elements create different degrees of organizing space, room in which activists can build ties with each other independent of authorities and then mobilize to press for their demands. When trying to get access and affect the discourse and/or decisions in an arena, activists have to find ways of taking advantage of their standing and any potential leverage they have. Standing is normative, a type of status, connected with legitimacy--how much of a right to speak a social actor has, something that may vary with the issue at hand. Leverage, on the other hand, is structural, in the sense that it refers to activists’ ability to bring institutional pressure to bear, usually through disrupting the routine workings of the institution--which means their cooperation or at least quiescence is usually required for the smooth grinding of the institutional gears.

While I have developed these concepts in the context of a movement with a focus primarily on economic and educational structures, I would argue that they are also useful for understanding movements that focus on challenging nation-states. If the mass media is the master discursive arena in contemporary society, as Myra Marx Ferree and her colleagues (2002) argue, the arena that has the greatest impact on public discourse in
other arenas; the nation-state remains the master decision-making arena, even in the age of neoliberalism. States have not only created the neoliberal laws and policies that have facilitated the rise of economic globalization and given corporations more free reign to exploit vulnerable populations; states also continue to carry out the task of repressing those populations when they rebel. Neoliberalism, for all its adherents’ talk of a minimal state, could not exist without the violence of the police and military (Harvey 2005). States are not simple organizations, but themselves consist of multiple interlocking decision-making arenas. The US state, for instance, has multiple levels--local, state, federal--and branches--legislative, executive, judicial--all of which are venues in which movements can seek to influence decision-making (Tarrow 1998). Additionally, in the age of neoliberal globalization, it is not only the policies of nation-states that matter, but also of multilateral organizations that bring together multiple states; bodies such as the G-8, IMF, World Bank and WTO all play a critical role in creating the global architecture of neoliberalism (Robinson 2003).

It is also worth highlighting the role that local media has played as important discursive arenas in the anti-sweatshop movement. When we think about social movements fighting frame battles with their foes, we most commonly think of this in connection with the national mass media. Certainly, this has been important in the case of the anti-sweatshop movement--scandals like Kathie Lee Gifford’s line of clothing being made by child workers brought the issue of sweatshops to national attention, galvanizing the movement; and much of the conflict around the creation of the FLA and WRC was fought out as frame battles in the national news media. At the same time though, USAS
has always made extensive use of student newspapers and other on-campus discursive arenas such as teach-ins to fight its frame battles. Indeed, when the arbiters of the national news media decided that sweatshops were old news and coverage declined, USAS could continue to draw attention to the issue through college-based media. Certainly, this is a smaller audience, but it kept the movement from being silenced altogether in the larger public discourse. And the frame battles fought in these localized discursive arenas have ultimate proved critical in the anti-sweatshop movement’s ability to have a global impact, by giving the movement the legitimacy to win their demands on campus and then use those successes as means to exert leverage over transnational apparel firms such as Nike and Reebok. (Local media coverage has also been important for SweatFree Communities, which we will look at below.)

We may therefore conceive of the political opportunity system as whole as composed of interlocking decision-making and discursive arenas--nation-states, multilateral organizations, corporations, the national mass media, local media, etc.--within which movements must contest ideas and decisions. Depending on the structure and norms of these arenas, different movement actors may have different degrees of access; and different arenas, in their turn, have differing degrees of power in the larger social system. Movements may not have meaningful access to the core arenas of society, in which case they will need to find ways to exercise indirect influence, forcing decisions through in semiperipheral arenas that in turn create pressure on core decision-makers. To exert such pressure, activists need to find ways to exert leverage. In some cases, movements may have some institutional leverage, most often through being able to use
the vote in formally democratic states to pressure elites. (For an example of this, see the
discussion of SweatFree Communities below.) More often, they will have to exercise
leverage through various forms of disruption--strikes, boycotts, civil disobedience, etc.--
creating such social disorder that elites are forced to react (Flacks 1988; Gamson 1990;
McAdam 1983; Piven and Cloward 1977; Tarrow 1998). That reaction may take the form
of repression, of counter-framing and counter-mobilization--or, when movements are
successful, of some measure of concessions. The challenge for movements is to achieve
enough legitimacy through their battles in discursive arenas and to find tactics to exercise
sufficient leverage, that they can affect the choices made in core decision-making arenas,
whether corporations or states, in a way that elites feel compelled to make such
concessions, instead of defusing the movement through counter-framing and counter-
mobilization (as the apparel industry attempted to do with the Fair Labor Association) or
crushing it through repression (as sweatshop owners continue to regularly do).

