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THE TURN TO PUBLIC SOCIOLOGY: THE CASE OF U.S. LABOR STUDIES.¹

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In the US, 1974 marked the beginning of a great transformation. In labor studies it was the year of the publication of Harry Braverman's *Labor and Monopoly Capital*, and the launching of a Marxist research program focused on the labor process. Braverman turned away from all subjectivist views of work to proclaim his famous deskilling hypothesis, namely the history of monopoly capitalism was the history of the degradation of work. True or false, it was a decisive break with narrowly conceived industrial sociology and timeless organization theory.

1974 also marked a major recession in the US economy and the onset of an economic and then a political assault on labor that would throw Braverman's claims into relief. More broadly, this birth of neoliberalism, capitalism's third wave of marketization, would deeply affect both the labor movement and the focus of academic research. It is the changing relationship among economic and political context, labor movement and labor studies that preoccupies this paper.

The *rupture* with professional sociology marked by *Labor and Monopoly Capital*, and the research program it inaugurated, was followed by a *transition*, some 20 years later, from the study of the labor process to an engagement with the labor movement. This transition to public sociology has been one of the more exciting developments in an otherwise heavily professionalized discipline and a generally bleak labor scene. Yet the shift of focus from structure to agency, from process to movement, from a *critical-professional* sociology to a *critical-public* sociology of labor occurred in the very period of the labor movement's greatest decline -- the percentage of the labor force unionized in the private sector fell precipitously from 23.6% in 1974 to 7.4% by 2006.² Why should sociologists devote themselves to a labor movement that was fast becoming extinct? Sociologists, after all, have always been interested in movements in ascendance not in decline!

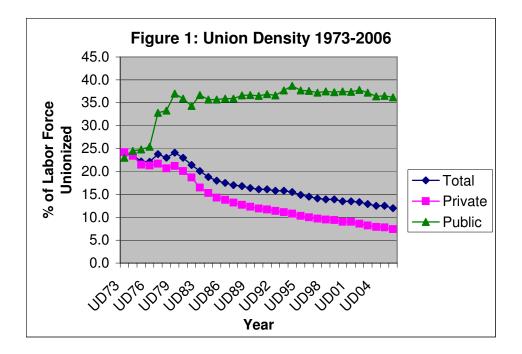
The paradox begins to unravel if one recognizes how the labor movement was itself responding to the challenge of third-wave marketization. The 1973-1974 recession spelled the demise of class compromise and hegemonic production politics that had arisen in the post-war period. Capital, aided and abetted by the state, was making an unrelenting assault on union organization through the 1980s. Confronting their own demise, labor leaders set about rethinking strategic options, with the result that a large fraction of the labor movement turned from business unionism to social movement unionism, from servicing existing members to organizing new members, from catering to

¹ Paper to be presented at the TASA/SAANZ Conference, Auckland, December 4-7, 2007.

² All unionization figures are taken from Hirsch (forthcoming) and the data appendix that accompanies that paper. See http://www.unionstats.com/

the declining industrial work force to organizing the service sector, now composed of marginalized and immigrant workers. Rather than seeking inspiration and support from the Old Left, new labor was more closely connected to the New Left – generations of students from the 1960s and 1970s, sociologists among them. In 2005, new labor, now known as Change to Win, dominated by the ever-growing SEIU (Service Employees International Union), split from old industrial unions of the AFL-CIO, drawing labor sociology to the possible resurgence of labor.

One indication of the ascendancy of new labor and the decline of old labor is the divergence of private sector and public sector unionism, a point prefigured in some detail by Paul Johnston (1994). As Figure 1 shows, once again, 1974 marks a decisive shift. For it was then that the rate of unionization in the public sector (24.5%) first exceeded that of the private sector (23.4%), so that today they diverge dramatically -- 36.2% in the public sector as compared to 7.4% in the private sector.



We can see how this bifurcation in the labor movement redirected labor studies. The original renewal of interest in *labor process* – Braverman and the research program he inaugurated -- had its immediate origins *within* the academy. It was part of the reaction against 1950s sociology and its celebration of the United States as the most progressive nation in the world. The turn from labor process to *labor movement*, on the other hand, received its stimulus from *outside* the academy, in part the success of public sector unionism in the face of the decline of private sector unionism, but more precisely the closely connected switch from industrial sector unionism to service sector unionism. It is this two-phase narrative -- first, the turn to a critical sociology of the labor process and then the shift to a public sociology of the labor movement -- that I want to unravel. I begin with the historical antecedents against which Braverman and his successors constituted their *rupture*, before turning to the *transition* from the study of labor process to engagement with the labor movement.

