LABOR'S LAST STAND

Unions must either demand a place at the table or be part of the meal

By Garret Keizer

Having already determined in *Citizens United* that corporations are people, the Supreme Court decided in May that people, at least working people of vulnerable status, can be prevented from acting as corporations. In three consolidated cases involving disputed wage claims, the Court ruled that employers can force workers to accept individual arbitration instead of joining together in class-action lawsuits. Writing for the majority, Trump-appointed justice Neil Gorsuch maintained that the 1925 Federal Arbitration Act was more pertinent to the cases at hand than the 1935 National Labor Relations Act, which asserts that workers have a right to "concerted activities" for the purpose of "mutual aid or protection."

In actuality, as this ruling and others before and since have made abundantly clear, workers don't have any rights at all except those they wrest through disciplined organization and militant struggle. Although the Supreme Court's decision does not affect workers in unions, it does amount to an ominous, ideologically motivated attack on the principle of collective action from which unions derive.

As expected, Justice Ruth Bader Ginsburg spoke for the dissent. Noting that in 1992 only 2 percent of nonunionized employers used mandatory arbitration agreements, while 54 percent use them now, Ginsburg said that by upholding these "arm-twisted" and "take-it-or-leave-it" contracts, the Court had all but guaranteed "the underenforcement of federal and state statutes designed to advance the well-being of vulnerable workers," a weakening that some attorneys worry will extend to cases of discrimination and sexual harassment. Gorsuch dismissed Ginsburg's objections as "apocalyptic."

I don't mind an apocalypse as long as the angels win. Nor do I object to Gorsuch's language. Since the election of Donald Trump in 2016, I have been talking to people in and around the labor movement, going on the premise that American workers may soon be engaged in a virtual Armageddon with capital. While the working class has hardly lost all ground, it has seen enough of its victories reversed to warrant such a prediction. As for Trump himself, he is at best a catalyst for the fight, at worst a distraction from what may already have been the opening salvos of labor's last stand.

In June came *Janus*. As with the May ruling, Gorsuch's seat on the Court made the decision in *Janus* v. *American Federation of State, County, and Municipal Employees Council 31* a foregone conclusion. Only the death of Justice Antonin Scalia had prevented a similar decision in *Friedrichs* v. *California Teachers Association* in 2016. At issue in

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Illustrations by Richard Mia

both cases was whether public employees who choose not to join unions can still be charged for representation. In a 5–4 decision, the Court ruled that they cannot.

Lawyers for Mark Janus, a child-support specialist with the Illinois Department of Healthcare and Family Services, argued that collective bargaining with the government is a form of lobbying and that fees paid to a public-sector union are therefore violations of free speech under the First Amendment. The *Janus* decision is likely to set a devastating precedent. With so-called right-to-work laws on the books in twenty-eight states (including every state south of the Mason–Dixon Line except Maryland), unions are understandably apprehensive over what the ruling will mean for their membership and finances should "agency fees" in public-sector unions become a thing of the past.[1] Yet some in the labor movement wonder whether the disadvantages of *Janus* might be offset by potential gains.

Rand Wilson, now chief of staff for the Service Employees International Union (SEIU) Local 888 and formerly a strategist for the Teamsters during the successful United Parcel Service strike of 1997, sees danger and promise both. "The people who drop out of the union lose the right to vote. So you're losing the most middle-of-the-road members, and certainly the most conservative members, who object to collective power. You're left with hotheads—people like me—running the show."

For Wilson, "the beauty of labor organizations right now is that they're inclusive of so many people." It's a beauty too seldom appreciated, not least of all among those whose favorite watchword is "diversity." Since unions do not hire for the industries in which their members work, they can't preordain consensus; they can achieve it only through struggle and debate.

Wilson says the *Janus* decision may have the ultimate effect of moving unions toward "a more activist base." The same may be true even of workers outside of unions or whose unions are weak. Notice how the recent wave of teacher strikes and protests has taken place mainly in "red states" (West Virginia, Oklahoma, Kentucky, Arizona) with right-to-work laws on the books.

It is no accident that the present focus of the right's anti-labor agenda—in *Janus*, in *Friedrichs*, and most notoriously in Governor Scott Walker's 2011 attack on municipal unions in Wisconsin—is on public-sector unions. The jobs are harder to outsource, and thus the unions are harder to break. They also make up the larger share of union membership. Public-sector unions scarcely existed before the Sixties, when private-sector workers accounted for the bulk of the organized third of the American workforce. Now they make up about 6.5 percent, a little more than half of the 10.7 percent still in the union movement.

> PUBLIC-SECTOR UNIONS MAKE EASY TARGETS FOR WHIPPED-UP ENVY, CAST AS PARASITES "LIVING OFF THE REST OF US"

Public-sector unions make convenient targets for whipped-up envy, cast as parasites "living off the rest of us," a role once filled by "welfare cheats." That most of their members are women and many are women of color probably makes the transference easier. Of course, unions have been under attack in this country for as long as they've existed, and for self-evident reasons. "Historically, organized labor is the only movement that attempts to participate in virtually every type of collective action, from hiring lobbyists to shutting down cities," writes labor scholar Gabriel Winant, a distinction better understood by the Koch brothers and the Trump White House than by many to their left. "The right wing recognizes the labor movement as a barrier to the achievement of its reactionary goals," says Gene Bruskin, who led the campaign to organize Smithfield Foods in 2008.[2] "That's why they're going after us so bad. But the progressive forces many times write it off as stodgy and old-fashioned. That's a big mistake."