Unanswered Questions

It is, of course, not a given that simply because the US anti-sweatshop movement
develops its strategy in a particular way that other movements do so. This bears further
exploration. One question in particular worth considering is the fact that the majority of
people I interviewed were conscience constituents--they were involved in the anti-
sweatshop movement because of their ideology, not because they had any immediate
material outcome in its stake. Groups that have specific, material grievances--people such
as sweatshop workers for instance--may strategize somewhat differently. I would argue,
however, that how people understand their material interests are, at least in part, socially constructed—that is, defined through their ideology. Nonetheless, such material grievances do exist independently of ideology. No matter how sweatshop workers choose to interpret the causes and meaning of the conditions under which they work, these conditions are brutal, barely allowing a worker to scrape by and perhaps support her family—or they may not in fact be enough to get by, leading to early deaths from malnutrition or illness. Such material grievances doubtless interact with ideology in some complex way in shaping the strategy of activists in such a position. It would be worth exploring in future research how such interactions play out.

Another question worth examining is how the process of strategizing plays out in movements where there is less agreement on ideology and/or strategic models than in the anti-sweatshop movement. In conducting my interviews, I was actually surprised by the levels of agreement I found on these issues among activists in different positions. I actively probed for ideological or strategic disagreements between the student and labor wings of the movement, for instance, but found none of significance. The only thing that came up was some USAS members’ critique of unions overly hierarchical organization and the resulting limits in their internal democracy. While this is an important issue—and doubtless shapes the fortunes of the labor movement as such—it does not seem to have a significant impact on the anti-sweatshop movement itself, since union leaders are usually willing to deliberate as equals with other sectors of the anti-sweatshop movement, including student activists. Other movements, however, have surely had much deeper divides around ideology and strategy. One thinks of the civil rights movement, with the
conflicts between the Southern Christian Leadership Conference and the Student Nonviolent Coordinating Committee over whether the organization of the movement should center around charismatic ministers or be broadly egalitarian and participatory; or the disagreements between advocates of nonviolence and groups like the Black Panther Party who believed in the importance of armed self-defense. One can also look at the contemporary global justice movement, where there are sometimes contentious debates around whether the best path towards social transformation is through the capture and transformation of state power or through carving out democratic spaces autonomous from the state. Or the debates within the environmental movement about whether cap-and-trade is an acceptable first step towards addressing global warming or a policy that will simply make the problem even worse by commodifying the very air.

This brings up a related issue--the relationship between ideology and/or strategic models on the one hand and the collective identity of a movement on the other. Verta Taylor and Nancy E. Whittier (1999) note that part of the process of building a collective identity involves drawing boundaries, whereby some people are symbolically excluded from a particular group. Jasper (1997) has noted that within movements, various groups may distinguish themselves from others in the same movement based on the sorts of tactics they favor--lobbying versus direct action for instance. In the anti-sweatshop movement, we see its members drawing boundaries to distinguish themselves from the fair trade movement based on ideology, particularly around the core value of worker empowerment. In many ways, there seems to be clear-cut relationship in the anti-sweatshop movement between ideology, strategic models and collective identity. In other
movements, where there is less consensus around issues of ideology and strategy, the relationship between these three factors is likely to be a good deal more complicated. Just how these relationships play out is worthy of further study.