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FROM POLICY SCIENCE TO PROFESSIONAL SOCIOLOGY

To understand the disciplinary rupture of 1974 we have to see it in the context of the history of industrial sociology. In the United States, the sociology of work, as we know it today, was born in Chicago, in the Hawthorne plant of the Western Electric Company. Between 1924 and 1933, a series of experiments were devised to seek ways to increase worker productivity. In the first set of experiments the effects of illumination were investigated, but there seemed to be no consistent effect on worker productivity. The experimenters then turned to the payment system, hours of work and rest pauses, but again without any clear-cut results. In an attempt to assess morale, thousands of workers were interviewed about their life and working conditions and, unexpectedly, this itself seemed to improve output. The investigators concluded that not working conditions or payment system, but the attention awarded workers enhanced morale and thus productivity. It was on this quite slender empirical basis that the human relations school of management was founded. Treat workers as human beings, develop employee centered supervision, and they will be far more cooperative, far more committed, no matter what the work.

The Western Electric Studies founded a policy science tied to managerial interests in cooperation and productivity increases, and its broader research agenda focused on "restriction of output." Investigators were puzzled by what they regarded as the indolence of workers: why don't they work harder? Harvard social scientist, Elton Mayo, a major inspiration behind the Western Electric Studies, and his followers claimed workers were at fault. Likening workers to an exotic tribe, Mayo claimed to have discovered a working class culture that was inimical to the managerial logic of efficiency. On the other side, out of the Chicago School of sociology, especially the students of Everett Hughes, there emerged a growing body of shop floor ethnographies that adopted the perspective of the workers themselves. Restriction of output was a rational response to managers failing to provide appropriate conditions. Often, management simply failed to provide the necessary materials, machinery, and auxiliary personnel necessary for workers to meet management's expectations. Moreover, workers quite rationally feared that management would intensify work without commensurate pay increases if they increased their work rates. These studies – the most famous ones being conducted by Donald Roy – concluded that managers rather than workers were behaving irrationally.⁴

The Chicago School's critical stance toward managerial science was rooted in the post-war development of a relatively autonomous professional sociology with its new sub-disciplines, including industrial sociology. Just as the Chicago School was concerned with the informal, invisible dimension of industrial organization, so a similar development was taking place at Columbia under the leadership of Robert Merton. Here

³ The causal link between interview and experiments on the one side and output on the other would later be shown to be spurious (Franke and Kaule, 1978), a point to which I will return at the end of this paper.

⁴ This was not so far from the human relations school since Chicago sociologists claimed that management only had to behave more rationally and workers would respond more cooperatively. There was no inherent conflict between the two sides of industry.

the research program was defined less by the Western Electric Studies, and more by Max Weber's ideal type of bureaucracy. Distinguished sociologists such as Seymour Martin Lipset, Peter Blau, Philip Selznick, and Alvin Gouldner focused on the informal underside of bureaucracy, the day-to-day practice of bureaucracy, where the unintended consequences of formal rules were played out. Their studies merged into what came to be known as organization theory, and thereby losing sight of the specificity of the industrial enterprise. Organization theory assimilated the industrial enterprise into a general species of organizations along with hospitals, prisons, armies, parties, welfare agencies, schools, etc. The search for general theory displaced historical analysis, and context became simply environment – turbulent or peaceful, complex or simple, resource rich or resource poor.

This absorption of industrial sociology into organization theory was facilitated by the passivity of labor, the broad acceptance of unions, and their role in channeling discontent. Workers were quiet, and management had solved its basic problems by incorporating labor. Or so it was claimed. Class struggle that had reached its peak in the period from the depression to the immediate post-war years was now waning. Commentaries during the 1950s spoke of the strike as withering away, of workers as cheerful robots, and of the end of ideology. Thus, professional sociology lost sight not only of productivity, absenteeism, turnover, etc., but also of the union movement itself.

THE ASCENDANCY OF A CRITICAL--PROFESSIONAL SOCIOLOGY

In 1974, into this fast-evaporating field of industrial sociology parachutes Harry Braverman's *Labor and Monopoly Capital* – a book that immediately galvanized interest among a new generation of students, precisely because it broke with all traditions in the sociology of work. Curiously, Harry Braverman was not even an academic, let alone a sociologist. Perhaps the rupture he stimulated could only have come from an outsider.

