

Jumping Scale and Bridging Space in the Era of Corporate Social Responsibility: cross-border labour struggles in the global garment industry

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ABSTRACT *Global outsourcing arrangements in the garment industry, and elsewhere, provide one type of company—brands or retailers—with the possibility of distancing themselves from the organisational questions related to (mass) labour processes. By externalising the labour-intensive aspects of production, global sourcing companies no longer have to take responsibility for the majority of workers involved in the process. This has given these companies an opportunity to break out of unionised and established industrial areas with strict institutionalised labour processes, and has undermined traditional strategies that labour has used to protect itself against exploitation, turning the global supply chain into a barrier to organising and collective bargaining. Spatial strategies are by no means exclusive to firms. Workers too can pursue their causes on a broader socio-geographic terrain, a process often referred to as ‘jumping scale’ or ‘bridging space’. Drawing upon concepts derived from social and labour geography, this paper is a critical inquiry into the nature, possibility and limits to cross-border solidarity campaigns in the global garment industry. The paper starts by emphasising that workers remain active participants in a process of contestation that constantly reshapes the dynamics of workplace control and its accompanying power balances and relations. Then we discuss how the increased attention being paid to working conditions by activists, consumers, journalists and branded corporations adds an extra-local dimension to workplace relations, (potentially) restricting management from exercising more despotic forms of labour relations. The final part discusses how the Clean Clothes Campaign’s urgent appeal system provides a grassroots-based system to build labour solidarity across space, which may help to regain leverage over capital.*

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Global outsourcing arrangements in the garment industry, and elsewhere, provide brands or retailers with the possibility of distancing themselves from the organisational questions related to (mass) labour processes. By externalising the labour-intensive aspects of production, global sourcing companies no longer have to take responsibility for the majority of workers involved in the process. In this context workers are increasingly treated as a 'subcontracted component' rather than as a fixed part of employer organisations. This has greatly enhanced the power of corporations by giving these companies an opportunity to break out of unionised and established industrial areas with strict institutionalised labour processes, and has undermined traditional strategies that labour has used to protect itself against exploitation, turning the global supply chain into a barrier to organising and collective bargaining.

Spatial strategies are by no means exclusive to firms. While labour is much more attached to particular locales, workers too can pursue their causes on a broader socio-geographic terrain,¹ a process often referred to as 'jumping scale' or 'bridging space'.² This means that social struggles take place at different scales, ranging from spaces of production (encompassing workplaces, industrial zones and nations) to spaces of consumption, where sweatshop practices of global brands and retailers are contested. Drawing upon concepts derived from social and labour geography, this paper is a critical inquiry into the nature, possibility and limits to cross-border solidarity campaigns in the global garment industry. We begin by emphasising that workers remain *active participants* in a process of contestation that constantly reshapes the dynamics of workplace control and its accompanying power balances and relations. Then we discuss how the increased attention being paid to working conditions by activists, consumers, journalists and branded corporations adds an extra-local dimension to workplace relations, (potentially) restricting management from exercising more despotic forms of labour relations. In the final part we discuss how the Clean Clothes Campaign's urgent appeal system provides a grassroots-based system to build labour solidarity across space, which may help to regain leverage over capital.

Functional split

Over the past few decades control over the production system in the garment industry has shifted away from manufacturers into the hands of companies, brands and retailers, designed mainly to trade in the production undertaken by others. The companies that dominate this industry have formed, as one scholar puts it, 'global flagship networks', using their brand as flag and controlling a global fleet of suppliers.³ The more routine tasks of production are now being performed by suppliers operating in low-wage countries. This makes it possible for global sourcing companies to access the enormous labour reserves in countries like China, India or Indonesia, without entering into formal (contractual) relations with these workers. In other words, these corporations have disassociated themselves from strategic control over labour-intensive production and large workforces, despite maintaining

operational control over production processes through the processes of conceptualisation, design, quality control, etc. The externalisation of a 'non-core' labour force turns the organisation of this labour force, as Atkinson notes, into 'somebody else's problem'.⁴

In garments—as in many other global industries today—this means that manufacturers must internalise the risks the branded companies and retailers seek to externalise; namely the task of recruiting and disciplining a workforce that is 'flexible enough and cheap enough to absorb required changes in production, that is, to externalise to them possible costs of adjustment'.⁵ The actual phase of production, after all, 'presupposes the fact that capital is able to find workers who are willing and in position to sell their labour power and supply a given set of skills'.⁶ Despite all the popular talk about globalisation, at least at one phase of its circulation process 'capital remains as dependent as ever upon relatively fixed, place-bound technological-institutional ensembles in which technology, the means of production, forms of industrial organisation and labour-power are productively combined to create and extract surplus-value'.⁷

The organisation of the labour process remains not only a crucial moment in the capitalist accumulation process, but also a site of class relations and class struggle.⁸ This implies that it is the contractor who needs to design strategies to recruit, train, supervise, discipline, provide accommodation, and exploit workers (ie extract surplus value). Contractors constantly face a multitude of questions associated with finding the right quantity and quality of (un)skilled labour power; of ensuring that hired workers fulfil their assigned jobs satisfactorily within the context of the workplace (ie as productively and compliantly as possible); and of ensuring the successful reproduction of labour power, which is immediately linked to broader social and institutional questions associated with education, child rearing and health.