Another area that bears closer examination is the exact relationship between ideology and framing. I have argued that it is important to distinguish the two, but this does not mean that there is a not a relationship between them. In deciding on how to frame their message, activists must decide how closely they want to hew to their ideology and how much they want to use frames that may be more familiar to their audience—and therefore more likely to win people over. For a movement whose ideas fall in or near the mainstream, this may not be much of a dilemma. The farther a movement’s ideology is from the mainstream, the more troublesome this decision will be—and, since an ideology includes a movement’s core values, it is not necessarily a simple strategic decision to frame an issue in ways that depart too much from that ideology, no matter how much this may help build support for an issue. The anti-sweatshop movement’s ideology of worker empowerment, while not necessarily inherently radical, does lie well outside of mainstream discourse, which tends to see sweatshop workers as passive victims, not agents trying to improve their lives. One thing I have not been able to look closely at in this study is the degree to which USAS’s commitment to worker empowerment in practice translated into their framing of the issue of sweatshops to a larger audience. And, even if USAS did emphasize worker empowerment in their framing, that is far from a guarantee that journalists, whether for student newspapers or the national news media, will pick up on that frame; they may well simply go with the familiar frame of passive
victims. When dealing with the tension between ideology and successful framing, different movements have doubtless struck different balances and have made varying choices at different points in time and in different social arenas. Examining how movements make these decisions though is worth more in-depth study.

This study also opens up the question of how social actors other than social movements strategize. The transnational apparel corporations who are the movement’s main foes certainly acted in a strategic manner, responding to the actions of anti-sweatshop activists with actions of their own meant to defuse the power of the activists. These range from the brute repression of sweatshop workers using hired guards and the police to sophisticated framing campaigns involving the creation of corporate-controlled monitoring bodies like the FLA. In *Getting Your Way*, James Jasper (2006) assumes that all social actors--individual and collective; social movements, businesses, militaries and governments--all strategize in basically the same way. My research suggests otherwise. While I have not analyzed in depth the ways in which apparel corporations formulated their strategy, what I have analyzed leads me to suspect that they strategize in different ways, given the profoundly different nature of corporations form social movements--they command different sorts of resources, are differently positioned within the social structure, have different amounts of legitimacy, and have different sorts of goals.

For instance, Nike’s primary goal is to maximize its profits and secondarily--as a means to this first goal--to maintain a certain brand image. They also seek to maintain the status quo of the social system--though we cannot assume that this is a conscious goal, as opposed to a taken-for-granted, assumed goal which is implicit in all they do without ever
being spelled out. Nike may have loyal consumers, but it is doubtful that they could mobilize them in the way that a movement does its members; instead, Nike relies on the vast sums of money it controls to influence policy-makers in other social arenas and to push its frames in the mass media. In doing so, Nike has standing and leverage that a movement can never hope to achieve simply because of the fact that Nike is a major corporation. Additionally, Nike’s leverage comes from institutionalized sources--its ability to command vast amounts of resources, workers around the world, and substantial political influence. Unlike USAS, Nike does not have to disrupt the workings of business as usual to exercise leverage; indeed, as long as business as usual is operating, Nike may in fact need to do very little to actively exert leverage, because other social actors (such as its contractors) often react to the implicit threat that such leverage could be exercised without a word ever being said. While the way Nike and other corporations strategize may well bear some resemblance to how social movements strategize--and there may indeed be commonalities in the way all social actors strategize--it seems unlikely that corporate, government, or military actors strategize in exactly the same way as social movements. This bears further exploration.

**The Future of the Anti-Sweatshop Movement**

This dissertation is by no means a complete overview of the anti-sweatshop movement. Instead, it focused on two US groups--United Students Against Sweatshops and the Worker Rights Consortium--that have been among the most dynamic in the movement. Their influence can be seen in the formation of a group called SweatFree
Communities, which has sought to adapt the strategic model developed by USAS in the arena of higher education to a new social arena, that of local (city and state) governments. Like colleges and universities, city and state governments are institutional consumers whose business is valued by many companies. Additionally, they are spending tax money on the items they purchase, which makes it possible for activists to frame their demands in terms of public accountability--that the companies who benefit from tax-payers’ dollars should uphold the standards set by tax-payers. This makes city and state governments a logical choice in terms of replicating and adapting USAS’s strategy of focusing on using the leverage of institutional consumers (Claessen, Foxvog; interviews, 2007).