Labor and Monopoly Capital was an imaginative up-date of Karl Marx's volume one of Capital. Braverman depicted the history of the capitalist labor process as the continuous degradation of work, the separation of conception from execution, the move from the formal to the real subsumption of labor to capital. To be sure Braverman examined the history of the 20th. Century as well as the 19th century -- the inclusion of scientific management and the degradation of white-collar work -- but the underlying principle of transformation had already been worked out by Marx. Original or not, overnight, this book became a classic, bringing about a renewal of the sociology of work.

The reasons are not far to see, once the intellectual context is filled in. This was a time of a more general renewal of Marxism, part of a profound challenge to professional sociology's euphoric view of US society, its consensus theory of stability, and it's ahistorical understanding of social processes. The crisis of professional sociology was epitomized by the demise of "structural functionalism," the all-embracing social theory pioneered by Talcott Parsons. It was simply out of sync with the times, especially the turmoil of the late 1960s of society but also of universities around the Vietnam War and civil rights. Thus, by 1974 we had witnessed the demolition of political sociology and its replacement by theories of the state, the demolition of functionalist theories of the family

to be replaced by theories of patriarchy and gender domination, the turn from theories of collective behavior as irrational to theories of social movements as interest driven politics, the demolition of theories of stratification and their replacement by theories of class domination and exploitation, the displacement of modernization theory by theories of underdevelopment, and more broadly of economic sociology by political economy. The area of work organization was one of the last of the sub-disciplines to yield to radicalization, but when it arrived the study of work was perhaps more fundamentally transformed than any other area.

Braverman foregrounded the dynamics of capitalism as the simultaneous pursuit of surplus-extraction through deskilling which simultaneously increased labor control and lowered wages. As a counterpoint to the subjectivism of the human relations school, Braverman investigated the dynamics of capitalism as an objective process of systemic self-transformation. While Braverman centered historical analysis it was a history of inexorable laws rather than a history of class struggle, and while he focused on the degradation of work he was not interested in the adaptation to degradation. In other words, the subjective moments of change and stability were written out of his account. Building on Braverman's platform, labor process theory filled the gaps he left.

Scholars of work carefully examined and then sharply contested his theory of work degradation as a historical process. Thus, referring to a second industrial divide Michael Piore and Charles Sabel (1984) wrote of the *reunification* of conception and execution, what they called flexible specialization, what others would call flexible despotism. Vicki Smith (2001) explored the rise of structural unemployment and contingent work in the 1990s that took the degradation thesis in new directions. Others focused on the subjective side of work, examining the way consent was organized by political and ideological apparatuses within the factory, what used to be called industrial relations machinery. This interest in a politics of production, connected to state politics in divergent ways, led to historical and comparative analysis of production regimes. Moreover, the turn to the politics of production was one current that fed into the study of labor movements.

The injection of feminism was a second critical current, giving new directions to labor process studies. First, there was the way gender factored into the very process of deskilling, the way gender was used as a mode of control, and thus the different gender regimes in production (see, for example, Milkman, 1987). Feminists drew attention to the way women were entering the workforce in greater numbers, were increasing their participation in unions, and were plunging into equity struggles around comparable worth (Blum, 1991). Second, feminism led to the very redefinition of the meaning of work, extending it to the unpaid domestic work, which could also be studied from the standpoint of deskilling and political regulation (Rollins, 1985; Romero, 1992). This would later assume added importance with "informalization," which entailed the convergence of economic production and social reproduction within the household. Third, feminists would lead the extension of the meaning of work to the service sector, where the two-way relation between capital and labor becomes the three-way relation between management, labor and client (Leidner, 1993; Sherman, 2007). Here feminists

grasped the importance of emotional labor, and the care work done on behalf of clients (Hochschild, 1983). The study of care work has become a veritable industry of its own.

This feminist-inspired triple switch away from the Marxian devotion to blue-collar, male-dominated industrial work also reflected real changes in the broader economy – deindustrialization, the rise of the service economy, and an intensified squeeze on the household. The disappearance of the conventional nuclear family with its male breadwinner and stay-at-home mother in favor of dual-earner families, single headed households, same sex marriages and the like, led to a focus on domestic tensions brought about by new relations between work and family, the extension of work into the family and the family into work (Hochschild, 1989, 1997).

