

Accountability begins at home: the living wage movement in the United States

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This chapter deals with mobilisations around the right to a living wage in the United States. This implies a form of accountability politics that is at once global and local, public and private. The outcomes of the living wage movement demonstrate that accountability cannot be assumed, but must be fought for by stakeholders, through a variety of means. This case study highlights the importance of accountability processes, the contested relationship between rights and standards, and an exploration of the relationship between the rights of capital and the rights of labour. It engages with the themes explored in the previous chapter on workers' rights in the garment sector in Bangladesh, showing again how workplace and national labour struggles connect to global commercial and political arenas. If working conditions in Bangladesh have become the *site* of global scrutiny, this chapter shows how US campaigns on these issues have become a *source* of global scrutiny.

The US struggle for a living wage, which developed in the 1990s as a local struggle, emerged parallel to a global debate about international labour standards. In labour and policy circles, much attention was focused on apparel industry employers that violate domestic labour law or international labour codes. As manufacturing facilities proliferated in the global South, NGOs and Northern unions raised awareness around their working conditions, building up a moral outrage by consumers and students who viewed large retailers as exploiting children and young women to produce garments and other items for export. From this grew the so-called 'anti-sweatshop movement'. The idea of an anti-sweatshop movement itself is not new: similar campaigns have been waged in various countries at various times for more than a century. But

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the current campaign differs in that it has focused largely on an effort to hold transnational corporations (TNCs) accountable to their workers as they move around the globe.

There is a growing body of literature on the global anti-sweatshop movement, such as the work of Armbruster-Sandoval (2005), which examines cross-border organising campaigns in the US and Latin America, and the work of Esbenshade (2004), which examines efforts to monitor factories for compliance with labour standards.¹ Recent work by Elliot and Freeman (2003) and Fung, O'Rourke and Sabel (2001) engages in debate about whether international labour standards should be included in trade agreements and international institutions like the World Trade Organisation, or whether other mechanisms would be more effective at improving wages and working conditions.

These scholars, along with anti-sweatshop activists, saw that it was hard enough to hold corporations accountable within one country, let alone across borders. For this reason, activists have looked for various points of leverage that could be used in the absence of binding international law. One such point of leverage was universities. Students came together to pressurise their universities to adopt codes of conduct regarding the purchase of apparel and goods with the university logo. These campaigns were relatively successful in getting universities to adopt the codes and join international monitoring agencies (such as the Workers Rights Consortium). Soon, these students began to realise that sweatshop conditions prevailed in garment factories at home as well as abroad. In addition, they saw that workers in the university towns, and indeed, on the university campuses themselves, often suffered similar conditions as

¹ There are many more books on the topic, such as R. J. S. Ross, 2004; A. Ross, 2004; A. Ross 1997; Bonacich and Appelbaum 2000; and E. I. Rosen 2002.

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the garment workers in other countries: low wages, little job security, and resistance to unionisation efforts. Eventually, college sweatshop activists began to get involved in ‘living wage’ campaigns in their cities and in their campuses.

Living wage campaigns are part of another social movement that arose in the US around the same time as the anti-sweatshop movement. Rather than mobilising pressure in the North to affect working conditions of TNCs in the South, the living wage movement began by looking for leverage to affect corporate behaviour and local government spending in the US. While the approach of the living wage movement is different from the anti-sweatshop movement, and there are some important differences between the two struggles, the living wage movement can offer valuable lessons for those searching for ways to hold corporations accountable to their workforce and host communities. The processes of privatisation, deregulation and deunionisation that are central to the emergence of the living wage movement can be found in many parts of the world. The movement provides findings useful for understanding the relationships between processes of accountability, rights and resources. In particular, it has discovered that it is not enough to vote in legislation that specifies the right to a living wage. Because low-wage workers have few resources and little power, they must find ways to hold those with greater resources and power – employers and governments – accountable for enforcing those laws.

Living wage supporters have also found that processes can be as important as outcomes. Specifically, processes that create conditions for implementing laws – including mechanisms for workers to file complaints about non-compliance and to form unions – may matter more in the end than setting a particular wage standard. This chapter examines the US living wage movement to draw out these lessons for other movements for worker rights.

