Sweatshops at Sea

Merchant Seamen in the World's First Globalized Industry, from 1812 to the Present

Leon Fink
SWEATSHOPS AT SEA
To the SS Newberry Library—including its wise officers, scholarly passengers, and cheerful proletariat of the stacks—for providing me a comfortable berth and stimulating company throughout the journey of this book
This page intentionally left blank
Contents

Introduction 1

PART I. MASTERED AND COMMANDED

1. The Nation’s Property 9
   Nineteenth-Century Sailors and the Political Economy of the Atlantic World

2. Liberty before the Mast 35
   Defining Free Labor in Law and Literature

PART II. STRATEGIES OF REFORM

3. Wave of Reform 67
   The Sailor’s Friend and the Drift toward a Welfare State

4. The Nationalist Solution 93
   The La Follette Act of 1915 and the Janus Face of Progressive Reform

5. Workers of the Sea, Unite? 117
   The Internationalist Legacy of the Pre–World War I Years

PART III. A WORLD FIT FOR SEAFARERS?

6. A Sea of Difference 145
   The International Labor Organization and the Search for
   Common Standards, 1919–1946

7. Cooperation and Cash 171
   Labor’s Opportunity in a Post-Deregulatory Era

Notes 203   Works Cited 241   Acknowledgments 259   Index 261
This page intentionally left blank
Figures

1.1. Boarding the “Chesapeake” 15
1.2. Impressment of American Seamen 17
2.1. Flogging on a Man-of-War 46
2.2. The Sailor’s Farewell 58
3.1. Plimsoll line 69
3.2. The coffin ships 72
3.3. A Tribute to Samuel Plimsoll 91
4.1. “Unskilled Seamen at Work” 96
4.2. U.S. Progressive reformers 99
5.1. “In Mid-Ocean during the Seamen’s Strike” 126
5.2. An exoticized view of Indian seamen 134
6.1. Yank in The Hairy Ape 147
6.2. Albert Thomas and shipowners 151
6.3. American Merchant Marine Memorial 165
7.1. ITF flag-of-convenience inspection 192
7.2. Filipino sailors on Greek freighter 199
This page intentionally left blank
Introduction

This is not a book about pirates, but let’s begin with pirates. In April 2009, most Americans were startled to learn that a U.S. flagged merchant ship, the *Maersk Alabama*, had been attacked by Somali pirates off the Horn of Africa and equally relieved when the destroyer USS *Bainbridge*, which happened to be patrolling in the area, arrived to rescue the captain and literally blow up his captors. A sporadic and generally marginal phenomenon across two centuries, the incidence of oceanic piracy has picked up in recent years due to the juncture of rising Asian exports (especially for transshipment through the Suez Canal and the Molucca Straits) and the number of “failed states” around the Indian Ocean.

Still, the story of the *Maersk* was exceptional, and the Somalis in this case were particularly unlucky thieves. One sequestered U.S. captain drew more attention than the hundreds of other pirate captives, either previously ransomed or at the time still in Somali custody. The difference between the *Maersk Alabama* and the Somalis’ other targets, however, was not just that they had picked on the most powerful nation in the world but that they were suddenly confronting a “nation” at all. Unlike the corsairs of the early-nineteenth-century “Barbary Wars,” to whom they are sometimes compared on the superficial grounds of their being both poor Muslims feeding off nearby oceanic traffic, today’s pirates are stateless actors generally operating in a medium of weak or even fictive states. Oceanic piracy, in short, no longer triggers “war talk” in powerful capitals because those capitals are seldom directly involved. The industries of most contemporary global powers (the United States included) no longer use their own ships or seafarers when engaging in world commerce. Long without a competitive oceangoing merchant fleet, for example, the United States has sought since World War I to maintain only a minimal seagoing presence by governmental subsidy. In the latest version of this principle, the Maritime Security Program subsidizes some sixty U.S.-flag vessels (including, as it
happens, the *Maersk Alabama*) in foreign commerce, with the proviso that they can be summoned in event of emergency by the secretary of defense. Instead of engaging superpowers like Great Britain, which long famously “ruled the waves,” or the United States, which in the aftermath of each of two world wars dominated global tonnage, latter-day oceanic marauders face relatively stateless targets. Ships filled with poor nationals from the Philippines, Indonesia, and China regularly sail today under flags of virtual nonentities like the Marshall Islands, Panama, and Liberia in ferrying the world’s goods.

This is a roundabout way of saying that much has changed in the maritime world over the past two hundred years. In exploring that world, this volume asks, Who sails? Who governs the shipping world—both ships and seafarers? And under what rules? As we will observe, the seas served as an extension of political principles and laws that generally prevailed in the world's commercial centers—but with a twist. Those who made up the workforce of the merchant marine (or what the British call the merchant navy) were often regarded as a breed apart and thus in need of special legislative or other legal administration. We are generally sensitive today to how “global” or international virtually all commerce has become—as have virtually all our economic problems. Yet, if recent economic activity has generally moved in this global direction—so much so that many call our times the “era of globalization”—the shipping industry, including its labor relations, has always been so.