The costs of that mistake are increasingly borne by workers. Widening income inequality has kept steady pace with declining union membership.[3] In addition to better wages and benefits than their US counterparts enjoy, workers in union-friendly Europe now have a greater statistical likelihood of seeing their children live more prosperous lives than they do. The United States was once ranked in the top tier of nations for collective-bargaining rights by the International Trade Union Confederation (ITUC). There are five tiers, with the fifth consisting of such countries as Mexico and Iran. The United States is now in the fourth tier, with Peru and Argentina. Trump had better hurry up and build his wall while the traffic is still moving north.[4]

I learn about the ITUC ranking from Larry Cohen, a former president of the Communication Workers of America (CWA) who helped coordinate Labor for Bernie and now chairs the board of Our Revolution, a group that hopes to build on the momentum of the Sanders campaign. He's been part of the union for thirty-nine years and worked to strengthen its partnership with unions in Ger-

[1] *"Right to work" essentially means "right to work without joining a union" or, as former president Obama put it when Michigan joined the trend in 2012, "the right to work for less money."*

[2] *The Smithfield campaign resulted in the first union contract for 5,000 workers at a massive pork operation in North Carolina, then the state with the lowest union membership in the nation. As depicted in the 2016 documentary* Union Time *and in Jane McAlevey's 2016 book* No Shortcuts, *the sixteen-year struggle was not only a victory for labor but a demonstration of class solidarity in the face of racism and nativism.*

[3] *When union density was at its height, CEOs made twenty-five times the annual compensation of the average worker. Today the factor is around 350.*

[4] *Trump's "big, beautiful wall" and other such cynical measures arguably have more to do with cutting labor costs than curtailing the flow of illegal immigration. "To employers, migration is a labor-supply system," writes David Bacon, a photojournalist who studies labor issues on both sides of the US-Mexico border. "US immigration policy is not intended to keep people from crossing the border; it determines the status of people once they are in the United States." In short, a fearful workforce is easier to exploit.*

many and elsewhere. Afraid I may be misreading the writing on the wall, I submit my premonitions to Cohen's more seasoned judgment.

"I grew up with the assumption that there was labor and there was management," I tell him, "and they'd always be locked in this struggle, and sometimes labor would win, and sometimes, probably most of the time, management would win, but they'd be wrestling back and forth, and that's how it would go on, and in some ways that would be how society progressed. And now I've started to wonder whether that's the right way of thinking about it, whether it isn't a wrestling match but a fight to the death, and that there are only two possible outcomes. One is that labor, not by itself but in coalition with other groups, prevails to the extent of being able to restructure society in some basic ways. Or management, or whatever you want to call it—the One Percent—will destroy all unions and basically there will be masters and helots. What's wrong with that construction? What am I missing?"

"Nothing," he says.

I meet Cohen for the first time at the initial public meeting of Labor for Our Revolution, held in Chicago in the summer of 2017. A postelection outgrowth of Labor for Bernie, the organization acts as an auxiliary to Our Revolution. "What I believe," Cohen tells me, "and so did Debs, and so does Bernie, is that without a political movement the situation for working people, with a union or without, is going to continue to deteriorate." Our Revolution is yet another attempt to foster such a movement.

The British Labour Party's Jeremy Corbyn has just scored his auspicious electoral victory, and the opening welcome by Rand Wilson includes an invitation to applaud the results. A packed room of several hundred union members and their progressive allies—anti-NAFTA lobbyists, climate justice advocates—gives a rousing if poignant cheer.[5] Poignant because Sanders didn't win the Democratic nomination and there is no US party for labor. Seated in the back of the room is Mark Dudzic, now the national coordinator of a group called Labor Campaign for Single Payer but back in the Nineties a key player in Tony Mazzocchi's ill-fated attempt to build an American labor party. In the minds of some,

America already had a labor party, the same party that gave us the New Deal and the Wagner Act. It would be hard to find anyone who thinks that now, especially in this crowd. There are two elephants in the room: one is Trump and the sizable number of union members who voted for him (close to half, according to some estimates); the other is the elephant still trying to pass itself off as a donkey.

"The labor movement has been in lockstep with the Democratic Party for many years, including my full tenure with the labor movement," says Gene Bruskin, who is also at the meeting and whose tenure in the labor movement goes back to the Seventies. We first spoke during the weeks immediately following Trump's election.

"I've been in a bunch of meetings where the candidate, everybody from Al Gore to John Edwards to John Kerry to Bill Clinton, comes before the executive board of a national union or the AFL-CIO and gives a speech and pounds on the fucking podium and talks about workers' rights and the right to organize and the value of unions and how his father was in a union or his grandfather was a coal miner or whatever that shit is and then proceeds for the rest of his or her campaign never to utter the word 'union.'"

Bruskin says that unions have too often "confused access with power" and been the loser for it. "If Rich Trumka"—the current head of the AFL-CIO—"wants to go to the White House and have coffee with President Obama, he can do that. But if we want to get something important, like the Employee Free Choice Act, passed, after that was promised to us repeatedly during Obama's campaign"—no.[6] RoseAnn DeMoro, then the head of National Nurses United (NNU), which endorsed Sanders and participated in his campaign, has likened labor's treatment at the hands of our mainstream political parties to "an

[5] *Proposed by George Bush but pushed through by Bill Clinton, the North American Free Trade Agreement resulted in an estimated net loss of more than 800,000 American jobs between its ratification in 1994 and 2011. Rightly seen as a corporate-backed initiative to cut labor costs, NAFTA also had devastating effects in Mexico, where the dumping of US goods on local markets contributed to the loss of 1.3 million jobs in agriculture, a sector that still employs nearly a fifth of the population. A number of our migrant farmworkers were once farmers in their own country.*

[6] *Introduced in 2003, the EFCA would have imposed higher penalties on employers for workplace violations, which in practice often carry no meaningful penalty at all. Its most controversial provision allowed for unions to be legally certified by "card check" as an alternative to secret-ballot elections. The act passed the House in 2006 but failed in the Senate and ended there.*

abused-spouse relationship," with labor in the role of the battered wife. "Hillary Clinton couldn't even say 'Fight for Fifteen,'" DeMoro complains. "Then we wonder why people voted for Trump."

