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# An Analytical Framework for Studying the Politics of Consumption: The Case of the National Consumers' League

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**ABSTRACT** Consumption is not often addressed in the literature on social movements even though consumer organizations and consumer tactics have been successful in achieving social change. This paper offers an analytical framework for studying the politics of consumption, which suggests that consumers can be conceived of collectively as active agents rather than passive individuals. I capture this active agency through four concepts: mobilization, problematization, identification, and contention. I focus on one consumer organization, the National Consumers' League, and its three consumer tactics, white lists, white labels, and legislation, in order to demonstrate how the analytical framework I construct can be applied.

**KEY WORDS:** Buycotts, consumption, National Consumers' League, purchasing power, tactics, white label

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Why has consumption been understood economically as a private act by self-interested individuals rather than politically as a site for collective action? Is it possible for consumers to organize their purchasing power as a means to achieve social justice? If so, what kinds of tactics could be used to mobilize consumers? This study hopes to provide insight into such questions by examining the various ways the National Consumers' League (NCL) politicized consumption during the Progressive Era.

In this study I argue that four related sets of practices constitute what I call the politics of consumption: mobilization, problematization, identification, and contention. Specifically, I will demonstrate how the consumer tactics of the NCL were embedded in each of these practices. The NCL employed three consumer tactics to promote its interests and goals: lists, labels, and legislation. In the following paper I will discuss the role these tactics played in the mobilization efforts of the NCL and how these tactics were used by it to problematize consumption and identify consumers. I will also discuss the contention from business, the state, and organized labor that resulted from these consumer tactics.

## **The Politics of Consumption: An Analytical Framework**

I argue in this study that the relationship between consumption and collective action, or what I call the politics of consumption, can be best understood through four practices: mobilization, problematization, identification, and contention. These four practices, or 'organized way[s] of doing things' (Dean, 1999, p. 18), can be used to understand not only how the activity of consumption became politicized through collective action, but can also be applied to understand how other forms of social activity become politicized as well. This analytical framework incorporates several theoretical contributions made by comparative and political sociologists. I suggest that the synthesis of these theories offers a richer understanding of collective action than is currently proposed in the social movement literature.

Three core concepts compose the prevailing analytical framework in the current literature on social movements: political opportunities, mobilizing structures, and framing

processes. In practice each concept tends to be used in order to explain different levels of analysis. For example, the concept of political opportunity is used to explain how social movements are constrained and enabled by macro-level structures, particularly the state (Skocpol, 1992; Tarrow, 1998). At the meso-level, mobilizing structures such as organizational forms, goals, tactics, and networks are used to explain how social movements shape collective action. A variety of framing processes, or cognitive schema that 'organize experience and guide action' (Snow et al., 1986, p. 464) are used to explain micro-level phenomenon, such as how collective understandings of the world are meaningfully constructed and maintained (Benford & Snow, 1992).

Although several theorists of social movements, such as McAdam, McCarthy, and Zald (1996, p. 7), have proposed that a synthesis of these concepts is needed to fully explain social movements, few scholars seem willing to take on this challenge. One can surmise that this challenge has been avoided because it would be a burdensome endeavor to demonstrate how all levels of analysis interact with one another. But it seems more plausible that this avoidance may be the result of an over-reliance on each concept in the current literature. According to a recent book by Doug McAdam, Sidney Tarrow, and Charles Tilly (2001) political opportunities, mobilizing structures, and framing are static concepts and have become merely 'checklist variables'. Each concept has been used and defined in such a variety of ways that they are beginning to lose their analytical fruitfulness and explanatory power. Gamson and Meyer (1996, p. 275) claim that the concept of political opportunities has been 'used to explain so much, it may ultimately explain nothing at all'; framing processes and mobilizing structures have suffered a similar fate. Furthermore, these concepts have been used to explain why social movements occur rather than understand the intricate processes of how collective action is accomplished. McAdams, Tarrow, and Tilly (2001) claim that these concepts are neither 'relational' nor 'dynamic' and fail to interact with each other in such a way as to form a level of understanding of the processes involved in social movements.

While the analytical framework offered in this study hopes to advance social movement theory, it is, to a certain degree, compatible with the existing concepts predominantly used in this field. Although I do not subscribe to the notion that political opportunities structurally condition the existence of social movements, I do believe that political opportunities make a difference in enabling or constraining collective action in so much that movement actors recognize and subsequently take advantage of them. Furthermore, I agree that access to state institutions and actors makes a difference in the actions of social movements, particularly in terms of alliance building, but this access tends to be more complex than is currently portrayed. For example, just because most women did not have the right to vote in most states does not mean that they were structurally denied access to the state. Many women, especially elite women, actively worked to create positions for themselves within current state institutions, and even built new state organizations, such as the Children's Bureau (Baker, 1984; Muncy, 1991; Sklar, 1995b; Skocpol, 1992). Elite women, particularly those in the NCL, were also closely allied with powerful male state actors and used these personal networks for support to advance their causes (Storrs, 2000). Thus, to claim that women were structurally positioned 'outside' of the state because most were denied the right to vote does not fully capture their involvement with political activities. Furthermore, the equation of politics to the state, or 'institutionalized politics', as implied by the concept of 'political opportunity' does not explore activities occurring beyond the scope of the state, such as the marketplace interactions, as political. Politics, and power more generally, operate at other levels than merely those forms that are institutionalized. Political action may be organized to intentionally pressure the state to change its policies, but at the same time it also changes the practices of citizens. Political action may even exclusively focus on changing the conduct of citizens. In Foucauldian language this means that those who 'govern' are not exclusively state actors and that the practice of 'governing' can be directed at shaping conduct other than that connected to institutionalized politics.

I adopt the concept of mobilizing structures as ‘those collective vehicles, informal as well as formal, through which people mobilize and engage in collective action’ (McAdam et al., 1996, p. 3), but I focus less on the resource mobilization theory that has informed this concept and more on the role of tactics. I specifically discuss how the NCL devised specific tactics, which shaped its configuration and influenced its ability to realize its interests and goals.

While the modified versions of the concepts of political opportunities and mobilizing structures I describe above resemble what I call ‘contention’ and ‘mobilization’ in my analytical framework, the concept of framing is captured by two practices: problematization and identification. The idea of framing and the importance of culture are more recent innovations in the social movement literature than political opportunities and mobilizing structures and the way that framing and culture are used in practice is not as fully developed. Overwhelmingly, framing is defined as culture or ‘the shared meanings and definitions that people bring to their situation’ (McAdam et al., 1996, p. 6). There are several implications behind framing. First is that collective actors are conscious of their shared meanings of the world and that they intentionally act on these meanings. This subjective understanding of culture is not necessarily problematic, but as Pierre Bourdieu (1984) has demonstrated with his concept of ‘habitus’, in practice social actors are not always self-consciously aware of how they structure the social world. Sewell (1992) expresses a similar idea through his notion of ‘schema’ although a subjective level exists in how social actors interpret their everyday lives, there also exists objective rules of conduct that they follow in expressing the meaning of their actions. In this sense it is difficult to assume that culture is simply ‘out there’ as a bundled ‘tool kit’ for social actors to use instrumentally at will (see Swidler, 1986). The second implication of framing is that people ‘have’ identities, whether they are defined as class, gender, or race. This does not address the process of identity-making or even tell us why identity is important in the first place. I suggest that studying the practices of collective actors can bridge this subjective-objective divide and better help us to comprehend how they understand themselves and their actions. I use the concept of problematization to capture the process of how collective actors articulate their interests and goals and make meaning. The concept of identification is used in this study to discuss how collective actors use certain social categories to build ‘collective self-understandings’ (Brubaker & Cooper, 2000, p. 16) and in the process make real social categories like class or gender.

