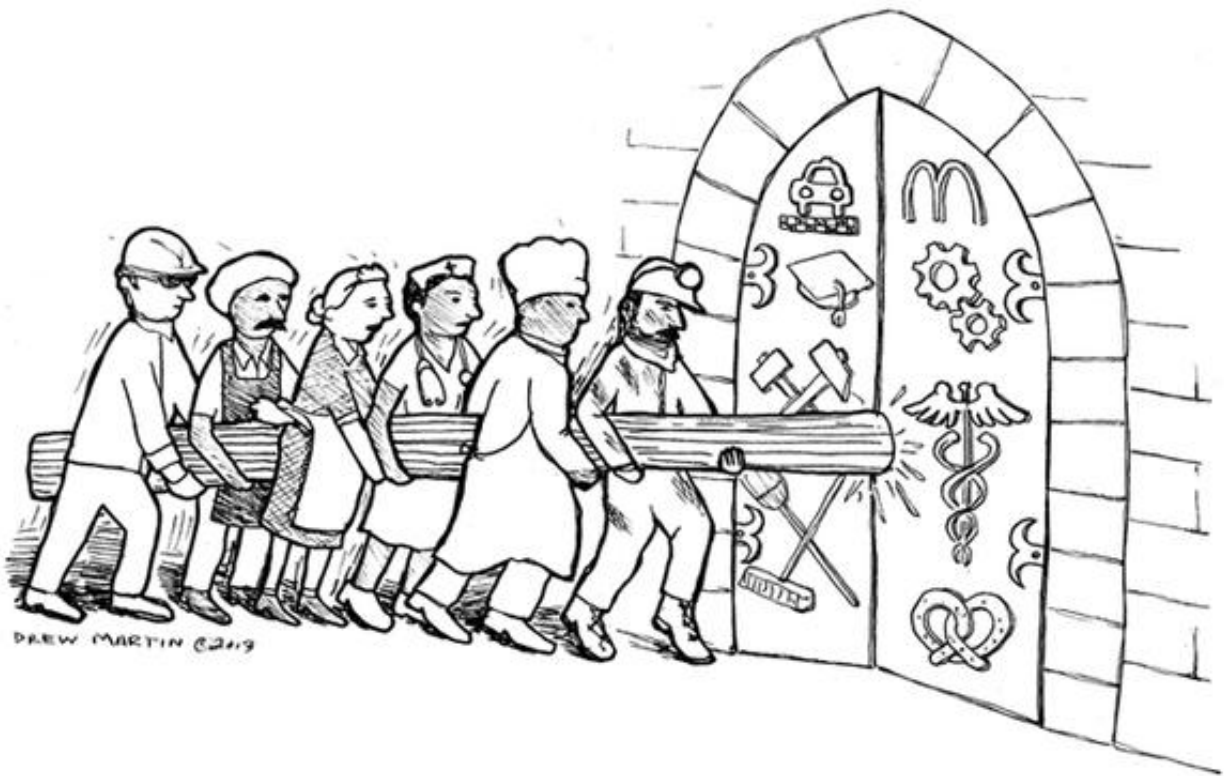


Reversing the Labor Movement's Free Fall Logos

By Stanley Aronowitz, logosjournal.com

Everybody is aware that unions are in free-fall. In 2013 they represent less than 7% of private sector workers. And, while unions are still numerically dense among workers in the public sector—they represent a third—the recent assaults on collective bargaining at the state and local levels, the 0% four year wage settlements in New York and elsewhere, and the leadership's pervasive fear of breaking no-strike contracts and state



laws, has weakened them. In short let us begin by stipulating the crisis of Organized Labor. Rather than dwelling on the woes, this article will address only two aspects of the crisis: some of the historical and structural factors that have contributed to unions' demise; and what can be done to reverse labor's outrageous fortune.