It's impossible to be in the Democratic stronghold of Chicago, site of what may be remembered as the landmark labor action of our millennium, the Chicago Teachers Strike of 2012, without reflecting on labor's vexed relationship with the Democrats. The nine-day strike was launched with 90 percent of the union's 26,000 members voting to walk (98 percent of those who voted) and enjoyed widespread local support, especially in the black and Latino communities. The strike was as much about the fate of public schools as about the welfare of teachers. One of the union's demands was that children be guaranteed textbooks on the first day of class. When a tentative agreement was reached, the union took the remarkable step of continuing the strike for an additional two days so that the rank and file could read and discuss the contract they were being asked to sign—an example of small-d democracy too rarely found among unions. The party was not impressed. The predominantly Democratic city council had urged union president Karen Lewis not to strike, and the Democratic mayor, Rahm Emanuel, responded the following year with a vengeance, closing fifty public schools and laying off thousands of teachers and staff. The American Federation of Teachers (AFT) was as lukewarm in supporting its militant local as it was gung-ho in giving an early endorsement to Hillary Clinton.

Besides the communication workers and the nurses, Sanders received endorsements from the American Postal Workers Union (APWU), the Amalgamated Transit Union (ATU), the National Union of Healthcare Workers (formerly a local with SEIU), the International Longshore and Warehouse Union (ILWU), and the United Electrical Workers (UE). With deep traditions of left-wing radicalism, the last two might be considered natural allies for a self-described socialist like Sanders, but I ask DeMoro whether any workplace characteristics account for the political leanings of the other five. "The nurses, the postal workers, the bus drivers, they're all out there in the community in such a way that they see the world," she says. "People who every day see the social fallout are those who rise to the militancy."[7]

That would certainly seem to be the case with the nurses, who are out in strength at the Chicago meeting, and on picket lines throughout the nation. "We strike more than any union," DeMoro claims of the NNU, and hers is hardly the only nurses' union that strikes. If the Trump-era labor movement has a vanguard, a prominent part of it is marching out of a hospital wing.

"EUGENE DEBS SPOKE ABOUT THE WORKING CLASS EMANCIPATING ITSELF. AND WE AS WORKING PEOPLE HAVE FORGOTTEN THAT LESSON"

"Bedside my name is Donna Stern and I'm your nurse for today. Out here my name is Eugenia Debs."

I'm speaking with the senior cochair of the bargaining unit for the nurses of Baystate Franklin Medical Center in Greenfield, Massachusetts, members of the independent Massachusetts Nurses Association (MNA), on the morning of a one-day strike in the summer of 2017. Stern steps out from the picket line to talk to me.

"Eugene Debs spoke about the working class emancipating itself. And we as working people have forgotten that lesson. If you look at any of the great strides that have ever been made historically for working people, they have happened with direct action. That's the only thing that has ever changed the world."

Today's direct action began the night before at seven o'clock. As required of health care workers under federal law, the union gave at least ten days' notice of its intention to strike. In the moments before the strike began, computers at the nurses' stations went blank. Nurses were instructed to leave the premises without being able to do a direct handoff to the "travelers" bused in from out of state as scabs. Uniformed guards from as far away as Texas and Georgia were posted at the doors, with local police patrolling the perimeter of the hospital grounds. The nurses seem mostly amused by the beefed-up security—more than one jokes about "what a dangerous bunch we are"—but indignant about the manner of the handoff. In their view, it violates best practice.

Prominent among their demands is a call for "safe staffing": fewer patients per nurse and more nurses on staff to guarantee that shift times are respected. Under Massachusetts law, it's illegal for nurses to work more than sixteen hours at a stretch. The union has cited twenty-seven instances when this limit was exceeded during the past year, and close to 4,000 instances when a nurse was on duty for more than twelve hours. In this job you can't tell your employer you're going home to your kids and they can fire your ass for all you care. If you're judged to have abandoned your patient, you don't just lose your job; you run the risk of losing your license. Loss of license would seem to loom less in the minds of the nurses I talk to, however, than a loss of the mission that led them to become nurses in the first place. One of the more moving stories I hear is about a neonatal nurse whose supervisor ordered her to stop holding a dying infant because she was needed elsewhere on the floor. Staffing levels did not allow for gratuitous acts of mercy. "People usually don't come out swinging until their backs are to the wall," one nurse tells me.

Another point of contention for the nurses, as for many unions, has been health insurance. The nurses at

[7] *Sometimes, too, the workers out there in the community see ways for their industries to better serve the public. The ATU, for example, is attempting to build partnerships with riders' groups to protect and expand public transportation. Mark Dimondstein, the head of the APWU, told me that post offices ought to be able to provide "broad-strokes financial services" such as check cashing, which would "continue the role of the Postal Service in binding people together" and counter "the payday-lending-and-cashing industry, which is just preying on working people and the poor."*

Baystate are insured by the same company that employs them. In keeping with the trend of concessionary bargaining that has characterized labor negotiations since the Reagan years, the nurses saw the top two of their four coverage options, a "gold" plan and a "silver" plan, eliminated even before they came to the table. The grim irony of frontline caregivers slipping to the back of the line in terms of health coverage is not lost on them, an irony heightened by their increased risk of injury and disease. Nurses are injured on the job more often than construction workers and are more likely to be assaulted than prison guards. Like the NNU and other progressive unions, the MNA is a zealous supporter of single-payer health care for all Americans.

This militancy on behalf of others besides themselves reminds me of the Chicago teachers. The corporate move toward "a hotel-management model" of health delivery is not unrelated, in motive and effect, to the drive to privatize school systems and do away with the Postal Service. Profits for the few are achieved at the cost of austerity for the many. Every time you add an extra patient to a nurse's patient load, you cut costs for her employer; you also increase the risk of death for all her other patients by 7 percent. "When did human beings become widgets?" Donna Stern wants to know.