The analytical framework in this study seeks to contribute an alternative way to understand collective action, particularly through how social practices, such as consumption, become politicized. There are several potential benefits in using the relationship between mobilization, problematization, identification, and contention to study collective action. First, it avoids reproducing what are becoming ambiguous concepts in the social movement literature. Second, it addresses processes rather than the causes and effects of collective action, which means that it attempts to account for answering questions about how, rather than why, collective actors politicize social practices. The four practices developed in this study are relational and dynamic; together they constitute the process of how consumption became politicized by a social movement. Third, it provides a useful framework for studying social movements, like the NCL, which are not ‘revolutionary’ or attempting to eradicate an entire regime of power, but are rather trying to reform or change specific practices within such a regime. The NCL did not struggle to overthrow the American state or capitalist economy. Instead it hoped to reform specific practices of each, while preserving the fundamental foundations of the status quo. Finally, the analytical framework offered here brings together the ideas of several innovative social theorists, and has the potential for advancing a theory of collective action sensitive to the historical comparative methods used in this study. In the following paragraphs I define the four practices that compose the analytical framework in this study and highlight how each builds on existing theoretical work. Although I discuss each of these practices individually, they are multi-dimensional and complement one another.

## **Mobilization**

The practice of mobilization refers to how collective actors devise tactics to promote their interests and goals. These tactics are a form of what James Jaspers (1997, p. 44) calls 'strategic interaction' and the interests and goals voiced with them may be instrumental or rational or they may be moral or altruistic – either way they are 'efforts to transform the social world'. The fact that tactics are 'interactive' suggests that they do not arise out of thin air, but from social-historical contexts. For example, a tactic may be created by collective actors because of constrained political opportunity structures. Tactics are also interactive in that collective actors may borrow or imitate what they interpret as successful tactics from other collective actors. Tactics are even interactive in the sense that when employed by collective actors they might be used together simultaneously to reinforce their effectiveness. Finally, tactics are interactive because they are dynamic. McAdam (1983, p. 736) argues that the process of 'tactical interaction' is an ongoing process in which collective actors devise or innovate new tactical forms, which opponents attempt to neutralize and tactically adapt. According to McAdam, 'how well each succeeds at this task crucially effects the pace and outcome of insurgency' (ibid., p. 736).

Thus, tactical interaction affects the mobilization efforts of collective actors (Meyer, 2004). First, it was through tactics that the NCL was able to make concrete the articulation of their grievances, or how they problematized consumption. Second, the NCL identified consumers with these tactics, thus made evident the potential participants or constituencies they were attempting to mobilize. Finally, the contention the NCL faced centered on its consumer tactics as they were the visible manifestations of their goals and interests, and thus tangible objects for opponents to attack.

## **White Lists and Labels**

During the winter of 1889 members of the Working Women's Society investigated the employment conditions of female sales clerks in several New York City department stores. Their findings, which included unsanitary working conditions and excessively long working hours, were presented at a public meeting in the spring of 1890. Several affluent and influential women attended this meeting. Horrified to hear of the sufferings endured by working women, they organized a committee to create a list of stores where female employees were treated fairly. This list was intended to 'keep shoppers informed of such shops that deal justly and fairly with the employees and so bring public opinion and public action to bear in favor of just employers'. This committee came to be called the 'Consumers' League', and its purpose was to help female workers through enlisting the support of consumers (Nathan, 1926, pp. 21-23).

The Consumers' League list would be complemented by a white label when several local and state leagues organized into the NCL in 1899. As I discuss in this section, lists and labels were the organizational impetus for the Consumers' League and the NCL. Thus, lists and labels matter because they provided the key in the consolidation of the NCL. The NCL, in particular, gained a powerful 'voice' through its list and label tactics, which it built upon in its attempt to mobilize consumers through a third tactic: legislation (Dirks, 1996, p. 82). Lists and labels were also important because they were innovative tactics targeted at the conduct of consumers and the practices of consumption in the interests of workers' rights. The NCL employed lists and tactics to mobilize the purchasing power of consumers *at the point of consumption in an attempt to ameliorate social injustices at the point of production.*

As mentioned at the beginning of this section, the origin of what eventually became the NCL was a response to the idea of creating a list of manufacturers who treated their employees fairly. When the first consumers' league was organized in 1891 in New

York City its founding members, Josephine Shaw Lowell and Maud Frederick Nathan, established the tactic of the white list. A white list differed in method from the blacklist (Glickman, 1997) because recommended fair merchants for consumers to support rather than prohibiting consumers from purchasing goods from unfair firms.<sup>2</sup> The first Consumers' League campaign was to mobilize consumers to help improve the working conditions of female sales clerks; therefore its white list was targeted at merchants or retailers instead of manufacturers. The Consumers' League paid to publish the white list periodically in daily newspapers and in pamphlet form to its members (Nathan, 1926, p. 26).

Before implementing its white list the Consumers' League decided the specific standards a merchant or retailer had to meet in order to operate 'fair house'. These standards were strict attempts to regulate the wages, working hours, and working conditions of employees. A fair house was required to pay male and female employees equal wages of at least six dollars per week and compensate all overtime work. It was prohibited from employing children under the age of 14. Fair employers could only keep their stores open between the hours of 8 a.m. and 6 p.m., and had to allow employees at least 45 minutes for a lunch break. During the summer months a fair house was also required to give a half-holiday on one day each week and provide at least one week of paid vacation. Seats needed to be provided for female sales clerks. Furthermore, separate work, lunch, and rest rooms had to be established and fair houses had to obey existing sanitary and labor laws (Nathan, 1926, pp. 267). The League managed to convince eight stores to conform to its fair-house rules and published these on its first white list in 1891 (the most recognized store today included on this list is Lord & Taylor). By 1893 the list grew three-fold to include the names of 24 stores (Nathan, 1926, pp. 28-9, p. 32) and increased to 41 stores in 1898 (Dirks, 1996, p. 96).

The Consumers' League did not feel that its white list would result in animosity on the part of merchants or retailers. In fact, the League expressed in its constitution that 'the majority of employers are virtually helpless to improve conditions as to hours and wages unless sustained by public opinion, by law, and by the action of consumers' (Nathan, 1926, p. 25). But, according to Nathan, merchants did, in fact, resent the white list and the League's attempt to change the purchasing conduct of shoppers, even though they did not take either threat very seriously and 'pooh-poohed the absurd attempts of a handful of "busybodies"' (Nathan, 1926, p. 30). As the white list and work of the League expanded Nathan reports that a 'competitive jealousy' was aroused every time the League added a new name to its white list; stores began contacting the League to discuss how they too could be listed. Being added to the white list cost the stores no money and could be used as a form of free advertisement, especially because it was published in widely circulated newspapers.