After more than a decade of steady retreat during the 1920s and early 1930s, in 1933 and 1934 the labor movement experienced a dramatic rebirth. Without the crutch of law or the state's approbation, workers in the mines, garment shops, textile mills, North and South, truck

companies, auto factories, and the docks staged mass strikes for union recognition, against wage cuts and onerous working conditions and in some instances against the timidity and class collaboration by the mainstream AFL unions. Some of these struggles were conducted by or within established unions but others, particularly in the Minneapolis and San Francisco general strikes and the Toledo Auto Lite walkout were conducted by insurgencies against both the corporations and the old unions.

The Roosevelt administration was alarmed. The first New Deal, 1933-35, was an effort to revive industrial production and finances by giving federal funds to banks and imposing corporatism upon industrial relations in which labor was assigned a subordinate role. The National Industrial Recovery Act (NIRA) set up tri-partite industry boards—business, labor and public members—to regulate wages, prices and profits. With the exceptions of the apparel and mining industries, labor had little leverage over board decisions. Workers' wages were often frozen, and their power to impose better working conditions was severely limited. Radicals judged the NIRA as an American version of industrial fascism because it paralleled the Italian example. This perception was reinforced when, after promising to bring textile employers to the bargaining table, Roosevelt persuaded the AFL union leaders to call off the 400,000 worker strike. He reneged on his promise and 7000 activists were blacklisted from the industry, many of them Southern women. Roosevelt's betrayal contributed to the tough sledding unions faced in the American South for decades.

According to historian Richard Hofstadter Roosevelt, therefore, “stumbled” into social reform. The mass strikes prompted pro-administration Congress members to cooperate with the administration in proposing a new form of regulation: the Wagner Act (NLRA) granted workers the right to form unions “of their own choosing” and provided a series of procedures for determining whether and how workers could form unions that would be recognized by law and therefore by their employers. It also encouraged collective bargaining to resolve labor disputes. Organized Labor did not renounce the strike weapon—indeed before final Supreme Court approval in 1937 of the new labor law Akron rubber workers and Flint and Cleveland auto workers staged factory occupations termed sit-down strikes rather than conventional walkouts to gain recognition, a tactic which the Supreme Court outlawed in 1938 because workers violated the most sacred of all common laws: the sanctity of private property. But with the notable exception of what Jeremy Brecher termed the 1946 general strike that embraced almost all of the major production industries, the wildcat walkouts in auto in the 1950s and 1970s, the historic 1959 116 day steel strike over the right of workers to negotiate over the introduction of new technology, and the early 1960s strikes among teachers and other public workers for union recognition, in private sector organizing the strike weapon mostly gave way to the Board-supervised

representation election and to arbitration to resolve labor disputes. The public workers' strike wave of the 1960s prompted many state legislatures and the federal government to outlaw strikes as a condition of granting union recognition. Most public employees' unions readily accepted the deal because it brought millions of new members into the unions and strengthened collective bargaining, a goal that had become primary for all unions since the New Deal. As a result few public workers' unions forged their culture in the baptism of fire; during organizing campaigns one of the main messages to workers was that there would be little risk if they joined the union.

The post-war labor movement became an ardent devotee of the union contract, especially its main features: locked-in wages, work-rules that gave unions some power over the labor process, a series of benefits that constituted, in effect, a private welfare state, and by limiting management's right to fire workers arbitrarily, a degree of job security. The union contract was the most important concrete expression of the new social contract. It signified that Labor accepted the prevailing capitalist economic system, management's control over the production and distribution of goods and services, and the law of labor relations in which workers rights and responsibility were rigorously enforced by the company and the union. In this regime the union becomes a partner of capital as well as a representative of its members, the tension between the two roles that is more or less constant.