Worker agency

Since workers are living subjects rather than passive objects, factory management needs to design a strategy to deal with worker resistance. Even at the more despotically run workplaces, which are common in labour-intensive industries like garments, as Ackroyd and Thompson argue: 'control can never be absolute and in the space provided by the indeterminacy of labour, employees will constantly find ways of evading and subverting managerial organisation and direction at work. This tendency is a major source of the dynamism within the workplace.'⁹ Such dynamism includes struggles for higher wages, trade union recognition, stronger labour laws and rights, shorter working hours, the right to strike or demonstrate, health and safety conditions, safe transport from home to factory, housing, longer breaks, the pace and rhythm of work, holidays, and so on. Beyond the immediate site of production, struggles take place regarding the reproduction of labour power. These struggles shape the conditions under which the long-term availability of labour power is guaranteed, and include issues involving household work, childcare, education, social welfare, health insurance, etc.

With the majority of workers being women, socially and culturally constructed perceptions of gender immediately play a role in shaping labour relations. For example, with regard to recruitment, dominant gender norms prompt employers to prefer young women workers from rural areas as they are considered more compliant and less likely to protest at poor conditions. On the work floor, as Robbins and Vickery write:

worker solidarity ... often begins with struggles around women's health issues, such as the right to use the bathroom or freedom from sexual harassment. Because groups of women workers are usually challenging an order imposed and enforced by a group of men, each demand or act of resistance is generally also a challenge to prescribed gender role.¹⁰

Resistance can take individual and collective forms, highly organised and spontaneous forms. Furthermore, these struggles can be mediated via political movements, political parties and trade unions, but also via kinship, ethnic or religious relationships. They also manifest themselves via wildcat strikes, absence, acts of despair and the individual life choices made by workers, for example when workers use migration as a spatial strategy 'to counteract the unevenness of capitalism'.¹¹ The aggregate result of these struggles—their history, dynamic, institutionalisation, etc—ensures that each 'place where production touches down is instantiated differently'.¹²

Scholars of industrial relations tell us that management can exercise a variety of strategies to control and discipline workers. This ranges from more enlightened strategies based on 'responsible autonomy' to strategies based on 'direct control'. At the same time the labour process is shaped by what Burawoy calls the *production regime*, which refers to 'the distinctive political and ideological apparatuses of production which regulate production relations'.¹³ The role of the state, in this case, is particularly important with regard to protecting workers against managerial abuse, arbitrary treatment, unsafe/unhealthy working conditions and the redressing of the power imbalance(s) between workers and employers. When national labour laws provide little protection or remain unimplemented (or both), workers remain vulnerable to unhealthy working conditions, unfair dismissal, illegal wage disposals and other abuses. The absence of a state-guaranteed safety net—such as unemployment benefits, severance payments or pensions—creates a situation where workers have few escape options, particularly when labour markets are tight. Besides geographically rooted practices and institutions, production regimes are increasingly shaped by their integration into transnational circuits of capital accumulation, something Burawoy mostly ignores.¹⁴ Local, place-specific conditions remain embedded in broader sets of geographically stretched-out social relationships. This brings us to the politics of scales.

The politics of scale

Transnational outsourcing has not just altered the scale on which economic processes take place, but also altered the capital–labour relationship in

important ways. Two main processes—‘globalising capital’ versus ‘localising labour’¹⁵—are often identified as reasons for why working conditions have worsened. First, as many have pointed out, one of capital’s key strategic advantages over labour is its greater mobility.¹⁶ The emergence of the global supply chain has altered the balance of power between employers and unions and weakened traditional regulatory mechanisms associated with the state. As a result, corporations can pit workers in different localities and different geographical jurisdictions against one another. By contrast, labour is to a much greater extent locked into a particular place. This offers corporations the option of picking and choosing a favourable location, often referred to as ‘regime shopping’ or the ‘race to the bottom’. The ability to relocate production is an example of the ‘structural power’ uniquely available to corporations.¹⁷ This divide-and-rule strategy reduces labour’s bargaining powers and makes it easier to exploit the locational rigidity of workforces.

Second, labour’s ‘entrapment in place’ is not just a result of capital’s increased ability to spatially fragment activities among multiple production sites, it has also been part of a political strategy to downscale workers’ capacity to defend or negotiate their collective interests. As one scholar observes, ‘social reorganisation of the work process (subcontracting, sweatshops, home-work) has occurred in ways that isolate workers and prevent collective organisation and its earning and status benefits’.¹⁸ This includes strategies that seek, as Kelly has argued, ‘the containment of labouring individuals in particular spaces of association, and within certain mechanisms of dispute resolutions, that undermine the development of independent and spatially unbounded collective labour organisations’.¹⁹

A spatial analysis of the capital–labour relationship thus shows that ‘agents of capital seek to upscale their operations and simultaneously attempt to downscale the negotiation of wages and working conditions, and hence confine workers’ struggles to the local scale, or even to the level of the firm’.²⁰ Increased opportunities to outsource production can thus be understood in these terms, as the driving force behind a transformed relationship between the forces of capital and labour. The abstract formality of exchange relations makes it possible for sourcing companies to ignore the overall conditions in which (mass) production processes take place, at least in the first instance: labour struggles in the factories and countries of production, as well as public discontent in areas of consumption concerning substandard labour conditions, bring the issue back to the various corporate headquarters in New York, London, Tokyo Amsterdam or Paris. These protests against sweatshop conditions are part of a broader, societal response to limit the disintegrating and alienating aspects of global production. They also add a countervailing extra-local dimension to workplace relations and production regimes, which may provide an opportunity to re-regulate workplace relations.