It's a breezy, sunny day in Greenfield, spirits are high, and honks of support from passing cars frequent. "Be strong!" a man shouts from his driver's-side window. But it doesn't take long for a short stretch of sidewalk to get old. Not for the first time I'm impressed by how much more wearying it is to strike than to work. I remark on the sheer effort of it all to Dana Simon, a director for strategic campaigns at the MNA. Noting the hackneyed association of labor unions with corruption, he says, "Corruption in the labor movement exists much more rarely than in the corporate world. But one form of corruption is laziness—to avoid striking because, from a staff-centric perspective, it's a lot of work."

Though on staff himself, and not a nurse by profession, Simon has faith in the rank and file.[8] "Ultimately the powerful are not worried about a small group of self-appointed experts. That's the wing of the labor movement that they pat on the head and say, 'You're fine.' What they worry about is really building a mass movement of people who've been through struggle and know how to build power." For Simon the ultimate long-term benefit of a strike like the one in Greenfield and a nearly simultaneous strike by nurses at Tufts Medical Center is "that the labor movement and all the social movements can be populated with thousands and thousands of people who have been through a struggle and learned from it."

If the Greenfield nurses have learned anything, it's that they do not struggle alone. Working different shifts on different floors, sometimes in competition over resources, raiding one another's crash carts for supplies, today they are out of their relative isolation and mutual invisibility, literally out in the sunshine. Some of their former patients are here to show support, as are members of the clergy and the local chapter of Our Revolution. Young cadre from an Amherst cell of the International Socialist Organization are handing out homemade cookies and tubes of sunscreen. Like a prophet proclaiming the arrival of a peaceable kingdom, a male nurse carries a hand-lettered sign that reads, EVEN MY EX-WIFE SUPPORTS BAYSTATE FRANKLIN NURSES.

So do a number of other unions. A social worker who belongs to the SEIU local recalls the Greenfield nurses showing up in solidarity when she was on strike. A representative from the Iron Workers local is slated to speak at the noon rally. Squeezing my way through the crowd to hear a bullhorn address by Nurse Eugenia, I catch a glimpse of two salty-looking characters in jeans and black T-shirts that read KICKING ASS FOR THE WORKING CLASS. Who are *those* guys? I want to know, a question I will ask on two other occasions in places two thousand miles apart, uncannily with the same answer every time. A closer look at their T-shirts identifies them as members of the United Electrical, Radio, and Machine Workers of America (UE), one of the unions Joseph McCarthy tried to kill.

I had seen them in Chicago, at a diverse roundtable confab that remained in session after the larger meeting adjourned, multiple skin colors, a middle-aged man taking notes on a laptop, a young woman with buzz-cut hair. It wasn't until I checked the day's catch of business cards that I noticed the phrase the UE uses for its moniker: "The members run this union."

Months later, my wife and I are coming out of Riley's Fish Shack in St. Johnsbury, Vermont, just a few miles from home, and notice two women standing at one of the entrances to the Fairbanks Scales company next to a dormant burn barrel. Beside it stands a heap of firewood along with two American flags. I drive by slowly so that I can make out what's hand-lettered on a cardboard sign: SOLIDARITY FOREVER and UE. The workers are on strike, and of course we stop.

By then I've read enough to know the historical background of those initials. Founded in 1936, the UE brought together seven independent unions and was the first to join the Congress of Industrial Organizations (CIO). It succeeded in organizing the "big three" of Westinghouse, General Electric, and RCA. In 1946, following the labor truce of the war years, it joined with the United Steel Workers and the United Auto Workers in a strike of more than a million workers, part of a wave of labor actions that led to passage of the repressive Taft-Hartley Act a year later. One provision of the act was the requirement that all union leaders sign a "loyalty oath" disavowing any connection with the Communist Party. Of the eleven CIO unions that refused to take the oath, only the UE and the ILWU remain to this day. It's a marvel they survived at all. Nothing reveals the virtual erasure

[8] *Union staff are not necessarily recruited from the rank and file. And some union staff are represented by unions other than those that employ them. Jackie Traynere is a national organizer for the American Federation of Government Employees but pays her dues to the Communication Workers of America. "No one ever said that because you're working for a union you're going to be treated fairly," she says. "Management is management."*

of American labor history as much as the number of people who think that the witch hunts of the McCarthy era consisted mainly of egregious inconveniences visited upon Hollywood. Under relentless persecution by the House Un-American Activities Committee and shamelessly raided by other unions seeking to draw members into their own ranks, the UE shrank to a fraction of its former strength, from 600,000 to 58,000 members in the space of fifteen years.

But not without a fight. When McCarthy went after rank-and-file union members at General Electric, which summarily fired those deemed "uncooperative" in their testimonies, the UE's national officers insisted on being subpoenaed as well. Only when they threatened to go public with the senator's refusal did McCarthy relent. Union organizing director James J. Matles stood before the great American bully of his generation, called him a liar to his face, and asked the senator if *he* was a spy. "The question is as good coming from me to you as coming from you to me."

The UE could not have expelled its Communist members even if it wanted to. Its founding constitution prohibits exclusion on the basis of political belief. The union has been governed by a constitution from its birth, a fact pointed out with pride by its current president, Peter Knowlton, who sends me a well-thumbed, pocket-size copy in the mail.[9] According to the constitution's articles, the president of the union cannot earn a salary exceeding that of the highest-paid worker in the industry. Any officer can be recalled at any time by a vote of the membership. No representative of the union may negotiate alone. And no one may be discriminated against on the basis of race or gender—a founding principle not only applied in the matter of union membership but also expressed in union demands. The UE was calling for racial equality before the civil rights movement; for ending gender discrimination before the second wave of the feminist movement; and for equal pay for comparable work before such a concept was widely understood.

When author and labor educator Bill Barry tells me that a chambermaid has the same skill level as an autoworker—the only difference being that the one makes a union wage and the other doesn't—he is speaking very much in the UE tradition. The union's endorsement of Bernie Sanders, only its fifth presidential endorsement in eighty-one years and its first in a primary, was grounded in tradition, too. As far back as its 1947 convention, the UE was demanding that "Wall Street be driven out of Washington."