This is a book about the laws and labor relations of ordinary seamen plying the waters of an Atlantic-based trading system over the past two hundred years. It is, perhaps, less a social history than a political history of seafaring, for the seafarers themselves are as often the objects as the subjects of the story. It is also necessarily, and perhaps arbitrarily, selective in its geographic focus. For the nineteenth century, it concentrates on the world’s dominant sea power, Great Britain, and its chief challenger, the United States; then, in concert with shifting trade patterns and the rise of international institutions of governance, both the geographic and political focus determinedly widen for the twentieth century. As an intrinsic part of the nation-building and empire-building process of the nineteenth century, recruitment and regulation of a seafaring labor force emerged as a high priority and a vexing problem for both the British and the Americans. When sea workers themselves, through their trade unions, emerged as powerful agents by the end of the century, governance of the shipping industry took on still more complex dimensions. Among the complications, the mixture
of peoples composing the seagoing labor force recurrently injected citizenship and immigration issues into maritime labor discussions. Given smoldering conflicts between workers and employers as well as among governments themselves, the twentieth century witnessed repeated attempts to bring order to the industrial relations of the shipping world through a variety of international agreements and transnational agencies. The very artery of international commerce, merchant shipping continually served as a site of regulatory enforcement, whether applied by individual states, an organized world community, or labor-management consent through collective bargaining agreements.

The changing topical (not to mention geographical and chronological) focus of my story dictates an equally eclectic range of sources. One continuing strand involves the legislative record, as reported in the Congressional Record (and its antecedents) and the Hansard Parliamentary Debates. In addition to select U.S. Supreme Court cases, the other lawmaking proceedings that were indispensable to my research are those of the International Labor Organization in Geneva. Not surprisingly, union records and newspapers—particularly those of the U.S. Sailors’ Union of the Pacific, the U.S. International Longshore and Warehouse Union, the British National Union of Seamen, the International Transport Workers’ Federation, and present-day Filipino mariners—also play a constitutive role. Then, of course, there is the rich, near-limitless literature on shipping and seafaring compiled by generations of maritime historians and other specialists. Like a scavenger on the beach, I have pillaged the accumulated scholarly record (with due deference in footnotes and bibliography, I hope) for all it was worth. Finally, I have been lucky enough to meet (or otherwise converse at long distance) with a select group of related experts and actors in the subject explored below. None of them is any way responsible for my mistakes or oversights, but they have in every case enriched my understanding by welcoming me into their specialized and complex worlds.

I hope this study adds a novel angle to the well-established, rich field of maritime history. In hearkening, like many others, to the “call” of the sea, I hope not to exoticize my findings beyond their logical limits. To that end I am reminded of a recent passage concerning British oceanic explorations in the eighteenth century:

A number of writers have stressed the symbolic, tropic, and political significance of the ship in the age of the revolution. For Michel Foucault, the ship was the “heterotopia par excellence,” a chronotype that
moved through space, compressing, inventing and inverting terrestrial social relations and re-shaping the human imaginary. For Paul Gilroy, the linguistic and political hybridity of the ship constituted a “counter-culture of modernity” that enabled men and women to cross and transgress social, geographical and national boundaries. For Marcus Rediker and Peter Linebaugh, the ship, with its dangers, monotonies and tyrannies, its paradoxical imperatives of cooperation and coercion, was the engine of radical proletarian consciousness. And for Greg Dening, the ship was both a floating island and a “beach” where cultures were made to reveal themselves to each other.¹

Notwithstanding the thrill of metaphorical excursions, our voyage will be a more prosaic (one is tempted to say grounded) one. Indeed, though I am precisely interested in the internationalist (hybrid, heterotopic, cooperative, and so on) promise of seagoing commerce, I do not think we can take those relations as a given or even, for most periods, as historical fact. Rather, we must look carefully at the actions not only of the seafarers themselves but of the land-based authorities, national and occasionally supranational, who composed the rules for the floating world.

Sweatshops at Sea proceeds in three stages. Part 1, “Mastered and Commanded,” surveys the Atlantic world from the mercantilist controls still in place on sailing ships at the end of the Napoleonic Wars through the rise of a more “liberal” industrial capitalism powered by steam at the end of the century. Chapter 1 revisits the impressment controversy at the heart of the War of 1812, asking why this labor-centered issue should momentarily so roil international waters—as well as how and why the issue should quickly thereafter sink into historical oblivion. Sailors’ citizenship, a key factor in the impressment dispute, also makes the first of many appearances—whether as a concern of governments, shipowners, or native workers themselves—as a contentious aspect of in maritime employment. Chapter 2 opens a wider canvas on the place of merchant seamen or “sailors” (a term that by the twentieth century was reserved in the United States—though less so in Great Britain—for the navy) in Anglo-American political culture. In particular, the peculiar degree of coercion applied in both the recruitment and management of the seagoing commercial labor force in two societies otherwise touting their commitment to individual liberties emerged as a cause célèbre for both American and British intellectuals. The seagoing norms of shanghaiing, whipping, crimps, and imprisonment for desertion

4 Introduction
wrestled for a century with the more market-driven incentives for labor control predominant in land-based industries.