The white list continued to be used as a tactic to mobilize consumers after the various state consumers' leagues organized into the NCL in 1899, but it was surpassed at the national level by the creation of a white label (Sklar, 1998). The NCL rarely mentioned work on the white list at its annual conventions. Local and state leagues accounted for almost all of the work on the white list tactic, and at the NCL's 10th annual meeting it called on more of its affiliates to create white lists directed at mobilizing consumers at the local level.

State and local leagues were also decisive in the creation of what came to be called the white label. The impetus to create a central organization, after all, came from individual leagues, which decided that a label campaign, similar to the American Federation of Labor's (AFL) union label (Glickman, 1997; Wiedenhof, 2006), depended upon the coordination of a national organization. In 1898 Nathan suggested the creation of a Consumers' League label in a reply to criticisms of the union label that appeared in the *North American Review* (Nichols, 1897). According to Nathan what was needed was:

a label which will not arbitrarily exact that the workers should belong to labor

organizations, but which would insure to the purchaser: 1st. Sanitary conditions in production; 2d. A living wage to the producer; 3d. Good workmanship; 4th. The endorsement of the Factory Inspector; and 5th, the option of its use by all manufacturers who can prove that they fulfil the necessary conditions. (1898, p. 251)

At this point in time Nathan proposed that state factory inspectors would award the use of such a label, not individual consumers' leagues. John Graham Brooks, president of then Massachusetts Consumers' League and the first president of the NCL, likewise suggested in an 1898 report on the union label for the Department of Labor, that public demand was growing for a label that would be 'an absolute guarantee that the goods upon which it is placed are not made in sweat shops' (Brooks, 1898, p. 215). While Brooks claimed that he had initially envisioned the League simply adopting the union label, early investigations found its members were not likely to consume union-made products and that allying itself too closely to the AFL 'would have killed the movement from the start' because it would have forced all manufacturers using the League's label to unionize their shops. Therefore, Brooks concluded that a National Consumers' League would have to create its own label (1900, p. 252).

The NCL's label campaign differed in several ways from its white list tactic. First, the label was directed at manufacturers, not merchants or retailers as its white list was. This made the methods associated with the label different than those with the white list where members could personally observe the working conditions of department stores or ask sales clerks about their working hours and wages. NCL members did not work directly in factories and therefore had less access on the day-to-day working conditions within the factories awarded its label. Second, the NCL's label campaign was centralized. Rather than having individual consumers' leagues create their own labels, the NCL issued one, uniform label. The NCL label claimed that the product to which it was attached was 'made under clean and healthful conditions' and that 'use of the label' was 'authorized after investigation'. Instead of placing this label on a variety of products it was only placed on one: women's and children's undergarments (thus, the connotation of the 'white' label). This choice of product was intentional as the garment industry was notorious for employing unskilled, young women and was the main industry responsible for sweatshop production (Boris, 1994). Furthermore, these garment workers were not unionized. Therefore the NCL label would not compete directly with the union labels of organized labor. Third, the standards for awarding a manufacturer use of the white label differed from those of the white list. The white label required that manufacturers meet the following demands:

1. the goods bearing the label were made in factories that obeyed State factory laws
2. the goods were fully assembled in the factory (and not in a sweatshop)
3. no overtime was worked at the factory
4. no child under the age of seventeen was employed by the factory

Furthermore, before the NCL allowed a manufacturer to use its label, a member of the league had to personally inspect the factory and also obtain a report from the local or state Board of Health to certify the working conditions of the establishment. Finally, the NCL's initial white label standards did not require manufacturers to pay a specified wage.

The high standards of the NCL label made it a difficult mobilizing tactic since so few manufacturers ever met all of the NCL requirements, particularly regarding overtime. Additionally, the stipulation that manufacturers obey state health and factory laws resulted in an uneven use of the label throughout the country. For example, an overwhelming number of manufacturers using the label were located in Massachusetts because it was a state that had not only passed regulatory labor laws, but also enforced them. At the end of the first year of the NCL's label campaign in 1900, 13 factories were using the label. The use of the label by manufacturers grew to 62 by 1904. However, the number of factories using the label did not grow significantly beyond this number and by 1916 only 68 manufacturers were awarded the NCL label (NCL, 1917).

The NCL was not hindered by the small scope of its label campaign and refused to lower the standards of its label in order to broaden this mobilizing tactic. In fact, debate surrounding the use of the label focused on ways to increase its rigor. From its inception the label had been criticized because it lacked a wage requirement like the white list or the union label. At its annual meeting in 1909 the NCL resolved to begin investigating the standard of living among self-supporting, working women in order to construct a minimum wage standard that could be applied to its label campaign (NCL, 1907, pp. 11-13). After a lengthy investigation the League decided against adopting a wage standard for its label, but in 1913 the NCL did pass two additional requirements for issuing its label. Manufacturers using the label now had to limit its employees' working hours to 55 per week and agree to allow NCL members to inspect its payroll. These stricter standards resulted in the loss of some of the League's 'recommended factories and the necessary refusal to accept many more' (NCL, 1913, p. 29). After the Triangle Fire at a New York City garment factory in 1911 the League proposed that manufacturers using the label must also meet fire safety regulations. In 1916 the NCL issued the most radical of all its label standards: the termination of the label contract of any manufacturer whose employees were on strike. The decision to adopt this standard was evenly divided among NCL members. Although many NCL participants were sympathetic towards trade unions and the labor movement, many were opposed to strikes (NCL, 1917, p. 29). While it is conceivable that this strike clause would have meant the ultimate demise of the NCL label, as manufacturers would have most certainly found it antagonistic from an organization, which, up to this point, they had been on relatively friendly terms with, it was actually the AFL that determined the fate of the NCL label campaign as I discuss in the following pages.

## **The Legislative Turn**

Even during the NCL's label campaign, the tactic of legislation occupied a pivotal position in the work of many league participants. This can be read in the dismay of the NCL's Label Committee chairwomen: 'Is the legislation without exceptions, advocated by our members, really more stable than the policy of this committee?' (NCL, 1917, p. 20). The answer to this question was unequivocally 'yes'. League members had used their status as consumers to work on securing and enforcing labor laws from the creation of the very first consumers' league in New York City in 1891. Investigative testimony from members of the New York City Consumers' League to the New York Senate was fundamental in securing the passage of the 1896 Mercantile Inspection Act. This act limited the working hours of women under 21 years old and boys under the age of 16 to 60 hours per week, and fixed their workday from between the hours of 7 a.m. and 10 p.m. Children under the age of 14 were prohibited from employment. The act also required mercantile establishments to provide employees with separate rooms for rest and lunch, and that they place one seat for every three female sales clerks behind counters. The New York Department of Health was responsible for the enforcement of this act, and in 1902 Maud Nathan, president of the Consumers' League of New York City, was appointed as a special inspector to this (Nathan, 1926, p. 51).<sup>3</sup>