There are, of course, important differences between the social arenas of colleges and local government, which are reflecting in differences in strategies and goals. The bulk of what city and state governments purchase is, in fact, electronics and food, not apparel. SweatFree Communities has nonetheless chosen to initially focus on the uniform companies with which local government do business, since the movement as a whole is more familiar with the workings of the apparel industry; when they have successfully created a model for local governments to demand accountability for working conditions in the apparel industry, SweatFree Communities hopes to extend its model to other industries that do business the local governments. Even the sort of apparel companies SweatFree Communities is targeting are different though--uniform companies such as Cintas that have a relatively low brand profile compared to companies such as Nike and Reebok. This means that some of USAS’s tactics, particularly those that focus on
damaging a company’s brand image, are less effective—though not wholly ineffective, since these companies still worry to some extent about their legitimacy. Additionally, SweatFree Communities activists have a form of institutionalized leverage USAS has never had—the threat of voting uncooperative officials out of office. As a result, they have relied less on the sort of confrontational tactics USAS finds necessary and instead relied heavily on coalition-building with constituencies, such as labor and religious groups, who are critical to elected officials’ own coalitions that keep them in office. Thus, the differences in social arena mean that, at the local level, there are important differences in strategy (Claessen, Foxvog; interviews, 2007).

At the global level, on the other hand, SweatFree Communities’ strategy is very similar to that of USAS. SweatFree Communities is looking to set up a monitoring body that will be able to bring together local governments that have passed sweat-free purchasing laws to harness their collective power to effectively and independently monitor working conditions of their business partners in the same way that the WRC has done for schools. In doing so, SweatFree Communities has sought not to simply replicate the WRC, but to incorporate many of the lessons it has learned, including building something like the Designated Suppliers Program into the workings of the State and Local Government Sweat Free Consortium (SLGSWC). At the same time, they have had to adapt the model to address the needs of local governments. As a matter of basic policy, government officials—even the highly supportive ones whom SweatFree Communities has worked closely with—have insisted that public officials must constitute a majority of the board, with activist members in a minority position. This is striking different than the
WRC, where USAS and independent labor rights experts each control one-third of the board, with college administrators only controlling the remaining third. Additionally, the SLGSC will not be able to conduct monitoring operations itself--it must allow different monitoring organizations to bid for the job, as is done with all government contracts. The concern activists have is that it ultimately contracts with a reliable, truly independent monitor with real expertise in labor rights--not an organization like the Fair Labor Association, with its close corporate ties. Much of SweatFree Communities’ work has thus focused on ways to ensure that the Consortium will meet the needs of allied public officials but remain true to the purposes of the activists who originally envisioned it (Claessen, Foxvog; interviews, 2007).

Despite the anti-sweatshop movement’s strategic creativity, its future remains unclear. USAS and the WRC have, so far, been frustrated in their goal of seeing the DSP implemented. This may change if the Obama administration’s Justice Department certifies the Program’s legality, which will certainly increase its legitimacy in the eyes of college administrators. On the other hand, the movement will still have to overcome strong opposition from the apparel industry--opposition that may be more fierce than that towards the WRC because of the more profound changes the DSP would require of the apparel industry. This should remind us of something important--a social movement can do everything correctly, strategically speaking, and still fail, because the larger political opportunity system simply does not provide enough opportunities. Even in the best of circumstances, social movements face an uphill battle against more powerful foes--if they didn’t, they would not need to resort to the disruptive tactics movements must so often
fall back on. In circumstances that are highly unfavorable, there may be little a movement can do beyond popular education work to lay the groundwork for potential mobilizations in the future when the POS becomes more open.

On the other hand, the DSP may not be essential to the anti-sweatshop movement’s success. Or, if it is implemented and does ultimately contribute to policy reforms—not just on the part of companies, but on governments and multilateral agencies, as is the movement’s ultimate goal—the effects of the DSP may not be straightforward. While one of the goals of the DSP is to show that it is possible for companies to follow an alternative production model while remaining profitable, even if implemented and creating pressure for greater change, the DSP model may well not be the model implemented on a grand scale. For better or worse, social movements rarely achieve exactly what they set out to achieve; they rarely see the passage of the reforms that they campaigned for. This is because, even when policy-makers are forced to respond to movements and make concessions to them in the form of substantial social reforms, it is still the policy-makers crafting the reforms, not the movements—and even sympathetic policy-makers have their own agendas.