Despite these currents in Marxism and feminism, it is nonetheless puzzling that the sociology of labor should have turned toward the study of the US labor movement, precisely when the latter seemed to be in free fall. If the 1970s resurgence of critical labor studies depended on the intellectual context for its rupture with mainstream sociology, the transition from the study of labor process to an engagement with the labor movement in the 1990s was, to be sure, aided by favorable intellectual dispositions, but also, as it turns out, by seismic changes in the US labor movement itself as it confronted its own demise.

THE TURN TO A CRITICAL-PUBLIC SOCIOLOGY

The US has never been hospitable to the labor movement, but New Deal legislation did give it a shot in the arm so that unionization was ascendant until just after the Second World War. Union density in the private sector reached a peak of 35% between 1952 and 1955. It then embarked on a slow downward trajectory that accelerated with the new wave of marketization in the mid-70s (see figure 2)⁵. The tightening grip

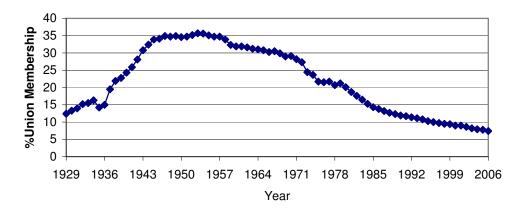


Figure 2: U.S. Private Sector Union Density, 1929-2006

of world markets was compounded by a state offensive, beginning in 1981 with the very public firing of air traffic controllers. This was the new Republican Administration's declaration of class war – signaling an assault on labor at a time when it was already

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⁵ Again the data come from the data appendix to Hirsch (2007).

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badly bleeding from the shock of deindustrialization and global competition. The National Labor Relations Board became a vehicle of the anti-union offensive, a vehicle to decertify unions, and make union recognition ever more difficult.

It was during this period that labor had to rethink its strategy if it was to survive. A significant moment was 1990, although few would recognize it at the time, when the SEIU launched its successful Justice for Janitors campaign in Los Angeles, later celebrated by Ken Loach's film, *Bread and Roses*. Under local union leadership, immigrant workers took on the owners of the buildings they cleaned by dramatizing the gap between corporate wealth and their own poverty wages. This was an effective strategy of public shaming that was taken up by the SEIU across the country. Suddenly, immigrants and other marginalized workers, once thought to be unorganizable, became the prime target for union organizing campaigns. The workers themselves, legal or illegal, were fearless in defending their rights to a living wage, building solidarity in their communities, working with SEIU to design strategies of corporate humiliation.⁶

The real turning point came in 1995 when Sweeney, then head of the SEIU, was elected to head the AFL-CIO on a ticket to overhaul the labor federation's approach to labor, to reorient the federation to labor organizing. Prominent in this endeavor was The Organizing Institute. It had been created in 1989 to recruit young college graduates to dedicate themselves to organizing campaigns. Then, in 2000 the AFL-CIO marked its new orientation with a dramatic and historic shift, embracing immigrants and supporting an amnesty program as well as the repeal of employer sanctions. Rather than fighting to bar the entry of immigrants, it fought to include them and upgrade their conditions of work. This turn to organizing the unorganized would eventually lead to a rift and the break up of the AFL-CIO in 2005. Sweeny now found himself challenged by his own successor in the SEIU, Andy Stern, who pulled major unions out of the federation to create a rival federation, Change to Win, and to develop an ambitious program to reorganize labor along sectoral lines.

This is the context of the transition from labor process to labor movement. An early pivotal book was Rick Fantasia's *Cultures of Solidarity* (1988), which ties collective worker protest to the character of production but also, and most importantly, to building solidarity through non-work identities. Two early review articles anticipated the renewed interest in the labor movement (Cornfield 1991; Kimeldorf and Stepan-Norris 1992) while Clawson and Clawson (1999) capture the renewal in motion. A group of sociologists in Los Angeles (Waldinger et al., 1998) brought the Justice for Janitors Campaign into the academic orbit, making it emblematic of the new unionism. In the last decade this has been followed by a series of books focused on the possible resurgence of labor, Dan Clawson, *The Next Upsurge* (2003), Rick Fantasia and Kim Voss, *Hard Work* (2004), Ruth Milkman and Kim Voss, *Rebuilding Labor* (2004), Steve Lopez, *Reorganizing the Rust Belt* (2004), and most recently Ruth Milkman, *L.A. Story* (2006) and Lowell Turner and Daniel Cornfield, *Labor in the New Urban Battlegrounds* (2007). These studies, and this is just the tip of the iceberg, emerged from the interlinking of labor process and social movement theory, and from articulating gender, racial and ethnic

⁶ The theme of union organizing among immigrants is developed in Milkman (2000).