One indication of when the NCL began concentrating much of its energy on legislation is the addition of the following clause to its constitution in 1905: '[The NCL] further proposes to promote legislation, either state or federal, whenever it may appear expedient' (NCL, 1905, p. 3). The clause was created in conjunction with the League's decision to begin investigating food production and preparation in order to assist other organizations, like the General Federation of Women's Club, in their struggle to pass the Pure Food and Drug Act. Another indication of the League's growing interest in promoting its legislative tactic was the amendment of its constitution at its ninth annual meeting in 1908. At this meeting the NCL expanded the title of its Committee on Legislation to the 'Committee on Legislation and on Legal Defense of Labor Laws' and added that it would 'assist in the defense of the laws by supplying additional legal counsel or other assistance' (NCL, 1909, p. 13). This organizational action was, no doubt, supported by the NCL's successful defense of a law regulating women's working hours in the 1908 Supreme Court case *Muller v. Oregon*. A further

move towards legislation occurred at the NCL's 10th annual meeting when Kelley reported that the label tactic was not sufficiently solving the problem of sweatshop production and suggested that the League work to secure legislation to prohibit sweatshops (NCL, 1909, p. 16).

It is important to note that the NCL did not abandon its list or label tactics when it began fighting for state regulation of labor laws. Indeed, at the same session that Kelley advocated working on legislation to prohibit sweatshops, the League also highlighted the importance of its white list and called for all local leagues to create one (NCL, 1909, p. 28). Furthermore, the NCL established a 'Label Shop' in New York City on 4 February 1911 (NCL, 1911, p. 23). But, as the League began concentrating more of its energy on securing legislation to protect women and child workers, the actual purposes of the white list and label became, to a certain degree, obsolete. For example, when the NCL succeeded in passing legislation that prohibited child labor in certain states, it no longer needed its list or label to guarantee this.

The League's focus on legislation did change the practice of mobilizing consumers. While the list and label tactics took place at the point of consumption, its legislative tactic took place at the site of the state. This turned the NCL into a lobbying association and made consumers not only a third party in economic transactions between employers and employees, but also a 'third estate' in government labor regulations (Lynd, 1936). The NCL's move from lists and label tactics to legislative tactics was not a unique pattern of action among women's reform organizations at the time. The General Federation of Women's Club and Woman's Christian Temperance Union also followed a similar trajectory from moral reform to lobbying. The NCL was different from these other organizations in that it connected moral reform to economic action, but it was similar in that its 'initial forays into the public realm served as a forward position from which women could redeploy their organizations for political ends' (Clemens, 1997, p. 189; see Sklar, 1995a, 1995b). The NCL was able to build upon its early consumer tactics, which gave it a public voice, and use this voice in its legislative tactic.

## **Problematization**

The concept of problematization is used in this study in the Foucauldian sense as a 'a way of questioning and interrogating past, present, and potential alternatives' (Dean, 1999, p. 210). Although problematization is most frequently used to understand practices of governing, particularly of the state (Dean, 1999; Murphy, 2001), I use the concept to understand the practices of collective action. According to Dean (1999, p. 27) 'a problematization of government is a calling into question of how we shape or direct our own and others' conduct'. While both Foucault and Dean understand 'governing' as a practice of authority, neither view the state as the sole site of this power. Government, professionals, parents and corporate entities can also 'govern' the conduct of the 'governed', such as patients, children and consumers. Furthermore, the line between the governing and the governed may be ambiguous (Dean, 1999, p. 27). Social movements, in particular, seem to be characterized by this ambiguous relationship; collective actors, as the governed, problematize and question the conduct of those who govern and often form in opposition to the practices of government. But, at the same time collective actors also govern by problematizing and attempting to shape the conduct of those they mobilize, such as disciplining the purchasing power of consumers.

A critical component of problematization is the articulation of interests, goals, and grievances. In other words, collective actors construct their agendas according to how they problematize or question the conduct surrounding a particular social phenomenon. The NCL problematized consumption in terms of production and understood consumption as a means to change production. In other words, it was not the act of consumption per se that was considered harmful, but certain types of

consumer conduct which perpetuated the exploitation of workers, such as shopping late at night or buying sales items made in sweatshops. The NCL understood consumption as more than a simple end of production it could, indeed, be the means to change production. The NCL argued that it was 'the duty of consumers to find out under what conditions the articles they purchase are produced and distributed' and 'insist that these conditions shall be wholesome and consistent with a respectable existence on the part of the worker (NCL, 1903, p. 3).

By introducing the idea of consumption as a means the NCL was able to make political an otherwise purely economic activity. The NCL did not construct its agenda around issues that concerned the interests of consumers, such as lowering prices or improving the quality of consumer goods, but rather around issues that promoted the interests of workers. Four grievances, in particular, that the NCL used its consumer tactics to try to ameliorate were long working hours, child labor, unsanitary working conditions and low wages. Interestingly, all of these grievances can be captured in the 'master frame' (Snow & Benford, 1992) of the maternalism of elite women to help working women and children (see Muncy, 1991; Sklar, 1988; Skocpol, 1992; Wilkinson, 1999).

### **On Behalf of Working Women and Children: Cross-class Maternalism**

The NCL problematized excessive working hours as threatening to the health of female workers. Female workers needed shorter workdays and summer vacations not to enjoy novels or to learn to appreciate art, but to physically relax and recuperate. Female workers also needed leisure time so that they could properly perform their duties as mothers. Long days of toil meant that mothers could not nurture and supervise their children. The NCL even argued that long working hours could lower the fertility of women, threatening the social role that women were most cherished in fulfilling (Brandeis & Goldmark, 1969). The NCL used these connections between women, work, and health when it presented its case for the legal restriction of women's working hours before the Supreme Court.

Compared to the issue of wages, finding ways to decrease the working hours of women, particularly salesclerks, was a more feasible endeavor for consumers to control directly. It was, after all, possible for consumers to voluntarily regulate their own shopping hours. If consumers refused to shop after 6 p.m., then stores would be forced to close early in the evening due to a lack of business and the sales clerk's workday would end at 6 p.m. instead of 10 p.m. Consumers could also plan their shopping habits more efficiently to put less stress and strain on workers. The NCL urged consumers not to place 'rush' orders because they resulted in forced overtime during times of great demand, and forced idleness during slack periods (see Benson, 1986).

The NCL articulated its grievances against child labor similar to the way it problematized long working hours for women.<sup>4</sup> The health and moral character of children were compromised if they worked for wages, whether in the factory or in the tenement house. The League was particularly adamant that children be prohibited from working at night. According to the NCL night work predisposed boys and girls to dependence upon stimulants and narcotics, nervous breakdowns, and tuberculosis. Young girls who worked at night as telephone operators or hotel lobby clerks were 'utterly unprotected from the gravest moral dangers'. The NCL argued that night work for children was 'exactly the opposite of training for long life, good health, efficient work and self respect' (NCL, 1909, p. 23).