In the next section we distinguish between corporate-dominated attempts to implement, monitor and audit working conditions at supplier factories, and grassroots attempts through which workers, unions and other labour rights organisations and advocates seek to address substandard working conditions, support localised struggles and seek to exert pressure upon a

range of actors, including global sourcing companies, manufacturers and governments.

The limits to codes of conduct

Substandard labour conditions and extreme forms of exploitation in the athletic footwear industry became a public issue in the early 1990s when anti-sweatshop groups started to target branded corporations over labour conditions in the factories that produced their wares. Large multinationals like Nike, Gap or H&M, and, occasionally, smaller brand-name corporations and retailers like Tesco, Target or Wal-Mart became the targets of these campaigns, which gained momentum over the course of the next decade. Numerous reports, scandals and campaigns have revealed repeated violations of the International Labour Organisation (ILO) core conventions. With branded corporations vulnerable to reputational damage inflicted by anti-sweatshop campaigns, these strategies seek to change the 'cost calculus of targets'.²¹ The symbolic dimension is important because it reveals a receptivity on the part of consumers which has been shown to potentially extend to production conditions (Nike's 'swoosh', then, risks being associated with substandard labour conditions); a receptivity which may then be translated by players such as stock-owning pension funds, global multinationals, NGOs and trade unions in ameliorating the working conditions.

Exposed to anti-sweatshop campaigns attacking their substandard working conditions, many global sourcing corporations, particularly those with well known brands, were forced to respond to allegations of substandard labour conditions. They started to adopt codes of conduct, started monitoring suppliers on labour conditions and began to co-operate with various international monitoring and verification initiatives. Today, in industries like textiles, clothing and footwear, hundreds of ethical codes have been adopted and corporate social responsibility (CSR) has turned into a 'routine management function'.²² A positive development is that a growing group of companies have actually brought their codes of conduct into line with internationally agreed labour standards. In addition, many of them have set up specific CSR departments that seek to translate standards into operational practice, for example by extensively benchmarking social issues. In the slipstream of codes of conduct, thousands of social audits are commissioned annually to identify violations of workers' rights in production facilities, to assess and evaluate suppliers' performance in relation to social standards and to encourage improvements at the workplace.

Labour rights advocates and critical scholars have often criticised codes of conduct as a management instrument in which workers are generally peripheral to processes meant to ensure their rights. Even though workers are often the stated beneficiaries of code implementation and monitoring programmes, their influence on these programmes is marginal at best. In most cases CSR is basically a number of unilateral activities on management's behalf, often with paternalistic features. As a result, workers in the affected factories often have no idea that these codes even exist. The few systematic

studies that exist on the impact codes of conducts have on workplace conditions generally conclude that increased monitoring has led to some improvements with regard to *outcome standards* such as health and safety, minimum wage and hours of work but that little progress has been made with regard to *process rights*—associated with freedom of association and collective bargaining—which would empower workers to struggle for changes in production systems.²³ While some companies openly admit that they do not have a ‘complete picture of the actual situation due to the challenges of discovering these practices through monitoring’, most companies seem to place almost no importance on the discovery of freedom of association or collective bargaining violations.²⁴

The lack of worker participation in code compliance programmes is problematic for at least two main reasons. First, as Braun and Gearhart have noted, ‘without their active participation, codes of conduct run the danger of becoming tools for corporate interests rather than workers’ interests’.²⁵ This is a serious problem in light of the increasing number of self-assigned experts (law firms, accountants, consultants, ethics officers, etc) who have jumped onto the CSR bandwagon in order to extract ‘business’ out of it. Activists and critical scholars worry that this has helped to ‘domesticate the CSR space as a docile, auditable, and management friendly arena that is inhabited by professionals’, as Sum puts it. By appropriating these topics, these professionals seek to turn workers into passive objects to be audited, instead of active subjects that need to be involved in the regulation of their own working conditions. This ‘economising [of] the ethical’ might result in a domestication of social responsibility through management techniques.²⁶ As such, it is not a process that prioritises the needs of workers. A researcher from Hong Kong observes: ‘Lacking a true channel of representation of workers’ problems, external auditing conducted by the buyers becomes a management issue between the suppliers and the buyers only. In all the facilities researched, workers are not informed or involved in any sense. They are treated as objects to be inspected and questioned during the audit.’²⁷

Second, to enforce workplace standards and mechanisms effectively requires that local actors (notably unions) are able to mobilise their resources and strengths. While the formal recognition of core labour standards by a growing group of brands and retailers is an important step forward, the ‘application of rules and laws, be it at the level of the workplace, an industry or the economy as a whole, invariable depends on the capacity of actors, such as unions, to mobilize their power and make these rules and laws effective’.²⁸ Freedom of association and collective bargaining are seen as ‘enabling rights’ as they represent the ‘key institutional mechanisms to empower workers and thus mitigate power asymmetries’.²⁹ Hence, for labour rights advocates the promotion of worker self-organisation and participation within and beyond these code-monitoring and verification systems has become a key area of political contestation between corporations, trade unions and anti-sweatshop activists.