In part 2, “Strategies of Reform,” both the similarities and differences between maritime and mainland labor problems emerge in bold relief. I turn to the principal strategies employed for advancing sailor welfare as well as to spreading conflicts that emerged among seafarers of different ethnic, racial, and national backgrounds. In Britain, as related in chapter 3, the quixotic gentleman-reformer Samuel Plimsoll fashioned an influential new constituency for redress of grievances affecting both safety and worker welfare. Just as Lord Shaftesbury fought for factory reform and Henry Mayhew exposed urban poverty in Britain and just as Upton Sinclair and Robert La Follette would later rally the middle-class public to the cause of labor reform in the United States, so Plimsoll became the first great champion of sailor safety and welfare. Plimsoll’s pioneering efforts in parliamentary agit-prop and public exposé ultimately bore fruit in a combination of legislative action and sailor union organization. Chapter 4 tracks the outer limits of maritime reform evidenced within a single national polity. The far-reaching La Follette Act of 1915, brainchild of American seamen’s leader Andrew Furuseth, aimed to abolish the sweatshop-like conditions of all seamen by unilateral action in U.S. ports. Yet, in a kind of dress rehearsal for latter-day struggles over globalization, American reformers, in defense of higher-paid native workers, also betrayed a racist disdain for would-be foreign—and especially Asian—competitors. The world’s first global union, as we learn in chapter 5, followed a distinctly different path in confronting the challenge of the global labor competition. Quickly seizing on the inevitably international composition of the seagoing labor force, British sailor union leader Havelock Wilson set out to organize the seafarers of the world. The story winds from heady moments of seamen’s self-government and dramatic examples of international worker solidarity to bitter wartime disillusionment and recourse to a regulatory regime of national corporatism.

In part 3, “A World Fit for Seafarers?,” I look especially to the international, multilateral mechanisms of workplace regulation that first appeared in the early twentieth century. Even as unionized, “white” workers sought to shore up their positions vis-à-vis “colored” competitors in the world’s merchant marine, so too did they seek to establish a safety and welfare floor for all maritime workers. The role of the big national unions is considered here as well as the early development of international agents, particularly the International Labor Organization (ILO), established in Geneva in
1919, and the International Transport Workers’ Federation (ITF), a global union federation combining transportation workers on land, sea, and air, formed in London in 1896 and reconstituted after World War I. Chapter 6 balances the agonizingly slow, convention-setting process of interwar ILO internationalism against the protectionist instincts that increasingly held sway over Depression-era governments. In the post–World War II world, as I mentioned at the outset, the rise of low-tax, low-regulation “flags of convenience” employing low-wage, third-world crews for much of the world’s waterborne commerce posed new challenges to existing international structures. Concentrating on the shifting strategy of the ITF’s FOC “boycott” campaign, chapter 7 weighs the strengths and weaknesses of a new international regulatory regime. By the early twenty-first century, the ITF managed to erect an impressive inspection system at ports around the world through a combination of idealism and pragmatic deal-making among its many international confederates. Yet the new structure, in important ways, created an organization that resembled social service agencies more than democratic, worker-centered unions. Whether the new agreements will truly enfranchise their seafaring clients or simply attend to their needs from on-high remains to be seen. Either way, what happens on the world’s waters is likely to tell us a great deal about the possibilities of humane governance in a globalized world economy.
PART I

Mastered and Commanded
This page intentionally left blank
In *The Wealth of Nations* (1776), Adam Smith famously anticipated a world in which a relatively unfettered marketplace would maximize production, trade, and wealth for all those who could participate in its self-regulating mechanism. Yet, even as he identified the welfare of “nations” with the expansion of “wealth”—both of which, he believed, required restraint from governmental interference—Smith allowed himself some wiggle room when it came to shipping and sea power. It was no accident, he suggested, that the “first civilized” nations were those, around the coast of the tame Mediterranean Sea, that had first succeeded in “the infant navigation of the world.”¹ Maintaining access to that navigable world and, if possible, dominance in world trade, it followed, was a crucial mark of national power. In a much-debated section of his classic text, Smith allowed that the bedrock principle of free trade might be abridged “when some particular sort of industry is necessary for the defence of the country. The defence of Great Britain, for example, depends very much upon the number of its sailors and shipping. The act of navigation, therefore, very properly endeavors to give the sailors and shipping of Great Britain the monopoly of the trade of their own country.”² Thus it was that he offered a qualified defense of the notoriously restrictive Navigation Acts. Originally conceived amid rising Dutch-English tensions of the mid-seventeenth century, the assemblage of acts stipulated that a British-flagged ship be British-owned and British-built, that the master and at least three-quarters of the crew be British subjects, and (in order to protect the imperial “triangular trade”) that traffic between colonial ports be limited to British carriers. Smith did not directly