The problem of child labor figured prominently in all three of the League's consumer tactics. The white list stipulated that merchants could not employ children under the age of 14 and the white label could not be awarded to manufacturers who employed children under the age of 17. The League also suggested other conduct that

consumers could engage in to fight child labor at the point of purchase, such as requesting adults to deliver their packages from merchants instead of young messenger boys (NCL, 1904, p. 22). However, the League promoted its tactic of legislation as the only way to permanently abolish child labor. There was a direct relationship between the use of the white label and legislation. The lack of child labor laws prevented the NCL from enlarging the scope of its label tactic because so many manufacturers employed children and, therefore, could not be awarded use of the label. If manufacturers were prohibited by law from this production practice, then the NCL could potentially strengthen its label tactic (Athey, 1965, p. 121). The League cautioned that even if it could secure such protective labor laws, this would not free consumers from their moral obligation to shop responsibly. If children continued to be employed by merchants and manufacturers the fault lay with consumers:

For no one except the direct employer is so responsible for the fate of these children as the purchaser who buy the products of their toil. And no one can so appropriately stand guard over the children engaged in stores, streets occupations, and the messenger service, insisting upon the enforcement of every statute for their protection, as the purchasing public, who are, in these cases, the direct employers of the children. (NCL, 1905, p. 13)

The League also stressed that the power of consumers was particularly important in states without any child labor regulations, a condition that existed in many Southern states. 'Who,' asked the League, 'can name to the purchaser Southern cotton mills whose products embody no labor of children?' (NCL, 1907, p. 26). The cotton mills in the South were notorious for employing children, and Southern legislators, fearing the flight of Northern capital, opposed all bills to abolish child labor.

Protecting women workers and children was also part of the way that the NCL problematized sweatshop or tenement house manufacturing; however it also stressed the welfare of consumers in its problematization of this grievance. If consumers were not concerned about the welfare of sweatshop workers, perhaps they would be appalled into action if they learned that that the clothes or food they purchased could be infected with deadly diseases bred in tenement houses. The NCL claimed that it had 'never striven to protect the consuming public at the cost of the workers,' but 'sometime, however, their interest is identical, as in getting rid of tenement housework' (NCL, 1917, p. 18). The NCL stressed that all grades of consumer goods, not just cheap ones, were sent to tenements for finishing (NCL, 1900, p. 4). In a series of investigations on tenement manufacturing, League member Elizabeth Shepley Sergeant found that both cheap, ready-to-wear clothing and expensive, custom-made garments were sent to sweatshops for assembly (1910, p. 242).

Similar to the issue of working hours and child labor, the NCL stressed that the welfare and health of workers was compromised by tenement house work. The League cited a medical report by Dr Annie Daniel, which stated that 'the word home was never intended to apply to such an apartment; neither does it give a description of an ideal place in which manufacturing should be done' (NCL, 1905, p. 26). Like Daniel, the NCL was concerned that workers could not maintain a respectable family life if a mother was occupied with sewing trousers for 14 hours a day and children were kept at home, rather than attending school, to straighten tobacco or dye artificial flowers. The health of workers, as well as consumers, was also threatened by sweatshop manufacturing because of the possible spread of contagious diseases. According to an investigation by League member Mary Sherman, the 'danger of the spread of contagious disease' was not simply an issue 'among poor people who are forced to buy cheap food in small neighborhoods stores, but to any one buying in the best and most expensive stores in the city' (NCL, 1906, p. 41).

The prohibition of sweatshop or tenement house manufacturing was the fundamental aim of the NCL's white label. The label itself stated that the goods to which it was attached were made in 'clean and healthful conditions'. No manufacturer could

be awarded use of the label unless the goods he sold were produced entirely at the site of his factory right down to every inch of lace or every fake flower sewn onto a garment. Though the NCL appealed to consumers to use their purchasing power to eradicate sweatshop production, stressing that 'to buy from the sweatshop is to perpetuate sweatshop life and conditions', the League eventually concluded that only legal restrictions could achieve this goal (Brooks, 1900, p. 401).<sup>5</sup>

The NCL did not problematize consumption in relation to wages, at least initially. Although a minimum wage requirement was stipulated for merchants who wanted to appear on the League's white list, it was not a standard for awarding manufacturers use of its white label. The League did begin to investigate the cost of living for working women in 1907 and found that wages were too low to maintain a decent standard of living (see Clark & Wyatt, 1910a, 1910b, 1910c). But, rather than incorporate a wage requirement into its white label campaign, the League decided to fight for higher wages through what they believed would be a more effective tactic: legislation. At the NCL's 10th annual meeting Kelley explained that findings from the budget studies conducted by League members proved that 'new and more effective ways of compelling payment of a living wage' were necessary. The League determined that establishing legal minimum wages boards would be the best solution to the dismally low wage compensation of women workers and instituted a Special Committee on Minimum Wage Boards in 1909 to begin this legislative battle (Athey, 1965, pp. 176 177).

Even though the NCL did support higher wages for working women, it is clear that as it problematized this grievance it preferred that women not be forced to work for wages at all. The League recognized that in some cases women had no choice but to work for wages, particularly if their husbands were ill or unemployed. However, it believed that it was a regrettable development that most women worked to supplement the incomes of their husbands. 'Why,' asked Kelley, 'do we Americans refuse to face the fact that women and minors are earning wages primarily because of underpaid husbands and fathers, who would gladly keep their wives at home and their children in school?' (1914, pp. 32 33). Indeed, the NCL's vision of the male breadwinner and female homemaker was stereotypical of traditional gender norms of the time, particularly from the elite membership of its organization.

## **Identification**

In the process of mobilization and problematizing consumption the NCL identified the category of 'the consumer' as a collective actor. In doing so they proclaimed that the routine, seemingly individual act of purchasing a cigar or pair of underwear, was, in fact, the consumer's opportunity to vote for better conditions for workers through their wallets and pocketbooks. But, who were the potential participants that the NCL attempted to mobilize through its lists, labels, and legislative tactics?

The categories of gender and class played an important role in how the NCL identified consumers, but rather than assume that members of each organization simply 'had' gender or class identities I discuss the process of how each constructed and used these collective self- understandings. Drawing from the work of Rogers Brubaker and Frederick Cooper (2000, p. 17) I use the concept of identification, rather than identity, to emphasize a process rather than a condition. The process of identification, according to Brubaker and Cooper (ibid., p. 14), 'invites [one] to specify the agents that do the identifying', whether these agents are those that 'govern' or those that are 'governed'. Particularly relevant to this study is what Brubaker and Cooper (ibid., p. 15) call the 'categorical mode of identification', which characterizes the process of how social actors 'identify oneself (or another person) by membership in a class of persons sharing some categorical attribute' such as gender, race, or class. Although they stress that this form of identification may 'build a collective self- understanding', what is commonly referred to as 'identity' is not the necessary result (ibid., p. 16). I agree with Brubaker and Cooper, which is why I stress how the NCL not only identified 'the consumer', but

also how it categorized the consumer in terms of gender and class.

The NCL primarily identified upper and middle class women as consumers and potential league participants, particularly those that were well educated a social category that I call the 'consumer-citizen.'