Here we enter a dilemma: while local worker empowerment is seen as crucial to improving workplace conditions, the processes of ‘globalising capital’ and ‘localising labour’ has strongly undermined traditional strategies

of labour to protect itself against exploitation, turning the global supply chain into a barrier both for organising and collective bargaining. Precisely because codes of conduct generally fail to provide protection on freedom of association and collective bargaining, labour rights advocates argue that 'any real transformation of the global supply chains must come from other sources'.³⁰

Jumping scale, bridging space

As already pointed out, worker resistance can take many forms—individual and collective, legal and illegal, spontaneous and organised. Most of these struggles remain relatively local in scope, reflecting labour's rather place-bound nature compared with the greater mobility of capital. In some cases, however, workers mobilise extra-local actors to shift the power-balance at the workplace. They 'jump scale' and 'bridge space' to gain leverage over employers, local authorities and, in some cases, even governments.

In the garment industry, the past 15 years have seen numerous such grassroots social struggles, in which workers have successfully mobilised allies overseas to support them. There is a now growing body of literature exploring and discussing cross-border labour solidarity campaigns in the global garment industry. Case studies exist on a wide range of garment-exporting countries, including Thailand, Mexico, Dominican Republic, Honduras, Lesotho, Turkey, Burma, Indonesia, Philippines, India, Namibia and Guatemala. These studies typically provide detailed information on: 1) the local dimension (actors, conditions, prelude to the struggle; 2) the extra-local, or spatial, dimension (the transnational alliance, the buyers, the audit companies, the multi-stakeholder initiatives etc); and 3) a temporal account of how the struggle developed (who did what, when and how).³¹

These case studies indicate that workers not only scale up their activities/strategies geographically in order to influence, challenge or resist capital, but they also expand the terrain of struggle outside the work-floor by including consumers as a potential 'resource and an opportunity for pro-worker struggles'.³² In other words, as labour geographers and social movement unionists argue, to organise successfully under conditions of spatially fragmented production systems requires that workers become

part of a new kind of political organisation or set of networks with the necessary political tools to change the way in which capitalism works. Such political organisation requires awareness of geographically differentiated economic and social relations, and the development of transnational links between workers in producing locations and consumers and activists in the key markets and home ground of the main MNCs.³³

The remaining part of this paper will discuss how the Clean Clothes Campaign network creates new spaces of engagement that may facilitate workers to 'jump scale' and 'bridge space'.

The Clean Clothes Campaign

Since its establishment in the early 1990s the Clean Clothes Campaign (CCC) has worked from a workers' perspective with the aim of improving working conditions and empowering workers in the global garment industry. Today the CCC consists of 13 national coalitions in 12 European countries—Belgium has two secretariats—each with its own secretariat. In Europe the CCC represents an 'organisational matrix' that knits together a diverse set of heterogeneous organisations, including consumer organisations, trade unions, researchers, human rights groups, solidarity activists, migrant workers, homeworkers' and women workers' organisations; and world shops. It forms what Anner and Evans call a 'basic rights complex' which 'is more than a transnational network, although it is that as well. It is a complex in which the distinctively different capacities of the organisations involved are integrated in a way that gives the assembly much more effectiveness than the sum of its individual parts.'³⁴

As a network operating in the spaces of consumption, the CCC seeks to harness the power of consumers to push for positive social change. Success or failure to exert pressure on brand-named and retail corporations to accept responsibility and to change practices ultimately depends on our capacity to inform, engage, persuade and mobilise citizens to use their power as consumers in the various activities the CCC engages in. The CCC coalitions in each European country inform consumers about the practices of the specific brands that dominate the market in their own countries. Information on working conditions in the garment industry is distributed via newsletters, the internet and in the form of research publications. Besides its work on corporate accountability, the CCC is also exploring legal initiatives for improving working conditions, for example by lobbying for legislation to promote good working conditions and ratification of ILO standards, or to pressure public authorities to make them procure the goods they consume ethically, for example with regard to the uniforms the police and firefighters wear.³⁵

Urgent appeals

One key area of CCC activity is urgent appeals, which are requests for action on violations of workers' rights that the CCC receives, verifies and disseminates. This includes calls for solidarity from garment workers and their representatives who are persecuted, discriminated against, or lose their jobs because they have tried to improve the conditions in which they work. The demands the CCC publicises and pursues are those made by the workers themselves—they take the risks in terms of safety and loss of jobs. At any time, therefore, workers should set the strategy and make the decisions about if and how their case is presented to the sourcing companies involved, to the public and to the media.

Since its establishment the early 1990s the CCC has worked on hundreds of appeals from dozens of different countries. Between 2000 and 2007 the CCC was handling some 30 cases per year, with an exception in 2004 when it took

up 47 cases. When the CCC receives a request for solidarity action, several criteria play a role in selecting cases: is there a connection to one of the European countries in which the CCC is located (brand is headquartered or sold there), or other reasons why a national CCC will be interested in taking up the case? If the CCC cannot take the case, because the corporation is not headquartered in Europe, it will try to engage other organisations in the USA, Australia or Canada.