Additionally, any impact the anti-sweatshop movement is likely to have will certainly not happen in isolation. The outsourcing of production—the main structural cause of sweatshops—is embedded in a host of other practices, many of them likewise geared towards maximizing profits by any means necessary, which together constitute the system of neoliberal globalization. It seems unlikely that the injustices around sweatshops will be righted in the long-term without significant changes in the global economy as a
whole, not just in outsourcing practices. Anti-sweatshop activists are certainly aware of this--the anti-sweatshop movement is one of the constituent movements of the larger global justice movement, with members of USAS attending protests against the meetings of the WTO, IMF, World Bank and other such summits of world leaders meant to perpetuate and deepen the neoliberal restructuring of the global economy. Thus, activism around issues of sweatshops is occurring in the context of widespread, global--and in some cases, highly militant--activism around a broad range of issues, the common denominator of which is opposition to the larger neoliberal agenda. It is likely all these various elements of transnational global justice activism that together will force policy-makers to enact the dramatic reforms necessary, not only around production practices, but a whole host of issues--plus the wider context of deepening economic and environmental crises that, at some point, will convince all but the most dogmatic elites that serious change is necessary. If the global justice movement is very lucky, the sort of transitions in power that we have seen in countries such as Bolivia, Ecuador and Venezuela may become more common. But, even if such transitions deepen democracy significantly, power structures will not be completely horizontal and egalitarian and there will be, for better or worse, a class of policy-makers trying to craft and implement reforms. Thus, while in the short run, anti-sweatshop activists may win important victories concretely improving the lives of specific workers at specific factories, in the long run, it may simply be the agitation created by the movement--and the pressure this puts on the powerful--that produces change, rather than any specific victory.
This is not to belittle the work of the anti-sweatshop movement--quite the opposite. The more successful the movement is in dragging specific concessions out of elites--the executives of companies such as Nike, Reebok, Champion, Cintas, etc.--the more they raise the costs of the current economic model. If they succeed in implementing the DSP, this will only raise the costs of the current model more--and point to the possibility of alternative models, even if it is not a model based on the DSP that is specifically implemented. The anti-sweatshop movement’s strategic creativity and its ability to win concrete victories will thus be critical in any major change of the global economy, even if the ultimate form of that transformation is not quite what anti-sweatshop and other global justice activists had in mind.
## Appendix: List of Interviewees