### **The Consumer-Citizen**

The neglect of working women by organized labor, especially the AFL, is one of the primary reasons that the NCL problematized their members own conduct as consumers. Even though members of the NCL were overwhelming women, they failed to identify working women as consumers, much less working class men. The NCL identified middle and upper class women as the primary category of consumer.<sup>6</sup> This can be seen in its practices, such as the early campaigns of the League that were directed at helping sales clerks in the more affluent department stores. It can also be seen in the selection of the one product that the NCL

decided to place its label on: women's and children's undergarments. The NCL's consumer tactics were targeted at mobilizing middle and upper class women who were free from work to shop in the morning or afternoon, and could afford white labeled products and to shop on the stores on the white list. The League stressed that it was the responsibility, even the duty, of these middle and upper class women to purchase products made under 'fair and healthful' working conditions, and become 'consumer-citizens'. If women did not have the right to vote in most states they certainly had the power to shop for social justice and shape public policy through voting with their purses. According to Kelley, those who enjoyed the privilege of voting could only voice their position on economic issues once or twice a year, while 'all of us, all the time, are deciding by our expenditures what industries shall survive at all, and under what conditions' (1899, p. 290).

The typical consumer-citizen was reform-minded, well-educated, and often born into a family that was financially and politically connected. This is true not only of members of the National League, but also of local and state league members. For example, Josephine Shaw Lowell, one of the organizers of the first Consumers' League in New York City, was a founding member of the Charity Organization Society of New York and was the first woman to serve on the State Board of Charities (Nathan, 1926, p. 17). Florence Kelley, General Secretary of the NCL from 1899 1932 was the daughter of Congressman William 'Pig-Iron' Kelley and grand-niece of the abolitionist Sarah Pugh. State league members included the names of Morgan and Vanderbilt in New York, Garfield in Ohio, McCormick in Illinois, and Wiley in Washington, DC (Vose, 1957, p. 268). Furthermore, school and college leagues were created at elite, female institutions like Radcliffe, Swarthmore, and Wellesley. Perhaps as a result of identifying a largely college-educated constituency, the NCL attracted an overwhelming number of upper class women participants compared to other women's organizations of the time (O'Neill, 1971, p. 95). Recruiting women who had received a university education provided the NCL with an important resource: professional experts experienced in conducting empirical research. These members could act as inspectors to guarantee the League's label tactic. They could also use their expertise to support the League's legislative tactic, including conducting research projects, preparing reports, and presenting their findings to government agencies, Congress, and, as I discuss in the following section, the Supreme Court. Furthermore, they could assist in training other members to perform these duties and even use their alumni connections to recruit new League participants. These skills would, according to Kelley, encourage its members to 'look behind the price and appearance of products' and develop their proclivities toward becoming 'better consumers and better citizens' (NCL, 1904, pp. 17 18).

The way in which it promoted its organization and its mobilization tactics certainly helped to reproduce this upper class constituency. For example, in 1902 Kelley

attended more parlor meetings located in the homes of upper class women (14) than meetings of working class men and women (five) (NCL, 1903, p. 35). Furthermore, individual consumers' leagues targeted an upper class constituency by publishing their white lists in theater programs and mailing copies of it to the names of individuals selected from the Social Register (Dirks, 1996, p. 88). Some New York City League members even had the financial resources to turn their parlors into fitting rooms, allowing tailors to work in their homes after they had been locked out of a factory (Nathan, 1926, pp. 64-65).

The League argued that 'since the exodus of manufacture from the home' the 'one great industrial function of women' was that of purchaser or consumer; therefore it was 'very natural that the first effort to educate the great body of miscellaneous purchasers' should be 'undertaken by women, among women, on behalf of women and children' (Kelley, 1899, pp. 298-299). Obviously, women working for wages outside of the home were part of the exodus to the factory, and in the League's opinion they could not fully develop their 'great industrial function' as consumers. Thus, the NCL failed to identify women working for wages as consumers. From the research gathered for this study it is not evident that any working class women were active participants in the League. This is surprising considering the fact that the NCL emerged from an organization that included working woman called the Working Women's Society (WWS). The first consumers' league located in New York City stipulated in its constitution that women employed in the retail business were to be denied the privilege of becoming League members (Nathan, 1926, p. 26). Therefore, even Alice Woodbridge, the sales clerk who was the secretary of the WWS and whose investigations were an impetus for the creation of the New York City Consumers' League and the white list tactic, was excluded from joining.

According to the NCL's process of identification, only a certain status of consumer middle or upper class could help lower status female and children workers. Consumers identified by the NCL did not transcend this class hierarchy and consumers to them were understood, for the most part, non-producers. This mode of identification is connected to the maternalist perspective from which the NCL problematized consumption, and could be viewed as a strategy through which NCL members asserted the importance of their economic positions as consumers over producers. In other words, by denying working class women the status of consumers the NCL failed to include them as participants in a social category that they could potentially employ to help themselves, or use to enter the public arena. This restricted the available possibilities for working women, who could only seek true social fulfillment in their roles as mothers. While working women did enter the marketplace as producers, maternalist organizations like the NCL deemed unsuccessful their efforts at employment. For example, the NCL claimed that:

A body of working-girls between the ages of fourteen and twenty-one years of age can neither form stable organizations to defend their own wages and hours of work, nor can they influence legislation on their own behalf they are singularly dependent upon the intervention of the purchasing public on their behalf. (NCL, 1904, p. 9)

Unskilled and unorganized, working women were identified as victims, incapable of helping themselves in the marketplace as either producers or consumers.<sup>7</sup>

The housewives of working class men could have been identified as consumers by the League, however, there is no indication that they were enlisted to participate in the League in any capacity. Thus, the NCL failed to mobilize the purchasing power of the entire working class through its tactics. One may surmise that this may have been intentional as the AFL had institutionalized its own consumer tactics, the 'We Don't Patronize List' and the union label, to mobilize the working class's purchasing power (see Wiedenhof, 2006).

## **Contentious Relationships**

Contention is the final practice that I will discuss in this study of how the NCL politicized consumption. According to Sidney Tarrow (1998, p. 2) contention, or what he calls 'contentious politics', occurs when collective actors confront 'elites, authorities, and opponents'. Although Tarrow maintains that contentious politics are caused by shifting political opportunities, I use the concept to understand the challenges that the NCL confronted over its respective consumer tactics. This contention resulted in the transformation of the consumer tactics the NCL employed, which then changed the organization of the NCL itself. I specifically focus on the contentious relationships that developed between the NCL, business, the state, and organized labor. While these relationships did not advance into violent conflicts, they certainly involved power struggles over both production and consumption. Most significantly, these struggles over consumer tactics changed the way that the NCL politicized consumption.

The NCL did not encounter contention from business or the state over the use of its white list or label; neither were legally defined as boycott tactics thus were not subject to the Sherman Anti-Trust Act. However, the AFL attacked the NCL's white label because it felt the label was competing with and undermining the union label. The NCL did face opposition from the business and state over its legislative tactic. The NCL worked on securing a variety of legal labor protections for women and children as well as consumer protection laws at both the state and federal level. In this section I focus on one federal case that highlights the contention that surrounded the ways in which the NCL employed its legislative tactic.