The level of work that is done on each of these cases varies significantly, and can range from writing and distributing a few letters to full-scale campaigns which include a range of tactics (demonstrations, picket lines, worker tours, etc) taking place in several countries. In contrast, other urgent appeals have no public campaigning component and never enter the public arena. They remain non-public cases, or lobbies, which nonetheless can be successful in pursuing targets to undertake action in order to remediate a violation. The decision to go public depends on the organisation behind the call. Some organisations do not want public attention for their case, for example when they perceive this as too risky for political reasons, or fear that this would result in 'cut and run'. In other cases bringing a case to the attention of a CSR department and giving them time to address the issues at stake might be sufficient. However, if such persuasive strategies fail, more compelling forms of action, such as naming and shaming, mobilising consumers through e-action and organising picket lines or demonstrations, can be used.

Urgent appeals resemble a type of activism that Teri Caraway has characterised as the 'dynamic campaign type', which, she argues, 'relies on both intense cooperation with local partners and the rapid flow of information and people across borders. It is therefore only feasible in countries where local partners are available and in which communication and mobility are fluid'.³⁶ In countries where the right to organise is repressed and workers and their organisations are circumscribed in building up relations with cross-border allies, such as China, Burma or Vietnam, the urgent appeal system is more difficult to access for local organisations.

Workers' rights violations

An evaluation of 192 urgent appeals cases during the period 1999–2003 shows that the majority (107) were related to violations of CCC convention numbers 87 on freedom of association and the right to organise and 98 on collective bargaining.³⁷ Examples of violations under these two conventions include repression, discrimination, harassment and violence against union members, dismissal for union activities, denying workers the right to form a trade union and forbidding them from collectively bargaining an agreement (see Table 1).³⁸

Cases of union repression follow a similar pattern: they start with often lengthy acts of discrimination against union members or workers suspected of engaging in organising activity. This spirals into more active forms of harassment countered by more direct industrial action, at which point complaints are often filed with the local authorities. In several cases industrial

TABLE 1. Key labour rights violations related to the right to organise

Key violation	Total cases
Denial of the right to form a union	22
Denial of the right to organise, union busting, repression including discrimination and harassment against union members	27
Firing or dismissal due to union activities (including strike)	31
Violence, arrest, jail due to union activities (including strike)	19
Denial of the right to bargain collectively	8
Total	107

Source: Adjusted from K Dent, 'Urgent appeals impact assessment study', unpublished internal study, Clean Clothes Campaign, 2005, p 24.

action (a strike) happened before the appeal for support was issued. Other urgent appeals report violations of minimum wage regulation, factory closures (including cut-and-run as a result of organising), violation of severance payments, and other legal entitlements, factory fires, forced overtime, high agency recruitment fees, mobility restrictions and management abuse.

Approaching companies

Over the past 10 years hundreds of companies have been approached with a request to remediate a workers' rights violation. Companies are never approached with the request to terminate their business relations with the factory; instead they are pressured to persuade factory management to solve the labour problems at the factory. However, if a buyer fails to respond, the CCC will try to cast doubt about the company's ethical commitment and its failure to take action will be highlighted on websites and communicated to consumers. The fact that many of the target companies have already adopted codes of conduct can be used in the campaign by pointing out the disparity between what has been promised and what has actually been done, a strategy Keck and Sikkink refer to as 'accountability politics'.³⁹

Solidarity action in these specific cases consists of sending letters to retailers or brands sourcing from the factory concerned, urging them to use their material leverage, that is, their purchasing power, on the supplier to respect workers' rights. This often leads to intense communications with companies and their CSR departments. While newly approached brands and retailers at first often tend to deny responsibility for conditions in their supplier factories (or deny that they are producing in the factory in question), companies previously targeted by the CCC, or by similar anti-sweatshop campaigns elsewhere, have often developed a more proactive approach towards investigating alleged rights violations.

Some well known brands like Nike, Adidas, Gap or H&M are approached relatively often with appeals. This is not only because these companies command larger market shares, but also 'because they have been successfully

targeted in past appeals ... [and] the fact that some brands are more easily recognisable or easier to trace than others'. Finally, the emergence of large Asian TNCs in garment and footwear production further complicates these interactions. Some of these run operations in various countries, have dozens of clients, and hire thousands of workers. Their increased power calls into question some of the presumed power dynamics within the global supply chains, where global sourcing corporations are often seen as the most powerful players who are ultimately able to dictate terms to the presumed captive suppliers.⁴⁰

Success and failure

A successful campaign around an urgent appeal would mean that workers' demands were met, or at least partly met. The CCC analysis of urgent appeals from 1999 to 2003 indicates that about 21% of the active cases are solved successfully, while another 25% are partly successful (ie some demands have been met).⁴¹ However, it often remains difficult to assess these campaigns in terms of whether they are successful or unsuccessful. Even if campaigns are lost, or partly lost, the participants have often gained 'self-confidence, respect and dignity'.⁴² For example, during the Ladybird struggle of 2001, Wassana Lakhampha, a Ladybird employee and the union's education officer, was reported as saying: 'We didn't get all of our demands, but we had a good struggle. Our victory was our struggle'.⁴³ Moreover, a union might be defeated in the short term, but draw important lessons from this defeat and emerge to try again. Likewise corporations or governments might at first stick to their guns, but eventually they might change and start to address labour rights violations in their supply chains.

At the same time, even if a transnational campaign helps local workers to establish a trade union, this success may not last long. Worker victories may not be sustained over time, which was, for example, the case with the Gina Bra Factory (Thailand) and the BJ&B garment factory (Dominican Republic). In both cases local trade unions struggled long and hard to gain recognition and were supported by large transnational campaigns. But a few years after they had won their struggle, the factory closed down. Bearing these remarks in mind, it is clear that it remains difficult to determine to what extent the change that has occurred—be it positive or negative—can be attributed to the CCC's urgent appeal efforts.