Labor's adaptation to legalism was a symptom of its embrace of the key elements of modern liberalism: a new social contract with capital that provided union recognition(except in the South); steady wage increases at least until the late 1970s; a privately-funded social wage following the failure of national health care legislation in 1949 and the stagnation of old age (social security) benefits, and the privatization of workers' housing. And, besides becoming a devotee of the law and the Democratic party, Labor became a major ally of the post-war administration's permanent war program: perpetual off-shore military and economic interventions, huge defense contracts that some union leaders viewed in terms of full employment, and anti-communism at home and abroad.

The post-war unions were among the most reliable allies of the Cold War. Conservative and progressive unions alike conducted a relentless purge of Communists and others who refused to cooperate with Congressional committees and government agencies in fingering fellow radicals. The Taft-Hartley amendments of 1947 to the Labor Relations Act not only barred Communists from holding union office, but barred unions from conducting solidarity strikes—sympathy, secondary boycotts, refusal of workers to handle struck goods and gave the US president the right to impose an 80 day strike prohibition when the “national interest” was involved. The CIO and many AFL unions blasted Taft-Hartley

and vowed to seek its repeal. Brave words notwithstanding, the mainstream labor movement failed to mount a concerted campaign and after some refused to sign the requisite non-communist affidavits, dutifully fell in line. Even Miners president John L. Lewis and former CIO president who characterized Taft-Hartley as a “slave labor act” finally submitted to the law. Meanwhile the CIO expelled 11 of its affiliates for alleged Communist dominations and deprived the labor movement of many of its most militant and capable institutions and activists. The Auto, Steel, Electrical and Machinists unions spent much of the 1950s raiding the left-wing unions. By the mid-1950s many on the left determined that discretion was the better part of resistance; they re-entered the mainstream unions after publicly renouncing their Communist pasts or, in some cases, quietly quitting the CP. After the smoke cleared only the United Electrical Workers and the West Coast Longshore unions remained independent. Eventually Longshore re-entered the AFL-CIO, but UE has held out to this day.

Why did the unions fail to unshackle themselves from government control? One reason was that they were comfortable with the anti-Communist restrictions. Eliminating a large fraction of the Left protected the leadership from criticism and potential opposition. Another is that the CIO was actively distancing itself from its own history. It no longer had a taste for direct action but instead sought respectability and stability in labor relations. And, the progressives no less than the business unions became devoted to electorism as a strategy rather than relying, primarily, on organizing. Less than a decade after the enactment of Taft-Hartley, in 1955 the two federations merged. Among its impetuses was to halt the fierce competition that marked the 20 years since the founding of the CIO. Never mind that most CIO unions were no longer repositories of direct action and other forms of industrial conflict. The leaders of both federations sought labor peace and, indeed, in the midst of post-war relative prosperity, fueled, in part, by Corporate America’s domination of world markets, the ordinary processes of collective bargaining were able to register continuous improvements in workers’ living standards. And the Labor Board elections were resolved, generally, in unions’ favor. By 1953, unions represented more than a third of private sector workers. The South, professional and technical workers, and the retail and wholesale trades posed the greatest challenges. Of course, until the 1960s, unions were painfully weak in the public sector, a condition that was soon to change. By the end of that decade, unions were on the way, especially in state and local jurisdictions, and in the Post Office. But Labor’s increasing density barely disguised growing rank and file discontent. Labor-management cooperation in auto, coal mining and steel prompted wildcat strikes and, by the mid-1970s a burgeoning rank and file that expressed itself as opposition slates for top and many local union offices. The auto and steel rank and file movements did not

succeed at the national level , but Miners for Democracy took union power. The established leadership was shaken ,but remained unbowed in most instances where a rank and file mounted a challenge.

Until the late 1960s the AFL-CIO was a bastion of support for the war policies of the Kennedy-Johnson administrations and with the exception of some important unions like the Auto Workers and the growing public unions, were opposed to the militant civil rights movement and when not indifferent were hostile to feminism and environmentalism. With the exception of its core support for expanding the social wage, Organized Labor drifted to the right on most social issues, a position that alienated many young people women, blacks and Latinos. Although it was never true that women and blacks were not part of the labor movement, the public face of the unions was, in the main, white, male and middle-aged. Intellectually the unions were part of the backwater of society; more to the point, when American unions took an interest in International Labor affairs where ideas matter, they aligned with US foreign policy which encouraged and often financed anti-communist, antirevolutionary unions in Italy, France, Africa and Latin America.