### **Muller v. Oregon**

Muller v. the State of Oregon set historical and legal precedent on a variety of issues. The basis of the case rested on defending the constitutionality of a statute in Oregon that limited the working hours of adult women to 10 hours per day. Muller, a laundry employer in Oregon, challenged this statute on the grounds that it violated the 14th amendment, which guaranteed 'the right to purchase or to sell labor'. In an earlier case, *Lochner v. New York* (1905), the Supreme Court had used the 14th amendment against male bakers who were attempting to legally secure an eight-hour workday. But, the court also ruled in *Lochner v. New York* that the state could, with 'reasonable restraint of action . . . impose in the exercise of the police power for the protection of health, safety, morals, and the general welfare' (Brandeis & Goldmark, 1969, p. 9). While the judiciary did not believe that male bakers worked in conditions that were unsafe or dangerous to their morals and health, the NCL thought that it could use this clause from the *Lochner* decision to convince the courts that women's health was negatively affected by working more than 10 hours a day. The NCL retained the legal aid of Louis Brandeis, the brother-in-law of League member Josephine Goldmark. Together, Brandeis and Goldmark embarked on creating a brief to establish with empirical data that there existed a 'reasonable ground for holding that to permit women in Oregon to work in a "mechanical establishment, or factory, or laundry," more than ten hours in one day [was] dangerous to the public health, safety, morals, or welfare' (ibid., p. 10).

The bulk of this brief consisted of international and national labor laws and medical reports that claimed working long hours was dangerous to the health and morals of women. Overall, these laws and reports were based on the biological or physical differences between men and women. For example, an 1888 report from the Maine Bureau of Labor Statistics claimed that 'woman is badly constructed for the purpose of standing eight or ten hours upon her feet . . . [because of] the peculiar construction of the knee and the shallowness of the pelvis, and the delicate nature of the foot' (Brandeis & Goldmark, 1969 p. 19). Testimony from the committee on a Shops Early Closing Bill before the British House of Commons in 1895 claimed that long hours of standing contributed to anemia and nervous debility in women and would make them

more susceptible to other disease; one committee member argued that 'it is not good for women to stand . . . at all really' (ibid., pp. 30-31). Committee member Dr W. Chapman Griggs claimed that prolonged hours of work had a 'grave effect upon the generative organs of women . . . a large number of these women are rendered sterile in consequence of these prolonged hours' (ibid., pp. 36-37).

The 'scientific' connection between women's work and infertility was powerful evidence to support the League's case as the reigning ideology of the time assumed that the most important role of women was as mothers and their most important duty was to nurture their children and care for their families. Protecting the reproductive health of women was at the same time protecting the family and the home. For example, the Nebraska Bureau of Labor and Industrial Statistics reported in 1901-1902 that:

certain kinds of work which may be performed by men without injury to their health would wreck the constitution and destroy the health of women, and render them incapable of bearing their share of the burdens of the family and the home. The State must be accorded the right to guard and protect women as a class against such a condition. (Brandeis & Goldmark, 1969, p. 19)

Brandeis and Goldmark also presented evidence that long working hours for women would not only destroy the home, but also deprave the welfare of society in general. A report from the New York Bureau of Labor Statistics in 1900 suggested that:

if a reduction in the hours of labor does promote the growth of a purer and better family life, it will unquestionably result in the production of greater material wealth on the part of the generation trained under its influence; nothing else in fact will so effectively diminish the vast number of criminals, paupers, and idlers. (ibid., p. 48)

The completed brief by Brandeis and Goldmark numbered 113 pages, of which only two pages consisted of legal arguments (NCL, 1909; Vose, 1957, p. 128). The other 111 pages contained empirical data gathered by Goldmark. The brief, which came to be known as the 'Brandeis brief', was the first of its kind to be heard in front of the Supreme Court and gained historical significance as the first time the court recognized sociological data, or 'facts', as legitimate evidence. The Supreme Court was convinced by the evidence gathered by Goldmark, and ruled in favor of upholding the Oregon statute. The 'cross-class maternalism' of the NCL was fully supported by the Supreme court and is best captured by Justice Brewer, who delivered the opinion of *Muller v. Oregon* on 24 February 1908:

That woman's physical structure and the performance of maternal functions place her at a disadvantage in the struggle for subsistence is obvious. This is especially true when the burdens of motherhood are upon her . . . as healthy mothers are essential to vigorous offspring, the physical well-being of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race (1908, p. 6).

The decision in *Muller v. Oregon* was an overwhelming triumph for the NCL. This ruling validated statutes on limiting the working hours of women in 19 other states (NCL, 1909). The success of securing protective labor legislation for women convinced the NCL that it should concentrate more of its energies on promoting its legislative tactic rather than its list and label tactics. Although, as I discuss below, opposition from the AFL also played a role in this 'tactical' decision.

## **Label Struggles**

The relationship between the AFL and the NCL was tenuous at times, but for the most

part cordial. Although the AFL and NCL never formed an alliance to work together, they did support many of the same issues, including the abolition of child labor, shorter working hours, and sanitary working conditions. The main point of contention between the two organizations centered on wages. Almost from its inception the AFL criticized the NCL's white label tactic because it thought it only guaranteed sanitary working conditions, thus neglected working hours and wages. The AFL was of course ignorant on the issue of hours, but it was correct that the League's label failed to stipulate wages. The AFL also complained that the NCL label was competing with the union labels of tailors and garment workers. At the AFL's 23rd annual convention in 1903 Samuel Gompers, one of the founders of the American Federation of Labor in 1886, reported that he did 'not believe that these consumers' leagues have intended to work counter to the labor movement', but he was worried enough about the 'unintentional injury' to the union label that he met with a member of the NCL to discuss his concerns. Gompers argued that the union label already guaranteed sanitary working conditions, thus there was no need for the NCL's label. In fact, Gompers recommended that 'well-meaning, philanthropic ladies,' such as members of the NCL, would better serve the purposes of organized labor by joining union label leagues instead of organizing their own groups and creating their own labels. According to Gompers a member of the NCL assured him 'that the issuance of the league's label would be discontinued' (Gompers, 1903, p. 1284).<sup>8</sup>

The NCL did not discontinue its label in 1903, but it also did not include wages in the label's standards, even after its members debated this issue among themselves. In 1917 the NCL voted to continue its label campaign for a final 'trial quarter', but due to the development of two dilemmas, the NCL decided to discontinue its label tactic in February 1918. According to a special memorandum on the label the first problem was that the strict labor standards its label represented were becoming too difficult to enforce due to the lack of 'intelligent inspections' of factories (NCL, 1918a). This, of course, was a problem that had long hindered the issuing of the label since its inception, but was compounded when the NCL attempted to implement its label tactic in the western United States. The NCL experienced difficulty establishing local leagues in the west, therefore the Label Committee could not mobilize league members in these states to inspect factories or promote the NCL label campaign. Furthermore, due to a lack of resources the NCL could not pay the expenses of League members of the East Coast to travel out west to guarantee factories wishing to use the label.