The material presented here is based on research conducted by the author over the past

eight years. This includes reviews of city documents, surveys of employers and employees, and over 100 interviews with living wage advocates and opponents, city council members, city administrative staff, researchers and journalists.²

Context and background

The US labour movement fought hard to win certain gains for workers over the past century. These include the establishment of state-provided services and public sector employment to provide those services; a federal minimum wage law passed in 1938, which set a mandated hourly wage;³ and the 1960s–1970s wave of unionisation of many public sector jobs that created good wages, benefits and job security.

However, by the late 1970s and 1980s, the rise of a neoliberal agenda began a backlash against the previous gains. Congress failed to pass regular raises to the minimum wage (which is not adjusted automatically with inflation), and by the mid-1990s the real value of the minimum wage was 30 per cent below its 1968 peak value and far below the hourly amount needed to raise a worker with a family to the federal poverty line. City managers pursued an agenda of privatisation of public services, which resulted in an attack on public sector unions and savings based on reduced wages, benefits and job security. They also pursued a ‘business climate’ model of economic development, using tax breaks and economic subsidies to lure firms to their region

² Further description of the research methods and data can be found in Luce (2004).

³ The minimum wage was part of the Fair Labour Standards Act of 1938. Not all workers were covered, although over time Congress amended the law to expand coverage.

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(and to retain existing firms).

One result of these trends was a sharp decline in the real wage for the average worker, as well as those at the very bottom. Although the US is the richest country in the world, there are a substantial number of people who can be considered the ‘working poor’: those who do not earn enough to meet the federal poverty lines despite having jobs. In 2003, approximately a quarter of all US workers did not earn an hourly wage high enough to meet the poverty threshold for a family of four (Mishel, Bernstein and Allegretto 2005).

At the same time, a fall in unionisation density rates and union power took away one avenue for raising wages. This was compounded by an unfavourable political climate at the national level. Even after Bill Clinton was elected in 1992, ending twelve years of Republican rule, there appeared to be little political commitment to raising the federal minimum wage.

By 1994, pastors in Baltimore, Maryland observed that a number of the people coming for free food from their churches were people who had jobs yet did not earn enough to feed themselves and their families. For the previous few decades, city leaders had persuaded citizens that if they supported the city’s economic development plans (‘revitalising’ the downtown), jobs would follow. While some jobs did come, the bulk of these were low-wage and non-benefited, resulting in a growing population of the working poor. The pastors, members of a faith-based community organisation, joined forces with a local public sector union to demand that city leaders respond to this problem.

The end result was a ‘living wage ordinance’: legislation requiring that any private sector firm providing city services pay its workers an hourly wage high enough to meet the federal poverty line for a family of four. Although this would only raise wages for a small percentage of all workers in the city, the policy was an initial step toward making the city accountable for its

decisions to privatise city services to low-wage employers.

The Baltimore ordinance inspired activists in other cities to pursue living wage campaigns. Soon, activists were looking to expand coverage of the ordinances. In addition to covering firms providing city services, some ordinances also included firms receiving economic development financial assistance (tax breaks and subsidies), firms operating on city property (such as retailers and restaurants in airports and sports arenas), and direct city or county employees. By 2004, three cities even passed city-wide minimum wage laws, establishing higher wages for most workers working within city borders.⁴ Many of these ordinances include automatic indexing for inflation, correcting for the weakness in the federal minimum wage. In addition to higher wages, some ordinances began to require that employers provide health benefits, paid overtime and paid days off.

After five years, over 40 ordinances have been passed in cities and counties. The campaigns turned into a social movement, with coalitions developing at the grassroots around the country. After ten years, more than 120 ordinances had been passed in cities, counties, universities, school boards and other agencies.

The right to a living wage?

Living wage campaigns were so successful in part because the language used resonated strongly

⁴ Whether a city government has the right to pass a city-wide minimum wage law differs by state: only those states with 'home rule' allow cities to pass laws of this kind. Currently, San Francisco, California, Santa Fe, New Mexico, Madison, Wisconsin, and Washington, DC are the cities with city-wide minimum wage laws. Voters passed a city-wide minimum wage in New Orleans, but the state legislature passed a law overriding home rule in the case of minimum wages.

