

# **THE MEMORANDUM OF UNDERSTANDING ON CHILD LABOR, EXPORT-ORIENTED GARMENT PRODUCTION IN BANGLADESH, AND URBAN SUSTAINABILITY**

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## **Summary**

The international campaign to eliminate child labor from the export-oriented garment industry in Bangladesh was begun in 1992 by U.S.-based labor unions, consumer groups and politicians to end the employment of children below 14 years of age in Bangladeshi garment factories producing for U.S. manufacturers such as Wal-Mart and JC Penney. The campaign included a call for consumer boycott in the U.S. and Europe of clothing and other goods produced by child laborers in exporting countries and the threat of embargo by the U.S. government to enforce anti-child labor laws. On July 4, 1995, a Memorandum of Understanding (MOU) was signed in Dhaka to phase out child labor from Bangladesh's garment export industry and place former underage garment workers in non-formal schools, with support and monitoring by the International Labour Organisation (ILO), UNICEF, the Bangladesh Garment Manufacturer's and Exporter's Association (BGMEA) and the Government of Bangladesh.

What is the meaning of citizenship, urban-centered politics and local organizing with relation to transnational protest and organizing? How do transnational movements affect everyday relations in the localities that are their focus? What are the effects of the particular combination of movements of global capital, transnational organizing campaigns and local contestations of citizenship on sustainable development within

urban spaces? This paper is an attempt to answer these questions through examination of the possibilities and dilemmas posed by the child labor campaign in Bangladesh, the negotiation and signing of the MOU in Dhaka, and the programs implemented on behalf of former child garment workers as part of the agreement. Specifically, it explores the implications of transnational organizing and its everyday effects in the two cities at the center of garment production in Bangladesh –Dhaka and Chittagong.

## 1. Introduction

Women and children have been at the center of protest against the new sweatshop. As both producers and consumers –and more recently as activists—women and children throughout the world have been increasingly crucial participants in the political economy of globalization. The very centrality of third world, migrant women and children to globalization discourse rests upon the notion that they are coming into the global political economy from the outside. Children especially are conceived as innocent, pre-rational and pre-economic, and therefore as extreme victims of global political-economic flows, creating openings for activism and protest by children and about children.

Examples of this activism by and about children are Craig Keilburger, founder of “Free the Children,” who at the age of 12 began a crusade that brought together schoolchildren worldwide to protest child labor, or the large-scale student activism on United States college and high school campuses over sweatshop production and the use of child labor in university athletic wear. The surge of activism around issues of child labor leaves out questions of “sweated” development, the use of urban spaces as sites of both exploitation and activism, and urban sustainability.

Why has there been such a strong focus on child labor as particularly emblematic of the new sweatshop? What are the implications of the focus on child labor as emblematic of the new sweatshop for urban sustainability and assertions of citizenship among residents of large urban spaces? I will explore these questions through an examination of the campaign to eliminate the employment of children in the export garment industry in Bangladesh. The elimination of child labor in the export-oriented garment industry has been seen by activists and policy makers as an appealing issue supported by a large and diverse number of people throughout the world, as shown in the 1999 International Labor Organization convention that would target the “worst cases” of child labor –from slavery and prostitution to debt bondage and work in the drug trade. Campaigns to eliminate child labor from any industry have instant appeal, precisely because nobody would claim to be in favor of exploiting children. By looking at the manifestations of United States (U.S.) anti-child labor activism in Bangladesh, however, I would call into question the very neatness of child labor as a political issue.

As I will demonstrate, the focus on child labor to the exclusion of other violations leaves out a number of factors, including the myriad consequences of action in one part of the world upon relations in another part. Within the discourse of child labor, no space is allowed for dynamics that are both internal to Bangladesh and part of the relationship of Bangladeshis to capital, transnational processes and empire. One result of the U.S. and Europe-based child labor activism and threatened boycott was that class, gender and

age relations on the shop floor and in communities were ignored. The fact that these violations of national and international laws against the use of child labor occurred in urban spaces, for export-oriented industries, also highlights the centrality of citizenship and accountability to questions of urban sustainability. The campaign, as it played out in the capital city of Dhaka, led to unforeseen class alignments, public demonstrations of child workers and a large-scale protest against U.S. protectionism, all of which were both drew upon and amplified long-held resentments of U.S. imperialism in Bangladesh.

## **2. The Campaign against the Use of Child Labor in the Bangladeshi Export-Oriented Garment Industry**

The anti-child labor campaign began in 1992, with a united push by consumer groups, U.S. politicians, the U.S. State Department and United Nations organizations to end the employment of children under 14 years of age in Bangladeshi garment factories producing for U.S. manufacturers such as Wal-Mart and JC Penney. The tactics in this case included a call for consumer boycott in the U.S. and Europe of clothing and other goods produced by child laborers in exporting countries and the threat of embargo by the U.S. government to enforce anti-child labor laws. Alongside the threatened boycott was the promise of alternative schooling programs for children working in Bangladesh's garment industry, to be funded by U.S. labor unions, UNICEF (United Nations Children's Fund) and the International Labor Organization (ILO). On July 4, 1995, a Memorandum of Understanding (MOU) was signed to phase out child labor from the garment export industry. The agreement would place the former underage garment workers in non-formal schools, and employ a group of monitors from the ILO, the Bangladesh Garment Manufacturer's and Exporter's Association (BGMEA) and the Government of Bangladesh to enforce the agreement.