The second, more immediate, reason cited by the NCL for discontinuing its label tactic was renewed opposition from the AFL. The AFL had questioned the purpose of the NCL's label when it was created in 1899, fearing that a label endorsed by consumers outside of the labor movement would compete with the union label. This fear was realized in 1916 when the AFL instituted a strike against a Boston manufacturer that used the NCL label. The AFL warned that unless the NCL withdrew use of its label from this manufacturer that it would issue a boycott on the NCL's label. Although the strike was settled favorably before such a boycott was established the AFL began to openly attack the NCL, claiming that employers hostile to organized labor were using the NCL's label 'as a cloak for their hostility'. The NCL did not attempt to deny this accusation and even admitted that it failed to withdraw use of its label to a factory in Newark after it had experienced a fire and strikes from workers. The NCL also conceded that it had 'no way of knowing when manufacturers who use our label have first rejected the request of a union to have its label adopted'. Even though the ultimate goal of the NCL's label tactic was to ameliorate the unfair working conditions of female and child workers it did not wish to antagonize organized male workers. 'Our position is obviously untenable as friends of labor,' claimed the NCL 'if we persist in pushing our label as a rival to the label of the American Federation of Labor against the protests of union officials' (NCL, 1918b, pp. 12).

The NCL officially announced the end of its label tactic at a special council meeting on 8 March 1918. At this time the NCL council voted to end the label and

amended its constitution by striking out Article II, Section 2, which had established the Label Committee. Kelley presented a draft of the letter to be sent to manufacturers using the NCL label informing them of the termination of the label campaign. Manufacturers were allowed 90 days to legally use up their present stock of NCL labels, but their label contracts would be terminated within 30 days and they were required to return their electrotypes of the label immediately. The council approved these stipulations. Interestingly, in the finalized letter sent to manufacturers no mention was made of the AFL's protest to the NCL label. Instead, the NCL claimed that the reason for ending the label tactic was that the legal standards in many states, especially those regulating working hours, were now stricter than those required to use the label. Furthermore, the NCL stated that it believed its organizational interests and goals could 'best be promoted through other means' since its 'label does not now perform the service for which it was originally devised'. This 'other means' was, of course, legislation (NCL, 1918c).

## Conclusion

The end of the NCL's label campaign signaled a strategic move towards changing the organizational methods through which consumers could now be mobilized. While the NCL continued to problematize consumption in terms of production and maintained its interest in protecting female and child workers, the voice of consumers was no longer expressed solely through their purchasing power, but through their capacity to make demands on the state. When the NCL ended its label campaign it relinquished its investigations of factories. It was now the duty of the state to investigate and guarantee the conditions under which goods were produced and consumers were now responsible for ensuring that the state protected workers through regulating labor practices, such as working hours, wages, working conditions, and child labor.

When the NCL substituted legislation for its label tactic it did not identify consumers any differently. Indeed, the learning experiences that the consumer-citizen gained from involvement with the label tactic prepared her well for the lobbying work involved with the legislative tactic. The standards stipulated for issuing the NCL label taught the consumer-citizen to interact with state factory inspectors and health officials and become familiar with state labor laws. The consumer-citizen learned how labor regulations were implemented through investigating factories. She learned to draft reports from her empirical observations and incorporate data from government agencies, especially state labor bureaus. The experiences gained through working on the label campaign paved the way for several NCL members in actually becoming government employees, including state factory inspectors. According to Dirks, the move towards legislation reflected the success of the NCL's label tactic: 'they had won public recognition, control of or at least influence in governmental agencies, and provided a new generation of trained female reformers with jobs in these new institutions' (1996, p. 309).

## Notes

1. This seems evident in the edited volume by McAdam, McCarthy, and Zald (1996) where they call for a synthesis of all three concepts. Few of the contributors in this volume actually analyze the interaction between all three levels of analysis, and the structure of the volume itself is clearly divided into three sections: one on political opportunities, one on mobilizing structures, and one on framing processes. The contributions, therefore, are divided between these concepts in such a way that one level of analysis is taken to explain the other two in each section. Sidney Tarrow (1998) is an exception.
2. White lists and labels today are referred to as 'boycotts' (see Friedman, 1999, p. 11).
3. Nathan's experience was not unique. Many NCL members worked for state regulatory agencies. Before accepting the position of General Secretary of the NCL, Florence Kelley was appointed the State Factory Inspector in Illinois in 1895. Mrs Van Der Vaart, Secretary of the Illinois Consumers' League, was appointed an agent for the Illinois Bureau of Labor Statistics (NCL, 1906, p. 75). Mary Dewson, a member of the Massachusetts Consumers' League, was appointed to a commission created by the state of Massachusetts in 1911 to investigate the wages of working women her work would help secure the passage of a minimum wage law for women in Massachusetts in 1912 (Goldmark, 1953, pp. 137-138). Perhaps the

- League's most famous member, Frances Perkins, was appointed Secretary of Labor by Franklin Roosevelt in 1932 (see Athey, 1965; Storrs, 2000). When the Michigan Consumers' League was created one of the first things it did was obtain State Factory Inspection positions for two of its members (NCL, 1903, p. 45). Securing these positions was critical, particularly when the NCL began to focus on its legislative tactic after all, even if labor laws were passed someone had to make sure these laws were enforced.
4. The fight to abolish child labor occupied a central platform in many women's organizations at the time of this study, including the National Congress of Mothers, the General Federation of Women's Clubs, and the National American Woman Suffrage Association. While these groups concerned themselves little with the issue of consumption, the NCL was able to popularize the way in which it problematized consumption by serving on the child labor committees of these women's groups. According to Kelley it was through this cross organizational work that the NCL was able to secure a 'hearing for the truth' that 'it is we who are the real employers of the children, we who buy the product of their labor' in front of 'audiences who would not have invited a lecturer directly upon the work of the League' (NCL, 1903, p. 20).
  5. Working with Mr Lawrence Veiler, First Deputy Commissioner of the New York City Tenement House Department, the NCL helped to a secure stricter tenement manufacturing law in the state of New York in 1904 (Goldmark, 1953, p. 125). Most of the 1904 provisions to the tenement manufacturing law stipulated more stringent licensing procedures. Perhaps the most significant change was that the owner of a tenement building was now responsible for securing a tenement manufacturing license for all of the home workers in his building and ensuring that the premise was sanitary. Furthermore, factory owners were required to register the names and addresses of home workers with the state commissioner of labor. They also had to procure the names and addresses of all persons diagnosed with contagious diseases residing in tenement houses from the department of health. Factory owners were prohibited from sending goods to be finished where such diseases were present (NCL, 1904, pp. 25-28).
  6. It is important to note that the NCL was not just a woman's organization: men participated in the organization, generally in leadership positions. John Graham Brooks was President of the NCL from 1899-1915; Newton Baker, former mayor of Cleveland, was President from 1915-1923; John R. Commons was President in 1923. Furthermore, two Supreme Court Justices, Louis Brandeis and Felix Frankfurter, were both involved in the NCL. Brandeis was the brother in law of Josephine Goldmark.
  7. Interestingly, the NYC League did recognize that working class consumers were forced to shop at night after they finished their working days and therefore could not participate in its early closing campaign. In an attempt to accommodate this practice it adjusted its standards for placing retail establishments that catered to the working class exclusively or in conjunction with more upper class consumers on its white list (Nathan, 1926, p. 34).
  8. The records of the NCL do not indicate if such a meeting with Gompers took place.

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