When I ask Peter Knowlton to comment on the current shape of American capitalism, he is quick to tell me that his union has no official position and so he is speaking only for himself. His comments are not dissimilar to those I hear voiced elsewhere in the labor movement: "Granted, a lot of it is brute force, but in terms of being innovative in how to make a better widget, there's something to be said for competition. The problem is that our form of capitalism, of competition, is cannibalistic. I remember when companies used to compete in quality, service, durability. Then, starting under Reagan, it became profit for the sake of profit. The idea of making a fair profit got tossed aside and was replaced by the idea of making whatever you could make." The social ramifications are even worse. Knowlton says that former congressman Barney Frank's call for "capitalism with a human face" is like speaking of "submarines with screen doors. The very nature of capitalism is to ignore the human face, and the human condition, and just to make more profits for the person who owns a particular enterprise."

Obviously, I like banging the gong of "left-wing unionism," but I have come to appreciate the reductive limitations of the term. "You don't need to be a socialist or a Marxist to see that capital today is resulting in absurd inequalities that are also making the system grow less and less able to sustain itself," says Héctor Figueroa, the head of SEIU Local 32BJ, whose self-description as "a strong, sober, old-fashioned, hostile trade unionist who values social justice" may be more pertinent to the legacy of the UE than any political label. In the broadest sense, *all* labor unions are leftist in their implicit acknowledgment of two basic principles: that capital exploits labor and that labor's only hope lies in collective action informed by class consciousness. A union can move "right" only by fighting exclusively for its own interests or by not fighting at all. Probably the reason some workers stuck with the UE when it was on the ropes, or went back to it after defecting, had less to do with the political ideology of its leaders than with its reputation as a union that would fight. Even its critics conceded that. At its best the UE fought beyond the limits of its membership, "kicking ass for the working class," and it continues to do so. When workers at the Republic Windows

[9] *The crowning irony of the red-baiting of the "Communist-led" unions and the accompanying charges of "dictatorship" is that they were some of the least corrupt and most democratic unions of their time. There is no documented case of any "red" union acting to undermine the national security of the United States. Unions, not the Soviet Union, were the primary target.*

and Doors factory in Chicago occupied the plant to protest the manner of its closing in 2008, the UE valiantly came to their support. When US Labor Against the War, an organization founded in 2003 to oppose the second Iraq War, sent a peace delegation to South Korea last May, it included a representative from the union.

The international component has long been important to the UE. For the past twenty-five years it has partnered with a Mexican union, Frente Auténtico del Trabajo, the Authentic Labor Front. The director of international strategies, Kari Thompson, who helps coordinate the partnership, first came to the UE as a graduate worker at the University of Iowa. The union had organized the teaching and research assistants there and became "a second family" for her. Thirty-four years old and well aware of her union's history, Thompson exemplifies a union—and a labor movement—hoping to transcend generational as well as national boundaries.

I drove back to the Fairbanks plant on a cold November night, when the burn barrels were flaming. I parked over at Riley's Fish Shack, which had made its parking lot available to the strikers. "In an ideal world," Bill Barry told me, "people would be flocking to the UE." Well, in an ideal world people wouldn't need to. But in this world, the world bestrode and benighted by the likes of Donald Trump, it was good just to spend a few moments warming myself by the strikers' fire.

Like other workers I met on picket lines—the young AT&T Mobility store tech, for example, who described the satisfaction he takes in helping older people get familiar with digital devices—the women keeping vigil by the burn barrels that night spoke of their competence on the job. Time and again I find that union pride goes hand-in-hand with pride in the work. I ask a twenty-nine-year-old California ironworker named Steve Bowlus to tell me about what he does. "I've found a home in the structural industry," Bowlus says. "I just love being up high. There's nothing like being up on a high-rise and seeing those beams flying with the crane. There's nothing like it in the world."

Bowlus has been an ironworker since 2011 but wasn't able to break into union jobs until 2014. I ask him what difference joining the Iron Workers union made. His doubled income and the novelty of medical coverage, a difference of "night and day" for him and his family, are not the first benefits he names. What he mentions first is a sense of "more structure on the job, more organization and job safety." The second thing he mentions is the periodic training provided—and required—by his union, of learning how to do everything from driving forklifts to signaling cranes "the right way." Only then do we talk about pay raises and dental plans.

IN PUBLIC DISCUSSIONS OF LABOR, CAPITAL, AND THE LAWS THAT GOVERN BOTH, WHAT INEVITABLY SLIPS FROM VIEW IS THE WORK ITSELF

Bowlus's emphasis on "the right way" calls to mind a lesser-known weapon in labor's limited arsenal—an old weapon, as it turns out, with a lineage that goes back to Wobbly days—called work to rule. What it means is that workers perform every task according to best practice, which has the cumulative effect of slowing production. It takes a person of average intelligence a few minutes to get his head around the implications. If every nurse insisted on taking care of her patients in the way she knew was best, if every teacher, cook, and cleaner worked according to the same rule, irrespective of metrics and balance sheets—we would have a universal work slowdown one step shy of a general strike. Perhaps two steps shy of a society devoted to working for the common good.

In public discussions of labor, capital, and the laws that govern both, what inevitably slips from view is the work itself. What work means and what it might mean. The dignity of it and the degradation of it. We may think we know, but most of what we know is what we've been conditioned to think. Capital doesn't just exploit labor; it *defines* labor. It uses the law to re-create labor in its own image. When the Taft-Hartley Act stipulates that unions can bargain only over "terms and conditions of employment" (and not, say, over the uses of technology or the control of pollution), it is saying in effect that workers are motivated by the same aims that motivate capitalists. This in turn authorizes the slander that unions care about nothing but money. When the same law prohibits "secondary boycotts" undertaken by one union in solidarity with another union's struggles, it authorizes the slander that unions care only about themselves.