In fieldwork carried out in Dhaka during 1996 and 1998, I interviewed garment workers, visited their homes, spent time at factory sites, union centers, NGOs (Non-governmental Organizations), and government and international organization offices. Through the interviews, participant observation, and analysis of industry trends and data, I hope to gain an understanding of the implications and consequences of the MOU for the people who work in Bangladesh's export-oriented garment industry. I examine the child labor campaign's relationship to Dhaka's garment industry, and to the people who participate in it. I focus on the everyday manifestations of the anti-child labor campaign in order to grasp, as Michel Foucault puts it, the "capillary form of existence" of the MOU and the "synaptic regime of power, a regime of its exercise *within* the social body, rather than *from above* it."

My focus on the shop floors, streets and garment workers' schools in Dhaka is part of a questioning of the prevalent assumption of globalization as a meta-movement, something that occurs outside of everyday relations, and more related to itself than to anything occurring in specific locales among groups of people. This notion of globalization as something both omnipotent and omniscient leads scholars and activists to view it as the inevitable end of history, often leading to an unwitting assumption that people are recipients of action from above, recipients with no recourse other than to accept the terms of the global economy.

The children in Bangladesh's garment industry are neither passive victims of capital nor active models of protest. In the case of the anti-child labor activism, the consumer boycott and the MOU have been both posited as a model for other countries and other industries and have been criticized as a protectionist ploy on the part of U.S. unions and business interests. I would criticize both positions in order to look more closely at how the campaign has been constructed and narrated through the relationships between the U.S. and European activists, international organizations, Bangladeshi garment workers and business representatives.

### **3. The Context of the Campaign**

Sweatshops, export processing zones, and garment workers have been frequent subjects of scholarship and activism in recent years. Increased flexibility in sourcing and production, along with the compression of temporal and spatial relations to the point of near-instantaneity, have been described by scholars such as David Harvey as new, post-Fordist methods of capital accumulation. In keeping with these new methods, the garment industry has taken advantage of its low start-up costs and capital investment ability to produce in sites scattered throughout the world, and to move wherever labor is cheapest and protest least likely –at times in sites governed by dictatorship, such as Burma, or in the midst of civil war, such as El Salvador during the 1980s.

A central aspect of the post-Fordist model has been the development of the “new international division of labor (NIDL),” where, Maria Mies describes,

Developing countries increasingly become areas of production of consumer goods for rich countries, whereas rich countries increasingly become areas of consumption only... [C]orporations must mobilize consumers in the rich countries to buy all the items produced in Third World countries. In both strategies the mobilization of women plays an essential role.

Within the context of the NIDL, one puzzle in particular has been addressed by scholars and activists: how to fight for, and guarantee, workers' rights in particular sites when factory and company owners respond by moving to areas where labor guarantees do not exist. An increasingly widespread answer to the problem of the combination of transnational production, labor and capital flows in a world of nation-states has been to organize transnational campaigns, based on consumer boycotts that support the rights of the people producing garments for the “world” (U.S. and European) economy.

In the production and consumption patterns and in the protest campaigns, the central position of women and children as consumers, producers and activists has raised questions about citizenship and participation in the global political economy. First, do notions of citizenship become divided along the lines of race, gender, social class, nation and age, in much the same way as those of the new international division of labor? Second, what are the implications for citizenship and sustainable development when cities are centers of both transnational capital and labor migration, on the one hand, and local and transnational contestation and organizing, on the other?

Such a questioning is especially important in light of Fraser and Gordon's critique of T.H. Marshall's 1949 essay "Citizenship and Social Class." With specific reference to the history of Great Britain, Marshall defines three stages of citizenship: civil citizenship, corresponding roughly to the eighteenth century; political citizenship, arising over the course of the nineteenth century; and social citizenship, developed in the twentieth century in the guise of the Keynesian welfare state. As Fraser and Gordon argue, however, "When questions of gender and race are put at the centre of the inquiry, key elements of Marshall's analysis become problematic. His periodization of the three stages of citizenship, for example, fits the experience of white working men only... His conceptual distinctions... presuppose, rather than problematize, gender and racial hierarchy." Marshall's conceptual distinctions, furthermore, at no point engage the space of the city as a site of citizenship, or that meanings and practices of citizenship are grounded in localities, rather than abstractions. What can we say about citizenship in a city and an industry that is marked both by enormous migration of people from rural areas, hierarchies of class, race and gender, and an influx of transnational capital flows?