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with the public. Since the federal minimum wage was established, the US population has favoured the idea that the rate be raised regularly.⁵ The idea of a fair wage for work is supported perhaps in part because the idea of work has powerful moral and social connotations in the country: people are often judged by whether they have a job and what kind of work they do. In addition, despite its wealth, the US has always had a relatively weak welfare state. Those without access to jobs that pay a fair wage will likely live in poverty. Work is not only one of the few avenues for subsistence, but it is also a crucial means of achieving full citizenship. For example, many US cities have outlawed homelessness (vagrancy laws) and asking for money (anti-panhandling laws). There are few and dwindling government resources available to help the poor.

Despite this, no one has the ‘right to work’ in the US.⁶ In fact, courts have interpreted the law in such a way that jobs are seen to be the private property of employers, not employees. As

⁵ Polls have tended to show widespread and consistent support for raising the minimum wage in the US. Data shows majority support for raising the minimum wage for most years since 1945 (Waltman, 2000 p. 50). As inequality continued to rise through much of the 1990s, even with a booming economy, public support for ‘economic fairness’ increased. See, for example, a 1998 Gallup Poll, ‘Have and Have-Nots: Perceptions of Fairness and Opportunity’. A number of measures in this poll suggest that Americans generally support a ‘reduction in the degree of economic inequality’ in the US (Meyerson 1999).

⁶ In fact, the term ‘right to work’ in the US generally refers to state legislation that limits the ability of trade unions to require workers to join a union in a worksite covered by a collective bargaining agreement. In this sense, ‘right to work’ is used to mean ‘right to hold a job and not have to join a union’. Unionists counter this by referring to these laws as ‘right to work for less’.

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Michael Yates points out so clearly in *Naming the System: Inequality and Work in the Global Economy*, no capitalist economy ever has solved the problems of unemployment and underemployment (Yates 2003). This means that there are never enough jobs that pay a living wage, and that people must compete for those jobs that do exist. Competition over living wage jobs occurs within countries and, increasingly, between countries. Despite spot shortages in particular occupations and countries, there exists an excess supply of labour in the global labour market. In this context, even if a laws exists giving workers the right to a living wage, the conditions of globalisation make it almost impossible to realise this in practice.

But this raises a larger issue around the idea of labour standards and labour rights. Some scholars point out that there is an important distinction between rights and standards: for example, the right to organise, the right to collective bargaining, the right to be free from danger and discrimination, versus standards that may vary from country to country, such as the minimum wage level. Labour rights may be about processes, while standards are about outcomes. This means that labour rights, such as the right to organise unions, create a *process* by which labour market *outcomes*, such as wage levels, are determined. Some suggest that rights should not vary from country to country, whereas standards might.⁷

Elliot and Freeman (2003) add that there is a difference between standards that are relatively free or low-cost and those that cost money, or ‘cash versus non-cash’ standards. They

⁷ Guy Standing of the ILO argues that ‘In developing a strategy [for labour standards], you need to identify a core of standards that are a floor of human decency; then practices that accord with a country's capacities and a firm's size and structure; and then standards that are reasonable aspirations.’ (Standing 2001: 72).

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suggest that the main concern of labour activists should be to win the right to collective action. Once workers have the right to unionise, they have a mechanism to bargain over other standards, such as wages. Robin Broad echoes this, writing that focusing on basic rights, such as the right to freedom of association, ‘avoids a major pitfall: having to determine which standards are appropriate for which corporations or which levels of development – a potentially messy judgment call’ (Broad 2001: 44).