Having been integrated into law and prevailing capitalist social relations during the New Deal and its successors, Labor's fate was further sealed by its profound anti-radical stances during the second social movements' upsurge of the 1960s and early 1970s. Even as US political hegemony was under siege in many developing countries, the American century in economic terms was challenged by the reemergence of Japan, Germany and France which became export societies on the basis of technologies that were, for various reasons, more advanced than those practiced by US industrial corporations. And the productivity of US industrial workers declined, largely due to shop-floor resistance. US corporations responded in two principal ways: intense technological investments reduced the relatively high wage force within the United States. And Northeastern and Middle Western-based industries moved first to the American South and then to Mexico and to the countries of Southeast Asia.

Unions adapted to these changes rather than waging struggles against plant closings and the emergence of Southeast auto, textile and metal-working factories. For example, the Auto Workers permitted the Big Three to move South, provided they agreed to unionize them. The union's compliance was by no means innocent. The Mid-west, especially Detroit, was a hotbed of opposition to the national leadership. In effect, the union colluded with management to diffuse discontent. Wages were not reduced, but since the plants were generally relocated in rural or small town areas, the chance of shop-floor disruption was sharply reduced. And, displaced union members had the right to relocate as well. However,

other unions faced plant closings with far less bargaining power. Most relocated plants reopened on a non-union basis but the unions were either unable or unwilling to commit to a Southern organizing strategy that would entail a long-term presence in the communities without an immediate chance of obtaining recognition or winning a union contract.

Having failed in the immediate post-war years to make significant organizing gains in the South, the AFL-CIO unions were hesitant to drain their resources on Mexico, Guatemala and Southeast Asia because even the non-union workers in the US made too much money in the wake of global competition. The apparel industries were the first to go, but within a few decades Chinese contractors for Apple, Hewlett Packard and other companies were employing millions of workers in the production of computers and electronic parts. And, in textiles, whose Southern base traced to the 1920s, even the mechanization of the industry failed to inhibit migration to China and India. By the late 1990s, the South had been partially deindustrialized. Its economic woes became an occasion for European and Japanese auto corporations to install “transplants”, all of them non-union. The UAW’s sporadic efforts to organize Nissan and other plants have been unsuccessful. As of this writing, there are 13 transplants, among them a huge 4000 worker Nissan assembly plant in Mississippi. The union is engaged in organizing drive there. This time it has forsaken the hit and run pattern of Southern organizing, declaring it will engage the community, not only the plant, on a long-term basis. Whether the lessons of the recent past have been fully assimilated remains to be seen.

Two contrary developments in the post-war economy have almost completely missed Organized Labor’s attention. The first was linked to the technological revolution and the expansion of health care. In technology the programming and systems analytic basis of computerization of both the industrial and service workplaces demanded the creation of a whole new series of job categories. From less than 4% of the labor force at the close of world war two, by the 1980s they had almost tripled in size. By the year 2013 they were just about 20% of the workforce or about 16 million. Many are wage and salaried workers and an expanding number are so-called “contractors” who do not draw a salary but are paid by the job and are offered no benefits. Although they are contingent workers because they are obliged to seek new employment when the job is finished, those with high qualifications such as computer engineers and website designers usually find new contracts. But lower down in the ladder, in times of economic slump programmers systems analysts and middle managers have trouble finding a job. In New York, Philadelphia, and San Francisco many public high-tech employees are union members. But with few exceptions—the Communication Workers (CWA) efforts among Microsoft workers in Seattle, a small engineers union on the East Coast and technical workers at GM’s Detroit area Tech center—unions have made almost no efforts to organize intellectual labor in high-tech.