Even the pro-union National Labor Relations Act (also known as the Wagner Act), by excluding supervisors, farmworkers, and domestic workers from its protections, all but defined who does and doesn't belong to the working class—in imagination no less than in law. Say "working class" and people still picture a white guy with a lunch box heading toward a manufacturing plant. As for those workers authorized under the law to form federally recognized unions, more than 90 percent currently work under contracts with "no-strike clauses" that remain in effect for the duration of the contract. Imagine a truce in which one side is required not only to lay down its arms but to throw them away. This, too, is a matter of identity and definition: the combatant in this case hasn't just agreed to cease hostilities; he's agreed to cease being a soldier.

James Pope, who teaches labor and constitutional law at Rutgers, might object to the military analogy. "One of the terrible words in the English language from my point of view is 'strike,'" Pope says, "because it connotes something aggressive." The term actually derives from "sailors striking sails on a ship," which eighteenth-century sailors did in labor actions that were misnamed "mutinies." When workers go on strike, Pope explains, "all they're doing is withholding cooperation in their own exploitation." They're using the only asset they have: their labor. In France, the right to strike is codified in law and belongs not just to unions but to all workers. In the United States, the right to

strike is on shakier ground than the right to own an assault rifle or distribute hardcore porn. Pope is among those legal scholars who think the Thirteenth Amendment of the Constitution is "under-utilized" in labor disputes. "Involuntary servitude doesn't only pertain to situations where someone is pointing a gun at you and telling you to work."

Even in the case of workers legally authorized to form unions, employers own the debate. A "free speech clause" in Taft-Hartley allows employers to hold meetings at which workers are required to listen to lectures by paid union-busting consultants. Employers are also allowed to summon individual workers for private discussions on their union views. Captive-audience meetings occur in 85 percent of union campaigns; in 57 percent, plant closings are "predicted" as a likely result of unionization. (Employers are legally prohibited from *threatening* to close.)

This is reportedly what happened in 2017 when the United Auto Workers tried to organize the Nissan plant in Canton, Mississippi. (Nissan has four plants in the United States, all in the South and none with unions.) I spoke with assembly-line worker Katrina Peoples-Bryant, a thirty-seven-year-old mother of three, who came to her job at Nissan through a temp agency almost six years ago and has been on a lower-tier pay track ever since. She said that prior to the Canton election, the company shut down the line and told its predominantly African-American employees to attend a tent meeting outside the plant, where they were urged not to vote for the union. They were also summoned to "one on one" and "roundtable" meetings, which Peoples-Bryant thinks "intimidated a lot of the workers who were going to vote for the union." Workers were told the plant might close and that the company might have to take away their leased cars. "A lot of them got scared."

While the organizing drive was in progress, Peoples-Bryant said she saw managers she hadn't seen on the floor in five years. "The only time our voices were heard was the week prior to the vote." The air conditioner was turned on. The line speed became more manageable. "They painted a bathroom. They didn't clean it. They just painted over the filth that was in there." At the conclusion of what the General Missionary Baptist State Convention of Mississippi decried as "an intense and unprincipled anti-union campaign," the union was voted down by a 2–1 margin. After that, according to Peoples-Bryant, the solicitous managers withdrew. The line speed was "ridiculous," and the air-conditioning was off. All that remained of the recent improvements was the topcoat in the bathroom. (Nissan refutes these claims as "false.")

The fears to which some of Peoples-Bryant's co-workers succumbed may soon be supplanted by a larger threat. An Oxford University study projects that nearly half of American jobs could be replaced by robots within the next two decades. Of course much depends on who owns the robots, which is to say, on who controls production.[10] More will depend on asking what role, if any, work ought to play in a fully realized human life. If workers have no part in addressing that question, it will be answered on the basis of one metric (profit) and for the benefit of one social class (the owners). Jeff Johnson, the president of the Washington State Labor Council (the state's branch of the AFL-CIO), is fond of saying that in facing the technological and environmental challenges posed by the twenty-first century, the labor movement must either "demand a place at the table or become part of the menu." The council's secretary-treasurer, Lynne Dodson, says, "If we don't move to the left, we won't have a labor movement." Essentially, they're saying the same thing.

IF THE LABOR MOVEMENT WERE SUCH A SHINING BEACON, FEWER OF ITS TOP BRASS WOULD HAVE TURNED THEIR BACKS ON BERNIE SANDERS

Almost as bad as dismissing the labor movement is idealizing it. If the labor movement were such a shining beacon, fewer of its top brass would have turned their backs on Bernie Sanders, and none of its rank and file would have voted for Donald Trump.

Fortunately, organized labor is subject to conditions that prevent it from idealizing itself. Not the least of these is the necessity of engaging issues at the level of production, the level at which politics and livelihood meet. Though labor has at least the latent ability to stop the wheels of production in a good cause—as when the ILWU shut down all the ports on the West Coast in support of 1999 protests against the World Trade Organization, or more recently when German pilots refused to fly planes filled with deported asylum seekers—it has also been known to oppose a good cause in order to keep the wheels of production turning. It's one thing for a movie actor to speak out against the Keystone XL pipeline, quite another for a pipe fitter to say, "I don't want the job."

Like climate change and pollution, issues of social justice compel unions to act at the gritty level of the workplace. Their frequent failure to do so was underscored by the Trump victory, though labor people differ on how best to interpret the upset. Bill Fletcher Jr., a leading African-American scholar on the labor left, rejects the analysis that the election of Donald Trump was a white-working-class revolt against economic hardship and sees it rather as a result of the way whites "perceive economic issues through the prism of race." He contends that "if economic issues and the revolt against neoliberalism were the main drivers, then blacks and Latinos ought to have been warming up to Trump. And that sure as hell didn't happen."