<table>
<thead>
<tr>
<th>Interviewee</th>
<th>Organizational Affiliation(s)</th>
<th>Interview Date(s)</th>
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</thead>
<tbody>
<tr>
<td>Barlett, Andrew Kang</td>
<td>SweatFree Communities, Presbyterian Church Hunger Program</td>
<td>September 11, 2007</td>
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<tr>
<td>Blasi, Jeremy</td>
<td>Worker Rights Consortium</td>
<td>July 30, 2007; August 3, 2007</td>
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<tr>
<td>Brakken, Eric</td>
<td>United Students Against Sweatshops (University of Wisconsin--Madison)</td>
<td>July 13, 2007</td>
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<td>Champagne, Jess</td>
<td>United Students Against Sweatshops (Yale University)</td>
<td>August 2, 2007</td>
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<tr>
<td>Church, Sarah</td>
<td>SweatFree Communities, San Francisco SweatFree Coalition, Progressive Jewish Alliance</td>
<td>September 26, 2007</td>
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<tr>
<td>Claessen, Bjorn</td>
<td>SweatFree Communities, Bangor Clean Clothes Campaign</td>
<td>July 24, 2007</td>
</tr>
<tr>
<td>Dalton, Liana</td>
<td>United Students Against Sweatshops (University of Wisconsin--Madison)</td>
<td>September 10, 2007</td>
</tr>
<tr>
<td>Dirnbach, Eric</td>
<td>UNITE HERE</td>
<td>July 5, 2007</td>
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<tr>
<td>Foxvog, Liana</td>
<td>SweatFree Communities</td>
<td>July 26, 2007</td>
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<tr>
<td>Howald, Jane</td>
<td>Communication Workers of America (Derby NY local)</td>
<td>July 10, 2007</td>
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<tr>
<td>Knorr, Zack</td>
<td>United Students Against Sweatshops (University of California--Riverside, national office)</td>
<td>July 31, 2007</td>
</tr>
<tr>
<td>McGrath, Molly</td>
<td>United Students Against Sweatshops (University of Wisconsin--Madison)</td>
<td>September 18, 2007</td>
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<thead>
<tr>
<th>Interviewee</th>
<th>Organizational Affiliation(s)</th>
<th>Interview Date(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>McSpedon, Laura</td>
<td>United Students Against Sweatshops (Georgetown University)</td>
<td>September 17, 2007</td>
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<tr>
<td>Nova, Scott</td>
<td>Worker Rights Consortium</td>
<td>July 30, 2007</td>
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<tr>
<td>O'Shaughnessy, Brian</td>
<td>SweatFree Communities, New York State Labor-Religion Coalition</td>
<td>October 8, 2007</td>
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<td>Orth, Valerie</td>
<td>Global Exchange, San Francisco SweatFree Coalition</td>
<td>October 17, 2007</td>
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<tr>
<td>Palmer, David</td>
<td>Communication Workers of America (national office)</td>
<td>June 28, 2007</td>
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<tr>
<td>Plumb, Amanda</td>
<td>United Students Against Sweatshops (Duke University)</td>
<td>October 1, 2007</td>
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<tr>
<td>Reville, Nick</td>
<td>United Students Against Sweatshops (Brown University)</td>
<td>July 19, 2007</td>
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<tr>
<td>Roemer, Maria</td>
<td>Worker Rights Consortium</td>
<td>August 2, 2007</td>
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<tr>
<td>Jessica Rutter</td>
<td>United Students Against Sweatshops (Duke University)</td>
<td>July 3, 2007</td>
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<td>Schmaedick, Agatha</td>
<td>Worker Rights Consortium, United Students Against Sweatshops (University of Oregon)</td>
<td>October 20, 2007</td>
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<td>Schwartz, Deborah</td>
<td>SweatFree Communities, Portland SweatFree Campaign</td>
<td>September 12, 2007</td>
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<td>Steffan, Nancy</td>
<td>Worker Rights Consortium</td>
<td>August 1, 2007</td>
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<tr>
<td>Tocco, Trina</td>
<td>United Students Against Sweatshops (Western Michigan University), International Labor Rights Fund (ILRF)</td>
<td>July 18, 2007</td>
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<tr>
<td>Traub-Werner, Marion</td>
<td>United Students Against Sweatshops (University of North Carolina--Chapel Hill)</td>
<td>October 17, 2007</td>
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<tr>
<td>Wheatley, Thomas</td>
<td>United Students Against Sweatshops (University of</td>
<td>September 7, 2007</td>
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<tr>
<td>Interviewee</td>
<td>Organizational Affiliation(s)</td>
<td>Interview Date(s)</td>
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<tr>
<td>Wilkerson, Jim</td>
<td>Worker Rights Consortium (board of directors), Duke University (Director of Trademark Licensing and Store Operations)</td>
<td>October 9, 2007</td>
</tr>
</tbody>
</table>

Wisconsin--Madison)
References


(http://www.workersrights.org/dsp/012208_DSP_update.html).


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1 For an exception, see Piven and Cloward (1977); for a rebuttal of their position, see Gamson and Schmeidler (1984).

2 It should be noted that, according to the Human Rights Watch report, managers claimed that they hired the armed guards because of telephoned death threats they received (Human Rights Watch 1997).

3 Strictly speaking, Robinson (2003) and Ross and Trachte (1990) would not consider themselves world-systems theorists, despite their usage of ideas from that school, due to debates over the proper definition of capitalism that lie beyond the scope of this work.

4 For statistics on the rise in media coverage of sweatshops, see Ross (2004).

5 Ross was one of the founders of Students for a Democratic Society in 1960; he is now a professor at Clark University and an advisor to USAS at the national level, putting him in a position to witness the changes in how campus administrators have dealt with student activists over several decades.