While focusing on the right to organise seems a possible solution to improving conditions of work, there are critics of this approach. Some proponents of labour standards say that the right to organise is not enough. For example, Heintz (2004) argues that within the current global commodity chain structures, workers simply do not have enough power to bargain over wages. Indeed, even a large swath of unionised workers in the US find themselves relatively powerless to bargain wages upward – let alone keep their jobs. While stories of mass outsourcing are mostly exaggerated in terms of their impact on total jobs in the US, a recent study found that in the first quarter of 2004, 39 per cent of all jobs leaving the country were unionised jobs (compare this to a national private-sector union density of only 8 per cent) (Bronfenbrenner and Luce 2004). Clearly, simply having a union does not provide workers in global industries with much bargaining power.⁸ In these cases, labour standards advocates argue that it is necessary to establish wage standards that serve as a floor, preventing a “race to the bottom” in wages even

⁸ It is not only in mobile industries that unions suffer from weak bargaining power. Even in industries such as retail, janitorial services, daycare and hotels, workers do not always see significant increases in pay with the presence of a union. In fact, in a few places unions that have been unable to win significant wage increases through bargaining have supported local living wage ordinances as a way to raise union members’ wages through legislation.

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when unions are present.

Esbenshade raises another important point concerning the difference between rights and standards. She argues that the anti-sweatshop movement's "focus on working conditions rather than rights put the movement in a vulnerable position" as it allowed corporations to make minor changes in working conditions and declare the problems fixed (Esbenshade 2004: 202). The focus on working conditions also ignores the crucial fact of worker rights. Labour is a unique 'input' into production precisely because there is a 'non-cash' element involved in human labour.

The living wage movement has provided an interesting twist to this debate. Some of the ordinances have worked to include labour rights or processes in the ordinance: for example, some include protections for workers trying to form a union or organise around wage issues. Many include specific language giving workers the right to file charges of non-compliance against employers without risk of retaliation or job loss. Yet the living wage campaigns have also tried to make the living wage itself – a labour standard – into a right. In particular, the campaigns declare that a living wage is at a minimum a moral right, which should be made into a legal right. Clergy members have been active in campaigns, citing scripture to argue that all humans do, in fact, have the 'right' to a living wage in return for their work. For example, in 2000 the United Methodist Church passed the following resolution: 'The United Methodist Church recognises the responsibility of governments to develop and implement sound fiscal and monetary policies that provide for the economic life of individuals. Every person has the right to a job at a living wage.' (United Methodist Church 2000: 55.) Catholics point to several teachings in their tradition that call for a living wage, such as Catechism of the Catholic Church 2434: 'A just wage is the legitimate fruit of work. To refuse or withhold it can be a grave injustice. In determining fair pay both the needs and the contributions of each person must be taken into account' (United States

Catholic Conference 1997).

The campaigns are also often posed as a counter to the expanding rights of capital to relocate, privatise, and control the terms of debate. Indeed, the Montgomery County, Maryland living wage campaign quotes President Franklin D. Roosevelt, who stated in 1933: 'No business that depends for existence on paying less than living wages has any right to continue in this country. . . and by living wages I mean more than a bare subsistence level. I mean the wages of decent living' (Progressive Maryland 2005). In some cases, living wage supporters frame their campaign as being about the right of municipalities to attach standards or requirements to private companies that receive economic development subsidies or contracts for performing city services. In this way, citizens have mobilised to struggle for what they considered a right of workers and governments against the rights of capital.

The campaigns have involved a mix of 'inside' and 'outside', or formal and informal strategies, to get the laws passed. The outside strategies include building coalitions of sympathetic organisations, public education on the issues of wages and inequality, public rallies and protests designed to get media and public attention, and, at times, tactics such as marches and civil disobedience. The inside strategies involve developing alliances with city leaders and staff, and direct lobbying of and negotiating with city council members and mayors. Throughout the campaign activists emphasize a range of arguments in favour of the living wage, but particularly underline the idea of the living wage as a right.

Implementation struggles

Using the argument that working people have the right to a living wage, the movement saw considerable success throughout the 1990s. But, as new campaigns continued to emerge, the

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original activists turned to the question of implementation. The challenge was how to hold governments and employers accountable: to ensure that employers were paying the mandated living wage, and that the city governments were taking the necessary steps to monitor workplaces and enforce the law.