In serving as a consultant to the Washington State Labor Council's

[10] *According to a 2017 survey by the European Commission, 80 percent of Swedes expressed "positive" views of automation and artificial intelligence, technologies that caused "worry" in 72 percent of Americans responding to a Pew Research Center survey. The difference has nothing to do with native pessimism or optimism; the majority in each country responded realistically on the basis of their own social contract. Socialist robots and capitalist robots serve different masters.*

recent initiative on racial justice, Fletcher emphasized how race has been used to divide workers. He contrasts his approach with the usual "diversity trainings—singing 'Kumbaya,' you taste my food, I'll taste yours, we'll hug each other and cry and be friends forever. Which is basically crap. When you really talk about race, you talk about capitalism. It's why race was constructed from the very beginning.[11] What the union must do is help to build class consciousness."

Fletcher sums up his primary objective in language both modest and militant: "The main thing is not getting people to like one another. The main thing is understanding who is the enemy and who is not." If he is correct in saying that "we in the union movement are in a race against time with right-wing populism for the heart and soul of white workers," his insistence on distinguishing between who is and is not the enemy seems like the best way to run the race. Fletcher's sense of a winnable "heart and soul" bespeaks years of direct involvement in the labor movement. In the months following the Trump victory, I began noticing an interesting difference between progressives who belonged to unions and those who didn't. The non-union progressive—and I'm talking about the decent, open-hearted sort who doesn't think he walks on water because he owns an electric car—was inclined to say, "We need to get out there and talk to those people." The union figures I spoke with were more likely to say, "We need to get out there and listen."

Carey Dall starts his day between four and five in the morning, hoping to be at the first of his stops by six, an hour before the railroad maintenance crews begin their shift. "Our strategy is to find people where they work. We call it being on the property."

[11] *One of Fletcher's mentors was the late Theodore W. Allen, whose theory of "the invention of the white race" holds that the codification of white skin privilege arose from the fear of black slaves and white indentured servants making common cause. Race was used to undercut class consciousness. In the words of Frederick Douglass: "They divided both to conquer each."*

Dall is a full-time internal organizer for the Brotherhood of Maintenance of Way Employees (BMWE), an old craft union of around 32,000 members whose job it is to lay and maintain the track lines. His assignment is to listen to the concerns of the workers and report back to the union leadership, with the ultimate aim of building a network of frontline communicators among the rank and file. After spending an hour or so with the first crew, Dall will move to the next site, where workers waiting for track time may have a few moments to talk to him, and then to where a crew possibly hundreds of miles away is settling in at a hotel. His day often ends around midnight.

Dall's involvement with the labor movement began with the ILWU. Before coming to the BMWE, he worked as a pipe welder in the ports of San Francisco and also, under the ILWU's then–organizing director Peter Olney, in a campaign to organize the Bay Area's 3,000 bike messengers. He did this as "an undercover organizer, a 'salt'—as in salt of the earth." Dall's project with the railroad workers started several years ago when the union's leadership considered the looming possibility that Republicans would take control of all three branches of government. Like the airlines, railroads are governed not by the National Labor Relations Act but by the Railway Labor Act, which accords extra powers to the president in labor disputes. The risk of the railroads becoming a right-to-work industry was a very real one, especially given the Koch brothers' simultaneous funding of right-wing Republicans and right-to-work initiatives. Union leaders also were worried (as one now wishes the Democratic Party had been) that they were losing touch with their rank and file, not a hard thing to do when the membership consists of roving work gangs of two to a hundred workers spread out as far and wide as the railroad lines.

Dall knew at the outset that there was no simple profile for the workers he'd meet. The BMWE might have less gender diversity than the nurses' unions, but regional, ethnic, and political differences are as broad as the continent. Some crews hail from deep in the Appalachians, others from the

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cities, still others from "what is often derided as 'the flyover territory' by coastal elites." One meeting in the Southwest required a Navajo translator.

Not everything Dall hears is complimentary of the union, nor is everything he hears a complaint. "The workers know they have some of the best jobs in their communities," he says. "They're happy and proud to work for the railroad. So they're humbled by that, but they're also infuriated by the rampant greed of their employers." Contrary to what you may have heard, railroads are highly profitable industries. Dall says that workers must literally move out of the way as the wealth of the nation "rolls down the road in front of them. They know full well that they're at the center of the economy, but they're continually facing these concessionary demands from their employers."

The concessionary demand of most concern right now has to do with health care, an issue of particular urgency for a union like the BMWE.[12] Though many of the more backbreaking tasks have been mechanized, the job is still dangerous, dusty, and, in the case of the creosote used in railroad ties, carcinogenic. Dall says it's rare to meet a worker who's lived more than ten years beyond his retirement. Thanks to his time spent "on the property," he now has a clearer picture of what health care means to a worker with diabetes or a disabled child. He's also found more consensus than he'd been led to expect.

"One of the clearest and most powerful" of his encounters occurred when he visited a crew in Georgia. "Out come all these boys from rural Kentucky and Tennessee"—a surprise for the forty-two-year-old Dall, who in the midst of a graying labor movement is used to being "the youngest guy in the room." Some were still in their late teens. A bigger surprise came when he canvassed the young men about their priorities for collective bargaining. Older workers had predicted that all they'd want is "a pay raise so they can buy a new gun or pay off a truck that they can't afford, take the old lady out for a nice night on the weekend, or go out and get drunk with their friends." What the younger workers wanted instead was to keep their health care. "If we hadn't asked the question and been willing to shut up and listen, we'd still be working with the impression that these young men just wanted cash on the barrelhead."

Fortified by what they'd learned and making full use of the frontline communicators they'd trained, the union began a series of escalating actions aimed at pushing the health care issue. Workers affixed HEALTHCARE NOT WEALTHCARE stickers to their hard hats. They petitioned the CEOs of all class-one railways and phoned some of them directly. They set up informational pickets at key junctures on the rail line. The strictures of the Railway Labor Act are not all that impede them. The BMWE is but one of thirteen railway unions, some of which appear ready to accept the offer on the table.