In an attempt to both problematize and ground the meaning of citizenship, I return to the Bangladesh anti-child labor campaign. In Bangladesh, as elsewhere, the majority of workers in export-oriented industries are women, while the majority of garment factories are located in the two largest urban centers, the capital of Dhaka and the port city of Chittagong. Several studies have been written about whether or not the garment industry is good for the women who work in it. Some scholars have argued that the garment industry's influence in Bangladesh has been a liberating one, bringing women into the public sphere. Although these scholars state their reservations, they laud the fact that it has drawn women out of their homes and into factories, provided independence and a means of support, and offered them the option of not contracting an arranged marriage, or of not accepting undesirable offers for marriage's sake. Others have tried to temper the notion of "empowerment" through wage labor by pointing out the drawbacks associated with factory work, the non-liberating aspects of wage labor and the complicated relationships that are involved both on the factory floor and in homes for the women who work. European and U.S. consumers who participated in the boycott of Bangladeshi garments and pushed for the abolition of child labor have staked their protests on a single issue, the age of the people working in the garment factories.

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### **Bibliography**

Akhter F. (1995). Garments aur kono dhurghotona ghotbe na: she nishchoyota ki pete pari? *Chinta* (August 28-September 7, 1995). [Offers a critique of the use of child and women's labor in the garment industry, through a documentation of the frequency of fires in Bangladeshi garment factories.]

Castells M. (1996). *The Rise of the Network Society*. Cambridge, MA: Blackwell. [Outlines the economic and sociological contours of globalization, technological innovation and the “information age.”]

Drakakis-Smith D. (1995, 1996, 1997). Third World Cities: Sustainable Urban Development I, II and III. *Urban Studies*, pp. 659-677, pp. 673-701, pp. 797-823 (Vol. 32, Nos. 4-5; Vol. 33, Nos. 4-5; Vol. 34, Nos. 5-6). [This series of articles explores and defines urban sustainability as a conceptual framework, and examines its manifestation in urban spaces through questions of population and migration, labor, poverty, basic needs and human rights.]

Foucault M. (1980). Prison Talk, an interview with J.-J. Brochier. *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977* (ed. Colin Gordon), pp. 37-54. New York: Pantheon. [This piece explains the need to look at power as a synaptic regime, exercised through everyday practice “within the social body, rather than from above it.”]

Fraser N. and Gordon L. (1994). Civil Citizenship against Social Citizenship. *The Condition of Citizenship*, pp. 90-107 (ed. B. Van Steenberg). Thousand Oaks: Sage. [Explores the meanings of citizenship, and provides a critique of T.H. Marshall’s 1949 essay “Citizenship and Social Class.”]

Holston J., ed. (1999). *Cities and Citizenship*. Durham: Duke University Press. [Essays in this volume explore current meanings, contestations, and practices of citizenship in a range of urban sites.]

Hossain H., Jahan R. and Sobhan S. (1990) *No Better Option? Industrial Women Workers in Bangladesh*. Dhaka: University Press Limited. [Explores the socio-economic effects of garment production, industrialization and Bangladeshi women’s entrance into the export-oriented labor force.]

Majumdar P.P. and Chowdury S. (1991). *The Socio-Economic Condition of Women Workers in the Bangladesh Garments Industry*. Dhaka: Bangladesh Institute of Development Studies. [Provides comprehensive data and analysis of the effects of labor force participation by women workers in Bangladesh’s export-oriented garment industry.]

Mies M. (1986). *Patriarchy and Accumulation on a World Scale*. Atlantic Highlands, NJ: Zed. [Provides a grounded, gender perspective on the new international division of labor.]

Prashad V. (1999). Calloused Consciences: The Limited Challenge to Child Labor. *Dollars and Sense* (Sept/Oct 1999). [Provides a critique of the ILO convention targeting the “worst abuses” of child workers, such as “all forms of slavery ... forced or compulsory labor, debt bondage and serfdom, child prostitution, and the use of children in the drug trade.”]

Ross A., ed. (1997). *No Sweat: Fashion, free trade and the rights of garment workers*. New York: Verso. [Documents the rise of transnational, consumer-oriented organizing in the garment industry.]

Sassen S. (1988). *The Mobility of Labor and Capital*. New York: Cambridge University Press. [Discusses the causes and effects of transnational flows of labor and capital within the international regime of nation-states.]

Schoenberger K. (2000). *Levi’s Children*. New York: Atlantic Monthly Press. [Covers both Levi-Strauss & Co.’s use of child labor and its schooling program for child workers in factories making its clothes.]

Spivak G.C. (1999). *A Critique of Postcolonial Reason*. Cambridge: Harvard University Press. [Presents both an analysis of the economics and cultures of globalization and a specific critique of the MOU through the uses of and battles over child labor in Bangladesh’s garment industry.]

United States Department of Labor (1994). *By the Sweat and Toil of Children, Volume 1: The Use of Child Labor in U.S. Manufactured and Mined Imports*. Washington, D.C.: U.S. Department of Labor. [Documents the use of child labor in imported goods to the United States, and provides an empirical basis and suggestions for developing policies aimed at child labor practices.]