Thematic urgent appeals

Urgent appeal work is important in the support of workers' struggles and the building of cross-border solidarity networks. However, a disadvantage is that a case-by-case approach is slow and time- and resource-demanding. Also, such a 'fire-house' approach may be only a temporary rescue, fragile and vulnerable to employers' attacks, as Ross observes.⁴⁴ All too often worker victories are short-lived because of the cut-and-run strategies of employers. In addition, resource and capacity constraints make it difficult for the CCC

and other organisations which employ similar methods to increase the annual number of urgent appeals they handle. Likewise, even if a pro-active CSR department of a global brand was able to detect violations on these issues, it is often very difficult (if not impossible) to address these issues on an individual basis. Cases of union repression usually escalate (for example, workers being locked out) before companies can mount an attempt at resolution. In many cases earlier constructive intervention efforts could prevent these sorts of serious problems.

For these reasons the CCC has increasingly begun focusing on core themes in urgent appeal work and addressed these as a series of collective cases with brands, retailers and possibly governments. Many of the conflicts or violations that occur in a particular production area are part of a more general pattern. Table 2 shows the countries from which the CCC receives most urgent appeals. These thematic campaigns are rooted in a specific geographic area, and executed in direct collaboration with local organisations that define priorities, goals and targets.

A good example of thematic campaigning is provided by the urgent appeal cases in Sri Lanka. In 2001 an appeal from the Free Trade Zone and General Services Employees Union and Transnationals Information Exchange—Asia requested the sending of protest letters targeting the repression of union organising at 10 different factories operating in the free trade zones and producing for Nike, among others, of which six cases involved dismissal following the formation of a union. The campaign for workers' freedom of association in free trade zones went on for six months. International pressure from the campaign groups and trade unions helped to convince the Board of Investment to budge on the position of refusing to recognise unions in the free trade zones (1994–2003) and to give theoretical recognition to unions in its 2003–04 guidelines. At an ILO-sponsored tripartite meeting, Sri Lanka's Board of Investment agreed to write to all factories under its administration to inform them that ILO Convention numbers 87 and 98 must be implemented. Similar campaigns in Thailand and Bangladesh have also met with success; the Thai government agreed to set up a workers compensation fund when factories close down.⁴⁵ In 2005 trade union partners in Bangladesh reported to the CCC that the government of

TABLE 2. Overview of urgent appeals from Asia, 2000–05

Country	2000	2001	2002	2003	2004	2005	2000–05
Bangladesh	2	4	4	3	4	5	22
Cambodia	4	3	3		4	3	17
India	1		3	1	6	1	12
Indonesia	3	4	10	7	9	8	41
Philippines	1	3		5	2		11
Sri Lanka	1	1	1	1	4	3	11
Thailand	4	2	3	5	4	1	19

Source: Clean Clothes Campaign database.

Bangladesh was planning to extend the working week to 72 hours to attract investment. The CCC and network partners called upon brands, retailers and multi-stakeholder initiatives to express their concerns on the record, in writing, and to state that this would contravene their ethical policies. This pressure helped to bring a bout the abandonment of the plan.

This strategy of launching thematic campaigns on multiple but geographically clustered workplaces was taken to a higher level in Indonesia. Here the CCC and Oxfam Australia—in close consultation with local trade unions, labour NGOs and other stakeholders—proposed the *Sector-Wide Solutions for the Sports Shoe and Apparel Industry in Indonesia* document. They write: ‘Time and again, urgent cases of labour violations in Indonesia reveal the abuse of short-term labour contracts; irresponsible and illegal treatment of workers during factory closures; and the pervasive infringement on workers’ freedom of association, their right to organise and bargain collectively’.⁴⁶ Even though juridical restrictions on trade union organisation were removed after Suharto’s fall in 1998, there was no end to the violence, intimidation and the imprisonment of outspoken workers or union officials. An ILO survey entitled *Freedom of Association and Collective Bargaining: A Study of Indonesian Experience 1998–2003* concluded that Indonesian workers continued to endure harsh treatment when they sought to exercise their basic human and labour rights, even though the situation had improved considerably since the Suharto regime.⁴⁷

The *Sector-Wide Solutions* document provides a number of concrete recommendations and measures global sourcing companies can carry out to prevent labour rights violations from occurring in supplier factories with regard to: 1) freedom of association and collective bargaining; 2) short-term contract labour; and 3) factory closures, back pay and severance payment. A public urgent appeal was launched urging sportswear company Adidas to implement the Sector-Wide Solutions in general, and in two particular cases of Indonesian suppliers that had closed their facilities without paying severance and other entitlements to the workers. As a result, thousands of workers found themselves not only unemployed but often also without their already earned back wages and their legal entitlements to severance pay and national insurance benefits. Besides Adidas, the CCC and Oxfam have approached a large number of global sourcing companies to start working on them. So far (autumn 2008) several large sporting goods companies have agreed to participate in a national meeting in Indonesia to discuss the various recommendations with local suppliers and local worker organisations.