In almost no city has the city, left on its own, pursued strong enforcement of the living wage ordinance. While city councillors subject to re-election are sensitive to voters' wishes to pass ordinances, city administrators are not as eager to enforce laws that they see as running counter to the dominant neoliberal economic development paradigm that suggests cities need to focus on creating a positive business climate in order to grow. In other words, passing and enforcing regulations on businesses is seen as having a negative impact upon the business climate. In this case, there may be *ideological opposition* or resistance to reform.

Even where city staff may be personally committed to enforcement, either due to personal sympathies with the law or simply the desire to do their jobs well, cities are not likely to devote many resources or much staff time to monitoring and enforcement. Often, reluctant to hire new staff to implement laws effectively, the city merely adds the job of enforcement to the workload of existing personnel. This means living wage enforcers are overworked and stretched between multiple tasks, revealing a *lack of state capacity* to enforce the laws.

The accountability issues were not confined to a vertical demand of activists against the state and employers, however. Living wage advocates had to hold themselves accountable to make implementation a priority. The fact is that, in most places, the workers who were to be covered by the ordinances were not the main activists involved in passing the ordinances. Rather, the coalitions comprised representatives from labour unions, community organisations, faith-based groups, student groups, women's groups and others. To be sure the workers eventually got

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the living wage, living wage advocates had to themselves pursue avenues to monitor compliance. For example, after getting the ordinance passed in Baltimore, activists soon turned to efforts to organise the covered workers into a new organisation of low-wage workers called the Solidarity Sponsoring Committee (SSC). SSC organisers went to bus yards to talk to school bus drivers and monitors covered by the Baltimore living wage law. They soon found workers who did not know about the ordinance, and who were not receiving the higher wage. SSC helped the workers file complaints with the city. They then launched a public pressure campaign, holding rallies and getting large crowds to turn out for city hearings, in order to force the city to implement the law. Eventually, the city ruled in favour of the workers and ordered the bus companies to raise the wages and give back-pay to their employees.

In addition to the efforts in Baltimore, activists in other cities had similar concerns about implementation. However, in Los Angeles living wage coalition members realised that in order to ensure more systematic enforcement they would need to find ways to institutionalise their role in implementation. After the city council passed the ordinance, coalition members worked with their allies on the council to write the regulations and include the right of non-profit organisations to provide training to covered workers to educate them about the living wage policy. This provision allowed living wage advocates regular access to covered workers, greatly improving the chances of successful implementation. The coalition also pressured the city to hire an adequate number of staff to enforce the law, including Spanish-speaking staff that could answer workers questions and complaints.

Activists in Boston, Massachusetts went one step further. They got the city to pass regulations establishing a Living Wage Advisory Board, comprised of government, business, union and community members, which would meet every month to review contracts covered by

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the ordinance, examine complaints of non-compliance, and oversee general implementation. This Advisory Board has since recommended revisions to the ordinance which were passed by the City Council and mayor, substantially expanding coverage and raising the wage. The Advisory Board has also played a key role in reviewing the applications for exemption submitted by employers. In almost every city, the living wage ordinance includes language that allows for ‘hardship waivers’: employers who claim that they will suffer undue economic harm from paying the higher wage are allowed to request exemption. In many cities these requests are granted with little investigation, but in Boston the Advisory Board has been strict about requiring employers to open their books and prove their case of hardship. The Advisory Board has turned down a number of these requests, even from non-profit child care agencies.

Another important tactic pursued by some living wage coalitions was to include language in the ordinances giving citizens the ‘right to know’. This means that the ordinances specifically state that cities must make public information about their contracting and economic development, and/or that firms receiving service contracts or economic development assistance must make their payroll records available. In some cases, the disclosure provision is the one that employers fight most vigorously. For example, the Toledo Chamber of Commerce did not put up much resistance to a general living wage ordinance: rather, they put their energy into keeping the disclosure provision out.