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identities with those of labor. They all try to capture the changing direction of the labor movement, perhaps exaggerating the significance of the upturn, thereby, giving their work a touch of euphoria.

Citizenship became another mobilizing identity, which in 2006 exploded onto streets across the country – Los Angeles, Chicago and New York — in the struggle for immigrant rights. Although triggered by anti-immigrant legislation that would have made illegal immigration a felony, these massive protests on behalf of the 11 million illegal immigrants in the United States were connected to and an extension of a decade of prior labor struggles. Labor had learned that successful organizing would have to be based outside as well as inside the workplace. This shift in focus has had an institutional reflex in the ascendancy of labor centers that serve the interests of low paid labor – unionized or not – in communities rather than in workplaces. Two books, *Worker Centers* by Janice Fine and *Suburban Sweatshops* by Jennifer Gordon describe in detail the role of this new type of labor organizing.

A final shift has taken labor studies in an international direction. Boosted by the Seattle protests against the WTO in 1999 and reminded by 9/11 that the US is vulnerable not just to global economic forces but also to global political forces, US sociologists have turned their interests outwards. Early studies of a global reach would include Linda Fuller's (1992 and 1998) account of working class politics in Cuba and East Germany, and Gay Seidman's (1994) comparative study of labor militancy in Brazil and South Africa. Ching Kwan Lee (1998) and Leslie Salzinger (2003) undertook the comparative study of gender regimes respectively in South China and in the maquiladoras along the Mexican Border. More recently Lee (2007) has compared labor protest in the Sunbelt and Rustbelt of China that brought her in touch with labor NGOs. Beverly Silver's (2003) study is the most ambitious, seeking to situate contemporary labor struggles in a global and historical perspective, focusing on the way labor movements prompt transnational capital mobility. Finally, the downturn of industrial unionism is thematized by Jennifer Chun (forthcoming). Her analysis of the turn to symbolic politics of low wage service labor in South Korea and the United States, suggests that there is, indeed, a worldwide sea change afoot in the strategy of national labor organizations.

Labor unions are not only changing their national strategies but they have begun to adopt a more internationalist perspective, forging ties across national boundaries in order to challenge the power of multi-national corporations and the expansion of neoliberalism as in the case of joint protest against NAFTA. Edna Bonacich and Richard Appelbaum's (2000) study of the US garment industry reflects a growing internationalism of labor and its organic intellectuals. Today, the ongoing investigation of Wal-Mart and its global strategies to reproduce cheap and docile labor has brought together sociologists and activists from all over the world (Lichtenstein, 2006).

The turn to studies of the labor movement -- the conditions for organizing success, the comparison of campaigns, and the examination of national and global contexts for organizing – has developed in close connection with the labor movement. Sociologists in dialogue with the new labor leaders and their staffers, publicize the results

of their research, contributing opinion pieces to leading newspapers on union campaigns and working conditions. In California, where so much of the resurgence has taken place, since 2000 the Federation of Labor put its legislative muscle behind the creation of an Institute of Labor and Employment with an annual budget of six million dollars. In its short life it has sponsored research by academics on such issues as labor law violations, working conditions of low wage labor, labor contracts in casino, hotel, and construction industries, paid family leave, union census, etc. Some research is directly for labor unions but most springs from the independent initiatives of academics, many of them sociologists, concerned with labor. Under Governor Arnold Schwarzenegger the Institute has come under repeated attack for being biased in favor of labor -- as though to be prounion was anti-American – while business schools thrive. With the help of organized labor, however, the Institute has so far managed to survive.

New labor has a more positive disposition toward academics and research than the cadre of old unionists making collaboration and dialogue easier. Indeed, careful research scouting the soft underbelly of large corporation has been a key to so many of the successful union campaigns. Many of the leading organizers of the new unionism share with older left-leaning academics real and imagined connections to the New Left. A younger generation of sociologists was the foot soldiers of organizing campaigns before they came to graduate school. New labor, as opposed to old labor, is more receptive to academics, sociologists in particular, and academics, in turn, are learning to collaborate with labor leaders – a mutual exchange and interdependence that is definitive of public sociology. One institutional manifestation of this public sociology for labor is the vibrant and expanding Labor and Labor Movements section of the American Sociological Association. Created in 2001, this section brings together professional, public, critical and policy sociology, reverberating into the neighboring subdisciplines of social movements, political sociology, and economic sociology.