Concluding remarks

We began by emphasising that workers remain active participants in a process of contestation that constantly reshapes the dynamics of workplace control and its accompanying power balances and relations. The strategies and tools workers use to resist management and to build up collective power varies significantly and is shaped by the production regime in which workplace relations are embedded. Similar processes of grassroots contestation

and struggle can be identified throughout the political economy and crystallise into a multitude of local, national and transnational counter-hegemonic movements and coalitions 'all seeking to smooth down the rougher edges of what seems to be a largely self-regulating global capitalist system'.⁴⁸

The CCC-driven urgent appeal system accommodates a form of grassroots globalisation as it mediates between locally rooted social movements (around workplaces, factories, export processing zones (EPZs), etc) and transnational advocacy networks that reach across space.⁴⁹ The urgent appeal system provides local groups with the possibility of widening the geographical range of their protest. It provides one particular avenue by which local agents seek to put pressure on (relatively) intransigent actors, be it a local manufacturer, an EPZ authority or the government. It represents a potential way to scale up local struggles—or to 'jump scale'—and make 'spatially stretched relations of power contestable and localisable'.⁵⁰ The so-called thematic campaigns on multiple but geographically clustered workplaces seek to bring these campaigns to a higher level. These campaigns target a specific problem that code compliance programmes typically fail to deal with on an individual basis. They may include grouping several factory closures and raising common platforms on, for example, legal changes, severance payments or dealing with wage demands. Such campaigns should be understood as trial-and-error searches for new ways to build regulatory institutions at a level that not only matches the scale of today's productive operations but also re-establishes labour as a representative force within it. After all, it is only through concrete political projects that the labour movement and allies can hope to achieve their objective of improving working conditions in the global garment industry.

Notes

- 1 N Castree, N Coe, K Ward & M. Samers, *Spaces of Work: Global Capitalism and Geographies of Labour*, London: Sage, 2004, p 209.
- 2 See, for example, J Glassman, 'From Seattle (and Ubon) to Bangkok: the scales of resistance to corporate globalization', *Environment and Planning D: Society and Space*, 19, 2001, pp 513–533; and KR Cox, 'Spaces of dependence, spaces of engagement and the politics of scale, or looking for local politics', *Political Geography*, 17 (1), 1998, pp 1–23.
- 3 D Ernst, 'The new mobility of knowledge: digital information systems and global flagship networks', *East–West Center Working Papers*, 56, 2003, p 3.
- 4 J Atkinson, 'Flexibility: planning for an uncertain future', *Manpower Policy and Practice*, 1 (89), 1985, Brighton: Institute of Manpower Studies.
- 5 M De Angelis, *Beginning of History: Value Struggles and Global Capital*, London: Pluto Press, 2007, p 107.
- 6 *Ibid.*
- 7 N Brenner, cited in B Jessop, 'The crisis of the national spatio-temporal fix and the tendential ecological dominance of globalising capitalism', *International Journal of Urban and Regional Research*, 24 (2), 2000, p 346.
- 8 B Jessop, 'What follows Fordism? On the peridiodisation of capitalism and its regulation', in R Albritton, M Itoh, R Westra & A Zuege (eds), *Phases of Capitalist Development: Booms, Crises and Globalisation*, London: Palgrave, 2001, p 283.
- 9 S Ackroyd & P Thompson, *Organisational Misbehaviour*, London: Sage, 1999, p 47.
- 10 M Robbins & K Vickery, 'Sick and tired: the impact of gender roles on garment workers' health', in Clean Clothes Campaign (ed), *Made by Women: Gender, the Global Garment Industry and the Movement for Women Workers' Rights*, Amsterdam: CCC, 2005, p 43.