The battle over disclosure can be found in other labour standards struggles as well. In the anti-sweatshop movement, students quickly found that it was not enough to pressure large retailers to improve their labour conditions, since they would just say that they had subcontracted all their manufacturing work to other firms all over the world. Therefore, the students had to develop ways to get the TNCs to disclose the location of their factories. This access to

information was a crucial first step to determining whether the factory owners were complying with labour codes. Disclosure has also been an issue in the movement for corporate accountability in the US, around the issue of ‘corporate welfare’. Activists have pressured their local and state governments to disclose detail about the subsidies that they give out to corporations.⁹ This is a key lesson for accountability struggles: stakeholders must have equal and reliable access to information in order to assess implementation progress and outcomes.

Civil society involvement: inside and outside strategies

The above examples highlight the various mechanisms that living wage advocates have used to improve implementation outcomes. Parallel to the strategies used initially to pass the ordinances, inside and outside strategies have been utilised in implementation struggles as well. In Baltimore, activists relied on outside strategies: applying public pressure to force the local government to enforce its law. In Los Angeles and Boston, activists used inside strategies: establishing mechanisms to institutionalise their role in the implementation process and work from within the state. Including disclosure provisions in ordinances also helps systematise the implementation process, as it allows an opening for citizens to get information to which they would not otherwise have access.

Relying solely on outside or inside strategies has limitations. In Baltimore, public

⁹ According to the research organisation Good Jobs First, the states of Minneapolis and Maine have the “cadillacs” of disclosure laws. These states require state and local agencies to name the companies that receive subsidies, along with the dollar value of the subsidy, the number of jobs expected to be created/retained, the wage and benefit levels of those jobs, and this information must be available to the public in a centralised location and on a regular basis (LeRoy and Hinkley 2002).

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pressure resulted in a victory for bus drivers and monitors. However, in 2003 the union which represents the food and beverage workers at the city sports stadium discovered that the employer, Aramark, had not been in compliance with the overtime provision of the ordinance. The union filed complaints with the city and, again using public pressure and media attention, was able to get the city to force the employer to comply and provide back-pay for the unpaid overtime. These examples led to successful outcomes, but they suggest that, without systematic scrutiny, there may be many other workers not receiving the mandated living wage who are in fact entitled to it. Organisations with the motivation to do so, investigated conditions for the workers they were trying to organise or already represented, but what about the other workers? The city expended few resources to implement the living wage, and did not conduct its own workplace investigations.

In Los Angeles and Boston living wage advocates were able to have greater systematic monitoring. Yet this did not solve all implementation problems. While advocates had won a place in the monitoring process, they did not have the power to enforce. In both cases, the city council and mayor had the final say over all implementation issues. This meant that, in a few cases, employers resisted compliance with the ordinance.

For example, the Los Angeles living wage ordinance was intended to cover the airport, but employers at the airport – restaurants as well as airlines – claimed that the law did not apply to them. In this case, the Los Angeles living wage coalition resorted to ‘outside pressure’ tactics in order to pressure the city council to amend the ordinance and close loopholes, making it explicit that the ordinance did in fact cover the airport employers.

In Boston, KTI, the firm holding the contract to provide recycling services to the city, announced that it would not comply with the ordinance. The Advisory Board told KTI that it

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needed to prove its case that compliance would cause a hardship, but the firm refused. The Advisory Board recommended that the city not grant a waiver, but the mayor did not accept that ruling. Instead, he has been granting temporary contract extensions to the firm for several years. Living wage advocates have resorted to outside strategies: leafleting the public to call the mayor, and working with advocates in nearby cities where living wage ordinances also covered KTI to develop strategies to get the company to comply. Although these efforts have not yet resulted in victory, they have raised awareness in the community about the living wage issue. A major city newspaper that had initially opposed the ordinance came out in favour of the city denying the KTI waiver.¹⁰

These examples provide several important lessons. Whether due to ideological opposition or lack of state capacity, cities are not enforcing the ordinances on their own and holding employers accountable to pay the living wage. Living wage advocates must work to hold the state accountable for implementing the laws. This can be done by outside tactics – ‘protest politics’ – which can improve the chances of enforcement. At the same time, these outside tactics often fail to result in systematic changes in the implementation process, such as increased numbers of city personnel to monitor worksites.