The situation is different among the huge health care industry's five million workers. The Service Employees Union (SEIU) has established considerable presence in the country's vast system of hospitals and other large service providers like Kaiser Permanente. The coasts and considerable portion of the Midwest are unionized. In California and New York nurses are organized on a craft basis into SEIU and the Nurses Association which remain intensely competitive with each other, a healthy situation. In New York and California, Interns, Residents and some house physicians are unionized, but only in the public hospitals. Florida has a union of doctors, some of which are in private practice, but subject to Medicaid and other government programs. Yet, in an industry where 70% of physicians are salaried, the unions have barely scratched the surface.

The second major mostly ignored sector is the "service industry" a euphemism for the vast retail sector whose largest employment is in restaurants and so-called "big box" all-purpose supermarkets that sell everything from food, to household appliances, but also include hotels and traditional department stores. In recent months workers at the largest of the big box stores, WalMart and at fast food restaurants have conducted a series of one day minority strikes to call attention to their sub-poverty wages and miserable working conditions. Chicago, Detroit, New York, St. Louis and Milwaukee have witnessed walkouts ranging from a few dozen to the largest, 800 Detroit fast food workers. The WalMart actions are supported by the United Food and Commercial Workers who have a significant membership in conventional supermarkets on the coasts and the Midwest. But in most cases, the initiative has remained with the activists among the workers rather than a major "outside" campaign by an established union. The fast food organizing and strikes are a cooperative effort by a series of locally-based workers centers such as New York's Communities for Social Change and Detroit's workers centers, other community organizations and the SEIU. Aside from wages, which hover at or close to the minimum wage, WalMart workers are protesting the corporations' short-time work schedules which allow the corporation to avoid paying unemployment compensation. Taken together, WalMart, Target, another Big Box chain and the fast food restaurants employ millions of low wage workers, mostly contingent, part-time and chronically underpaid.

What is new about these struggles is that they are no longer directed to winning union contracts or attempting to gain recognition through Labor Board elections. Rather, they focus on direct action, forging collaboration among workers, community organizations and established unions. The long-term prospects for these movements is uncertain, but it is worth noting that around the country several taxi workers alliances have survived decades of uncertainty, no formal recognition or collective bargaining agreements limiting their freedom of action. And there are several organizations of domestic workers—nannies,

housecleaners, cooks in private homes—who seek legislation that would provide health and safety protection, hours limitation and overtime payments and benefits. These initiatives point to possible new directions for a labor movement that, largely, is stumbling into powerlessness. The key components are:

- a) Since the workers are not a labor organization under the meaning of the law, they rely on direct action rather than the labor relations law;
- b) Cooperation between workers, traditional unions and community organizations like workers centers and advocacy groups;
- c) In many instances, a highly democratic organizational structure in which members have a consistent and leading voice in group decision-making. This horizontalism contrasts with the hierarchical structure of traditional unions.

Of course, to insure a long life this model requires further conceptualization of issues such as money, organization, cadre formation and coordination between local struggles. Taxi workers are on the road to forming a national organization, but most others have not. But thus far most of these struggles have focused on the basic wage issues and on conditions of precarity. There is little or no vision about what a new labor movement might look like.

“New” Labor Movement? Why not seek reform of the existing unions. Organized Labor is still more than 13 million. SEIU and the UFCW have shown an openness to innovative tactics. And some like the Communications Workers have reached out beyond their traditional base among manual and service workers in telephone companies. These are hopeful signs, but they do not signify that the unions—even those who have become more tactically creative—are prepared to abandon their reliance on the law, electoralism, the Democratic Party, the collective bargaining agreement or collaborative relations with their employers. For example, recall that, in order to assist them, the UAW agreed to a two-tier wage system with the big three auto corporations; despite making noises about saving the planet the AFL-CIO has endorsed the Keystone pipeline; Organized Labor is still collaborating with the government in attempting to thwart radical labor movements in the developing societies; and, without missing a beat Organized Labor donated \$400 million to the 2012 Obama campaign and Democratic congressional candidates, even as this administration is, arguably, to the right of the Nixon administration and on civil liberties, worse. That Labor remains tied to the Center/Right and to the government does not seem to detain either the unions nor the liberals with whom they are allied. In short, there is plenty of reason to believe that these unions are beyond reform. They have not been an