- 11 D Lier, 'Places of work, scales of organising: a review of labour geography', *Geography Compass*, 1 (4), 2007, pp 814–833.
- 12 J Collins, *Threads: Gender, Labour, and Power in the Global Apparel Industry*, Chicago, IL: University of Chicago Press, 2003, p 151.
- 13 M Burawoy, *The Politics of Production: Factory Regimes under Capitalism and Socialism*, London: Verso, 1985.
- 14 See, for example, Pun Ngai & C Smith, 'Putting transnational labour process in its place: the dormitory labour regime in post-socialist China', *Work, Employment, Society*, 21 (1), 2007, p 27–45.
- 15 J Peck, *Workplace: The Social Regulation of Labour Markets*, New York: Guilford Press, 1996, ch 8.
- 16 See, for example, D Massey, *Spatial Divisions of Labour: Social Structures and the Geography of Production*, Basingstoke: Macmillan, 1995.
- 17 S Gill & D Law, 'Global hegemony and the structural power of capital', *International Studies Quarterly*, 33 (4), 1989, p 481.
- 18 VS Peterson, *A Critical Rewriting of Global Political Economy: Integrating Reproductive, Productive and Virtual Economies*, London: Routledge, 2003, p 51.
- 19 K Philip, 'Spaces of labour control: comparative perspectives from Southeast Asia', *Transactions of the Institute of British Geographers*, 27, 2002, p 395.
- 20 AC Bergene, 'Trade unions walking the tightrope', *Labor studies Journal*, 32 (2), 2007, p 146.
- 21 R Price, 'Transnational civil society and advocacy in world politics', *World Politics*, 55, 2003, p 590.
- 22 D Miller, 'Preparing for the long haul: negotiating international framework agreements in the global textile, garment and footwear sector', *Global Social Policy*, 4 (2), 2004, p 6.
- 23 S Barrientos & S Smith, 'Do workers benefit from ethical trade? Assessing codes of labour practice in global production systems', *Third World Quarterly*, 28 (4), 2007, pp 713–729. For similar conclusions, see also CA Rodriguez-Garavito, 'Global governance and labour rights: codes of conduct and anti-sweatshop struggles in global apparel factories in Mexico and Guatemala', *Politics and Society*, 33, 2005, pp 203–233; and S Frenkel, 'Globalization, athletic footwear commodity chains and employment relations in China', *Organization Studies*, 22 (4), 2001, pp 531–562.
- 24 Nike, *FY04 Corporate Responsibility Report Nike, Inc*, 2005, p 39. For studies that indicate that sourcing companies pay little attention to freedom of association and collective bargaining, see I Mamic, *Business and Code of Conduct Implementation: How Firms use Management Systems for Social Performance*, New York: International Labour Organisation, 2004.
- 25 R Braun & J Gearhart, 'Who should code your conduct: labour union and NGO differences in the fight for workers' rights', in D Eade & A Leather (eds), *Development NGOs and Labor Unions: Terms of Engagement*, Bloomfield: Kumarian Press, 2005, p 220.
- 26 NL Sum, 'From "new constitutionalism" to new ethicalism: global business governance and the discourses and practices of corporate social responsibility', paper prepared for the European Consortium for Political Research Joint Sessions Workshop 24, 'Transnational Private Governance in the Global Political Economy', Granada, 14–19 April 2005.
- 27 Cited in CCC, *Looking for a Quick Fix: How Weak Auditing is Keeping Workers in Sweatshops*, Amsterdam: CCC, 2005, p 79.
- 28 C Lévesque & G Murray, 'Local versus global: activating local union power in the global economy', *Labor Studies Journal*, 27 (3), 2001, p 61.
- 29 Rodriguez-Garavito, 'Global governance and labour rights', p 205.
- 30 R Appelbaum & N Lichtenstein, 'A new world of retail supremacy: supply chains and workers' chains in the age of Wal-Mart', *International Labor and Working Class History*, 70 (fall), 2006, p 121.
- 31 For cases studies, see, for example, R Armbruster-Sandoval, *Globalisation and Cross-Border Labour Solidarity in the Americas: The Anti-Sweatshop Movement and the Struggle for Social Justice*, New York: Routledge, 2005; TL Caraway, 'Political openness and transnational activism: comparative insights from labour activism', *Politics and Society*, 34, 2006, pp 277–304; H Frundt, 'Cross-border organising in apparel: lessons from the Caribbean and Central America', *Labour Studies Journal*, 24 (1), 1999, pp 89–106; and R Ross, 'A tale of two factories: successful resistance to sweatshops and the limits of firefighting', *Labour Studies Journal*, 30 (4), 2006, pp 65–85.
- 32 Castree *et al*, *Spaces of Work*, p 221.
- 33 A Hale & J Wills, *Threads of Labour: Garment Industry Supply Chains from the Workers' Perspective*, Malden: Blackwell Publishing, 2005, p 9.
- 34 M Anner & P Evans, 'Building bridges across a double divide: alliances between US and Latin American labour and NGOs', in Deborah & Leather, *Development NGOs and Labour Unions*, p 39.
- 35 For an overview of activities, see <http://www.cleanclothes.org/campaign/communities.htm>.
- 36 Caraway, 'Political openness and transnational activism', p 287.
- 37 K Dent, 'Urgent appeals impact assessment study', unpublished internal report, Clean Clothes Campaign, 2005, pp 23–24.
- 38 *Ibid*.

- 39 M Keck & K Sikkink, *Activists Beyond Borders: Transnational Advocacy Networks in International Politics*, Ithaca, NY: Cornell University Press, 1998.
- 40 J Merk, 'Restructuring and conflict in the global athletic footwear industry: Nike, Yue Yuen and labour codes of conduct', in M Taylor (ed), *Global Economy Contested: Finance, Production and the International Division of Labour*, London: Routledge, 2008, pp 79–97
- 41 Dent, 'Urgent appeals impact assessment study', p 27.
- 42 Armbruster-Sandoval, *Globalisation and Cross-Border Labour Solidarity in the Americas*, p 135.
- 43 'Struggle itself was victory for Ladybird workers in Thailand', *CCC Newsletter*, 15, June 2002.
- 44 Ross, 'A tale of two factories', p 78.
- 45 See urgent appeal cases on CCC website: Thai Durable (1999) and Bed and Bath (2002).
- 46 The document *Sector-Wide Solutions for the Sports Shoe and Apparel Industry in Indonesia* was released in April 2008 and is available at http://www.cleanclothes.org/ftp/080320_Sector-Wide_Solutions_in_Indonesia.pdf.
- 47 See P Quinn, *Freedom of Association and Collective Bargaining: A Study of Indonesian Experience 1998–2003*, Geneva: International Labour Office, 2003.
- 48 R Lipschutz, *Globalisation, Governmentality and Global Politics: Regulation for the Rest of Us?*, Abingdon: Routledge, 2005, p 2.
- 49 See P Routledge, 'Convergence space: process geographies of grassroots globalisation networks', *Transactions of the Institute of British Geographers*, 28 (3), pp 333–349.
- 50 D Featherstone, 'Spatialities of transnational resistance to globalisation: the maps of grievance of the Inter-Continental Caravan', *Transactions of the Institute of British Geographers*, 28, 2003, p 418.

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