In Los Angeles and Boston, living wage supporters pursued inside strategies that institutionalised improvements and enhanced state capacity. At the same time, because this still did not give the advocates decision-making power, they needed to maintain their ability to utilise

¹⁰ Editorial, *Boston Globe*, ‘Recycling Wages’, 22 February 2003, p. A14. The editorial states, ‘Though the company [KTI] has a right to charge what it wants for its services, Boston has an obligation to recognise where there is economic room for higher wages.’

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pressure politics when necessary. This outside pressure is important for keeping the public educated and engaged on the issues, and to demonstrate that city officials must remain accountable to the citizenry that demands living wages. Outside pressure is also important because it can give city staff the political cover they need to make demands of powerful employers. Finally, maintaining the avenue for outside pressure is important to ensure that individuals or organisations serving in formal Advisory Boards are not ‘co-opted’ by employers or city officials. These individuals may also benefit in the same way that city staff do: outside pressure gives them political cover to stick to their demands for strong enforcement.

Although civil society participation can lead to more accountability from governments, one cannot assume that it will solve all implementation problems or replace the state as the chief implementation agent. Community organisations are subject to some of the same constraints as states – for example, they too may have weak capacity or the social movements they are a part of may fade away over time. As mentioned above, individual activists are subject to ‘capture’, much like government officials.

In addition, many of the organisations involved in the campaigns lack a direct incentive to monitor the ordinances. It is not enough for cities to create the space for community involvement: those actors must be motivated to do an effective job. For example, in Cleveland, although there were two seats for union representatives on the living wage task force, one member never came to meetings, and the other attended but offered little input. Apparently, according to Policy Matters Ohio researcher Dave Focareta, the union representatives had little or no incentive to put time into living wage enforcement. This may be because they did not see the connections between the living wage and organising opportunities for their union, or because they saw living wage enforcement as a low priority compared to other tasks they had to do. In

contrast, activists in Baltimore, Boston and Los Angeles saw specific connections between living wage enforcement and representing or organising workers. We cannot assume that all civil society organisations will possess similar incentives to monitor the ordinances. Because they face numerous constraints on their own ability to do the work, and they do not have the force of law behind them, they should only be seen as a complement to state enforcement, not a substitute. The issue of motivation to monitor, and to hold governments accountable is key, and one that deserves further attention.

Conclusion

The living wage movement highlights the fact that accountability should be understood as a process rather than an outcome. While activists had won certain struggles to prioritise workers' rights, particularly in the 1930s–1960s, employers and the state failed to maintain their commitment to these gains. Instead, power shifted in favour of capital and against workers, leading to a situation where many were denied access to jobs that paid a living wage.

In response, activists mobilised at the local level, where they felt they had greater resources *vis-à-vis* capital. Successful in these efforts, they got cities to pass local living wage ordinances. But as Kerry Miciotto, an organiser in the Baltimore campaign, notes, 'It takes one kind of power to get a law passed. Getting it enforced takes a whole other kind of power.' The lessons of the struggles to implement living wage ordinances highlight the fact that passing laws alone is often not enough to improve conditions for workers, or those without power. Top-down legislative strategies will not address power imbalances. Laws can give workers points of leverage, but it takes work to enforce them. Living wage activists have found a combination of inside and outside (or formal and informal) strategies are needed to provide the best chance of

enforcement.

In addition to these lessons about accountability, the living wage movement also demonstrates that workers in the global North often experience the same kinds of challenges faced by those in the global South: poverty-level wages, lack of benefits, work insecurity, and attacks on any gains won, such as unionisation. The ‘business-climate’ model used to lure investors with tax relief and other financial incentives is similar to that employed by state governments in India, discussed in Chapter 8. The struggle for US-style living wage ordinances has emerged in other Northern countries (such as the UK and Canada), but, certainly, general living wage struggles can be found in the South as well as the North. South Africa was home to an active campaign for living wages in the 1980s. According to the Congress of South African Trade Unions (COSATU), that campaign was aimed at uniting workers across sectors under some common goals. Some of the demands were then adopted under the new regime, but the living wage campaign re-emerged in the late 1990s. COSATU General Secretary Zwelinzima Vavi noted that the executive committee met in 2002 and ‘agreed that the struggle for a living wage must be at the core of creating a better life for all South Africans’.¹¹ As a result, COSATU has made a demand for a basic income grant that all citizens would receive.