6 This discussion of USAS’s demographics is based on the observations of experienced USAS members. Since the different observers I spoke with more or less concurred, these impressions should be given some credibility. To my knowledge, however, they are not based on scientific surveys and should not be taken in that light.

7 It should be noted that the FLA is only one of three major monitoring organizations affiliated with the apparel industry. The other two are Social Accountability International (SAI) and Worldwide Responsible Apparel Production (WRAP); of the three, the FLA is generally considered the most credible within movement circles. This is because, while the FLA includes some NGOs and has had to make some concessions to their concerns, the SAI and WRAP have only corporate members, leaving their standards far lower than the FLA’s. Ultimately, however, all three suffer from the fundamental flaw of an innate conflict of interest (Esbenshade 2004b; Rodriguez-Garavito 2005). Since the SAI and WRAP are not involved with the chain of events I am tracing in this dissertation, I do not discuss them here. For a detailed review of their operations, see Esbenshade (2004b) and O’Rourke (2003).
See his website, http://rlocke.scripts.mit.edu/ (accessed January 19, 2010), where it says, “His work has also had an impact on Nike’s business practices, helping the company to integrate reporting and auditing labor conditions with its quality improvement efforts.” Nike also gave him access to the company’s own data on the outcomes of its internal CSR program (See Locke et al. 2007).

Given that the harsh competitive pressures of the global market more or less force companies to focus on maximizing profits before all else if they want to survive, such steps would probably need to involve something like creating a system of enforceable international labor law.

Such as Social Accountability International (SAI) and Worldwide Responsible Apparel Production (WRAP). For more information on these organizations, see Esbenshade (2004b) and O’Rourke (2003).

“Working to rule” is a tactic frequently used by unions when they do not feel a full-out strike is appropriate. It involves workers following management’s rules for production precisely, not deviating at all. This inevitably slows down production considerably, since the rules do not reflect the flexibility needed to make sure the process goes smoothly or the fact that workers frequently perform tasks not in their formal job descriptions.

Robinson (2003) actually raises this issue in speaking not of commodity chains, but of the relations of core, semiperipheral and peripheral states in the capitalist world-system. Given the rising inequalities within as well as between states, Robinson argues that it is a mistake to simply consider all of the population subject to a particular state, whether core or peripheral, to be core or peripheral in turn. Within any state, there are both core populations who exercise great power both locally and globally, and peripheral populations, who are increasingly marginalized.

Social movement unionism has been important not only for labor struggles in Global South, but for the on-going revival of labor activism in the US (Fantasia and Voss 2004). Indeed, USAS has its roots in efforts by the AFL-CIO’s national leadership to form ties with non-labor groups, since many of USAS’s early leaders first connected with the labor movement though Union Summer, a summer internship program geared towards building ties between students and labor, as discussed in chapter five.

Those groups that they did criticize, such as fair trade-oriented groups, they tended to see as part of a distinct movement and not part of the anti-sweatshop movement. Although this could be interpreted to mean that anti-sweatshop activists are, in fact, more narrow-minded that the Chicago gay rights activists, the anti-sweatshop activists and fair trade activists do seem to form distinct social networks and can therefore legitimately be considered separate movements, ideological differences aside.

On USAS’s website, there are two nearly identical pages urging students to apply for the internship program. One (http://www.studentsagainstsweatshops.org/index.php?option=com_content&task=view&id=195&Itemid=2) says that twelve students will be sent that year, another (http://www.studentsagainstsweatshops.org/index.php?option=com_content&task=view&id=219&Itemid=2) eight to ten students. Unfortunately, neither page (both accessed
August 23, 2009) has any date attached to it, beyond the 2009 copyright found on all USAS pages.

16 As noted in chapter twelve, BJ&B, unfortunately, closed down in 2007, as Yupoong--the company which owned the factory--looked to escape from their obligations to the workers’ union. Under a program known as the Bookstore Initiative, however, the WRC arranged in 2009 for Knight Apparel--one of the major college apparel producers--to reopen the factory where BJ&B was housed, giving hiring preference to former workers there. Knight Apparel has also committed to ensuring that workers are paid a living wage and to collectively bargain with an independent union representing the workers, with the WRC acting as a monitor to ensure these conditions are met (Nova 2009)