THIRD-WAVE SOCIOLOGY: FROM MARX TO POLANYI

Let us recapitulate the argument. Critical sociology's rupture with professional sociology in the 1970s, reflected a broader and more general break with a messianic sociology that celebrated "America" as the lead society in the world, a society that had solved the essential problems of modernity. US sociology had helped to mystify the horrors perpetrated by the United States at home and abroad. In his *Coming Crisis of Western Sociology* Alvin Gouldner (1970) accurately portrayed mainstream sociology at odds with the burgeoning social movements of the 1960s, social movements that had brought the seamy side of democracy to public consciousness. As the political openings of the 1960s closed down and the political center of gravity moved rightwards in the 1980s, so sociology turned its critical impulse away from academic targets and onto the society it analyzed. Thus, critical sociology became public sociology.

These shifts came later in the area of labor studies. The 1960s and 1970s were a period of relative quiescence in the labor movement, so the specific critical turn in labor studies, when it finally came, took on a strong objectivist and even functionalist character, but no less critical for that, critical of both capitalism and its reflex in industrial sociology. The renaissance of the labor movement, arrived in the middle 1990s, springing

from the crisis of its demise and inspired by legacies of the movements of the 1960s. Critical labor studies turned from the degradation of work and its regulation to an open attempt to reverse the decline of unions.

External Orientation Academic Orientation Second-Wave Marketization PROFESSIONAL __ POLICY and its counter-movements Industrial sociology **Human Relations** 1918-1973 **Third-Wave Marketization** CRITICAL^{*} **→**PUBLIC and its counter-movements **Labor Process Studies** Labor Movement 1974 Onwards Marxism and feminism Engagement

Table 1: Marketization and Labor Studies

The double shift in labor studies – first the rupture and then the transition – are summarized in Table 1. The inception, growth and institutionalization of industrial sociology corresponds to the rise and containment of the second wave of marketization that stretches from World War I to the middle 70s. The Western Electric studies mark capitalism's concern with productivity in the face of intensified competition. Ironically, it was not the attention showered on workers that caused increases in productivity during the 1930s but the economic whip of the labor market, the increasing levels of unemployment (Franke and Kaul, 1978). With second-wave marketization came the economic crisis, depression and intensifying class struggle of the Great Depression, all of which led to the New Deal and labor legislation favorable to trade union recognition and collective bargaining, and thus to the institutionalization of class conflict. This counter-movement to second-wave marketization was reflected in the transition from policy science as handmaiden of management to the more autonomous industrial sociology and organization theory.

The rupture with industrial sociology and the inception of critical labor studies coincides with the rise of a new period of capitalism, marked by a third wave of marketization which begins to assert itself with the recession of 1973-1974. The winds of global competition from Asia and Europe, followed by the assault from the state stripped labor of its defenses, whether they be security against unemployment, access to favorable labor relations boards, or organizational strength. If Marxian ideas of exploitation carried the analysis of the early onslaught from industrial capital, it is Polanyian ideas of resistance to commodification that capture the character of the new labor movement. The focus is on the defenseless laborer and the inability to secure

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⁷ I'm here referring to Karl Polanyi's *The Great Transformation*. Written in 1944 as a warning against market fundamentalism that generated extreme reactions in the form of Stalinism and fascism it has been taken up as a canonical work. Polanyi has also been appropriated by the turn from political economy to new institutionalism – the rise of an economic sociology centered on the social and political conditions of

social reproduction as much as exploitation in the workplace. Organizing strategies focus on such issues as health care, family leave, living wage campaigns, consumer boycotts as well as improved wages and working conditions. So far the countermovement to the assault has been weak but nonetheless real, and it has been concentrated in the mobilization of the more marginalized workers in the service sector, often immigrants and women.

The two strategies cannot be neatly separated yet they do have different implications. Marxian-type struggles invite alliances based on the unification of a class of exploited workers whereas Polanyi-type struggles invite alliances among communities facing commodification of social existence. The latter would include wage-laborers, but also embrace those who don't have access to wage labor and those who face land expulsions, water privatization, and more broadly degradation of the environment. Polanyi type struggles are especially important in countries of the South where wage laborers are a shrinking elite, where informalization and dispossession define the experience of subalternity. Whether the disparate struggles and communities that face commodification can find a common language to unify their protest remains to be seen. Certainly, the engaged sociologist has a role to play here, linking divergent struggles across uneven geographical and political terrains and, to use Zygmunt Bauman's (1987) terms, not as an omniscient legislator but as a sensitive interpreter.

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