The last successful attempt to organize all the railway craft unions into one industrial organization was led by Eugene Debs in the great railroad strike of 1894. Dall tells me that Debs's legacy is by no means forgotten. "There's a lot of talk around the railroad unions about how great Debs was and how everyone wants to swim in his wake," he says. "But no one wants to give up their parochial interests and their piece of the turf, so we've never gotten there." Not yet anyway.

When I was born in 1953 and the percentage of American workers in unions was the highest it had ever been before or has been since, more than a thousand workers at Greenfield Tap and Die in Massachusetts, members of UE Local 274, prepared for an imminent strike by greasing their tools. They weren't sure how long the battle would last.

When Caterpillar finally broke the eighteen-month United Auto Workers' strike of 1995, it banned workers from wearing union clothes, and fired those who refused to shake hands with scabs or open their lunch boxes for inspection. Twelve workers committed suicide. "The battle with Cat is win or lose," the workers' *Kick the Cat* newsletter would say several years later. "There is no middle ground."

When Smithfield Foods worker Ollie Hunt looked back on the sixteen-year organizing campaign that resulted in his first union contract in 2008, a struggle in which workers had been attacked and beaten on the company premises, he said, "This was a war."

When sales reps for T-Mobile in Chattanooga, Tennessee, failed to meet their quotas, it was reported in 2012, they had dunce caps placed on their heads.

When RN Donna Stern, aka Eugenia Debs, and her bargaining unit cochair exercised their contractually protected duty to accompany nurses returning to work after a three-day lockout at Greenfield's Baystate Franklin Medical Center in 2017, they were summoned "upstairs" to meet with the hospital manager, then surrounded by half a dozen male security guards and police officers and told that if they did not leave the hospital immediately they would be arrested.

Whenever someone talks seriously about advancing the cause of workers in America, he is accused of fomenting class war. Whenever someone talks about class war as a thing waiting to be "fomented," I want to ask how long he's been living on the moon.

When I asked Haitian immigrant Loise Joseph, a "way finder" at LaGuardia Airport working thirty-two hours a week for eleven dollars an hour, if there was anything she liked about her job, she said she liked helping people who become "overwhelmed or frazzled." When I asked her why she wanted to belong to a union, she told me about her "beautiful, wonderful children," aged nine and four. And when I asked her if she wasn't afraid that her very visible role in a pro-union rally would lead to retaliation from the powers that be, she answered for every worker in America, including every harried immigrant from the "shithole countries" on our chief executive's war-room map.

"Let them come," she said. ■

[12] *One of the reasons European unions have fared better than their US counterparts is that they are not engaged in costly battles to achieve and then retain benefits that social democracies provide for all citizens as a matter of course. France devotes 31.5 percent of its national budget to social spending; the United States, 19.3 percent.*

1945

WORKINGMEN'S MACHINE

By Richard H. Rovere

Within the next few years, the Congress of Industrial Organizations Political Action Committee may become the most powerful vote-herding and lobbying organization in the country. It now has prestige, cohesive organization, political know-how, and formidable resources both in money and in manpower.

Is PAC really a new force? In the historical sense it is not. There were workingmen's parties in this country before there were any trade unions of consequence. In 1828 fifteen states had labor parties, some of which wielded considerable influence. The early labor movement played a not insignificant part in the establishment of our public school systems. Samuel Gompers, however, would have nothing to do with the notion of a labor party, nor would he let the American Federation of Labor bind itself to either of the major parties. Yet he saw that labor could not afford to neglect politics, and the formula he gave the AFL in 1886 is the same one that PAC has adapted to its own purposes today. For sixty years the AFL has worked on the principle that it should stay out of partisan politics but that it should use the franchise of its members "to punish our enemies and reward our friends," regardless of party.

In setting up PAC, the CIO is not departing from the Gompers writ in any fundamental way. Like the AFL, PAC takes the party system as it finds it and supports the regular candidates whose voting records are most acceptable to it. However, PAC will give the old formula a more intensive application. The AFL plays its politics rather casually. Its leaders merely advise the members that it is in the interests of the unions that certain candidates be elected and certain others defeated. This is done through the regular union channels. The AFL's only full-time political employees are its Washington lobbyists. PAC, however, is a national machine, a whole new apparatus outside the regular union structure, set up not only to keep CIO members advised of their political interests but to shepherd them to the polls and registering places.

PAC may be looked upon as a promise, a menace, or just another special interest group, depending upon one's attitude. In one sense, though, it can perform a real service for all sides. PAC is a national machine, and, although it will use local issues where that can be done, its principal concern is with national policy.

This has never been true of our regular party machines. Neither major party is really a national organization; both are loose federations of state parties, representatives of which meet once in four years to name a presidential candidate. However, the national leaders of each party have less influence over federal officeholders than the state and county leaders. If a state or county boss does not like the way a congressman behaves, he can deprive him of the nomination. If a national boss is displeased, he can only recommend such action to local bosses, who are free to accept the recommendation or not as they wish.

State and county bosses, of course, are absorbed in local affairs. How a man votes on Dumbarton Oaks is of far less consequence than how well he pushes for funds to widen Zenith River. A congressman, in their minds, goes to Washington to represent the interests of his district. Where he gets his ideas on foreign or national policy is, as often as not, his own affair.

In the 1944 congressional elections, PAC introduced national and foreign issues into local campaigns on a larger scale than anyone has succeeded in doing in the past. Where candidates had formerly stood on their record for local improvement and faithful service to the special interests of their constituents, PAC, wherever it functioned, confronted them with their full records and forced them to defend themselves. It does not matter whether PAC's criticisms were always just or what its motives were in any particular case. If it can bring the world into the politics of the Umpteenth Congressional District, the politics of the Umpteenth Congressional District will be a lot the better for it, and so may the world. ■

From "Labor's Political Machine," which appeared in the June 1945 issue of Harper's Magazine. *The complete essay—along with the magazine's entire 168-year archive—is available online at harpers.org/fromthearchive.*