As mentioned in the introduction, the United Students Against Sweatshops (USAS) have also linked their anti-sweatshop campaigns to local living wage campaigns. On some campuses, members of USAS began to realise that garment sweatshops were not only found in the global

¹¹ Editorial, COSATU Weekly, 7 June 2002. <http://www.cosatu.org.za/news/weekly/20020607.htm>. Accessed 20 March 2005.

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South, but in the US as well. Furthermore, the conditions faced by workers on their own campuses were often poor. Many universities were also privatising services, attacking unions, and paying low wages. In some cases, students launched campus-based living wage campaigns to fight for better conditions for the janitors, food service workers and housekeepers at the university. In other cases, students linked up with local living wage campaigns aimed at the municipal government. And in a few cases, students realised that they themselves were workers who deserved better wages and working conditions. In 2002 undergraduate students working in the dormitories at the University of Massachusetts-Amherst formed their own union to bargain for better working conditions. The focus on labour issues prompted graduate students working as teaching assistants at several public and private universities to undergo unionisation drives.¹² Today, USAS considers campus-based workers' rights movements and living wage campaigns to be a core part of its work. This story shows how students began with an effort to hold corporations accountable for their wages and working conditions in factories in other countries, but soon began to see connections between the working conditions of garment workers in the global South, gatekeepers on their campus, and even themselves as workers. This also involved a realisation that 'accountability begins at home'.

There are at least two important questions that remain unanswered. The first involves the relation between the local and the global. If a living wage is a right in the US – if activists succeed in passing ordinances in most cities that declare this – what does this mean for workers

¹² Graduate students had already unionised at a handful of campuses, starting with the University of Wisconsin-Madison, in 1966. However, the resurgence of interest in labour issues led to an upsurge in graduate student unionisation efforts in the 1990s.

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in other countries? Specifically, if the US living wage ordinances declare that employers have the responsibility to pay their workers enough to live on, shouldn't that responsibility apply to the employer no matter where he/she are located? Or if the right to a living wage is attached to the worker, should that worker not be entitled to that right no matter where they are located? Although the rhetoric of the living wage movement calls for a universal right to living wages, the ordinances provide only an opening to attach a right and responsibility to worker and employer in a particular relationship (employment in a given city, or under a given contract). In this sense, there is a disconnect between the rhetoric of the campaign and the outcomes. However, this raises interesting questions about the relationship between rights and accountability. The discussion of the difference between rights and standards brought this out clearly, where rights may deepen accountability means or processes, guaranteeing representation, association and freedom of speech, for example, while standards specify accountability outcomes or ends in a material sense. The relationship between the two and the ability of one to reinforce the other is not always clear-cut, however.

The second question is related to the first. To what extent can living wage ordinances really bring about change? Activists have found mechanisms to hold their local governments more accountable for enforcing living wage ordinances, and to hold certain employers accountable for complying with the law. But there is a widespread problem of accountability when it comes to enforcing labour law in the US, which stems from a gross imbalance of power and a system of labour law that privileges capital over workers. Living wage enforcement can be improved to achieve marginally better outcomes, but can it alter the balance of power between employees and employers? In order for living wage activists to win real rights, and the real ability to hold corporations and governments accountable, much more fundamental changes are

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needed. So far, the movement has enjoyed success in part because it does not always have to address deeper ideological debates. Some living wage advocates are business leaders who see higher wages as compatible with healthier markets. Some are trade unionists that like to hark back to a New Deal economy, or advocate a 'high road' solution. But as the living wage opponents themselves realize, living wages are ultimately not sustainable under an economic system that has built-in business cycles and a permanent pool of unemployed workers. This remains the next challenge for the living wage movement: shifting the terms of debate so that it confronts the real ideological battles at the core of the issue: should governments make decisions based on the right to profit-maximization, or based on human needs as the utmost concern?

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