independent force in public life for more than 75 years and have even surrendered the crucial steps needed for their survival: instead of devoting their resources to preserving the bureaucratic and political status quo they would have to reverse direction and offer workers and the larger public a vision of the Good Life.

When asked for his vision, Samuel Gompers, the long-time president and founder of the AFL said “more”, a phrase that signified his refusal to engage in speculation about an uncertain future. Industrial unionists and other radicals of his time scorned this tunnel vision. They were anarchists, socialists and communists who, in their anti-capitalist framework believed that those who produce society’s wealth should own or it. They were opposed to the doctrine of private property’s sanctity, agreeing, in effect, with Pierre Joseph Proudhon’s judgment that “property is theft”. Needless to say, they did not agree on the precise form or process by which the new society would emerge. Socialists saw the new society as a cooperative commonwealth in which production would not only be worker owned but also worker controlled. They envisioned a democratic state to provide workers with the means to attain the Good Life but, with few exceptions did not take firm positions on the social issues raised by feminism or, beyond opposing racism in principle, would not agree that race was a “special question” requiring extraordinary measures to address. The anarcho-syndicalists believed the state was part of the problem and advocated a cooperative commonwealth based on workers councils. The communists stood between the two: while recognizing the need for a transitional state required to defend the revolution they held to the councilist idea as the best form of But they were all resolutely anti-capitalist. And, except for the socialists who remained loyal to the AFL’s craft philosophy, were strong advocates of industrial unions that united skilled, semiskilled and unskilled labor in the same organization.

Business unionism which refuses political philosophy beyond a vague concept of “fairness” has overtaken ideological unionism. Part of the reason for the decline of ideological unionism was the relative success of capitalism in raising mass living standards. To be frank, the left within the labor movement largely gave up the invocation to suggest that the labor movement went beyond fighting to raise living standards. The left fell into line behind contract unionism and confined its difference from many in the crafts by its argument for wall to wall unionism and, at least for the communists, a recognition that racial discrimination had to be addressed in the law as well as the contract by taking special measures to provide blacks with opportunities for skilled trades, equal pay for equal work and elective office within the union. Under the pressure of the black freedom movement

of the 1960s and 1970s some, but by no means all unions, have adopted some of these demands, especially in the public sector where in most large cities, blacks constitute a major, when not a majority, of the labor force.

However, business unionism has reached an impasse. It can no longer insure higher wages and benefits and its transformation into a series of service organizations, some mostly insurance companies, has reduced its power in the wake of the disappearance of large chunks of its jurisdictions, including its largest, the construction trades, now half its post-war membership. Industrial unions have been reduced by two thirds so only the public employees and two of the service unions, SEIU and UFCW have girth. To expect these emaciated institutions to change course is both naïve and disingenuous.

The crisis of the labor movement requires a fresh beginning that embraces militant tactics and elides reliance on the law and the politicians. But it would be a labor movement that would address the shop floor but also housing, education, public transportation, the environment. It would seek a shorter work-day and work-week at a time when technological change has reduced the work forces in industrial production and many services. It would demand full time pay for the those condemned to the precariat. Among other measures it would demand that the cap be lifted from social security, so that the rich can subsidize a substantial increase, especially for low-wage workers, most of whom have no supplementary pensions. It would fight for a basic income guarantee. And, of course, it would demand that existing unions substantially boost their organizing activities, not only among the working poor, but in the under-unionized professional and technical categories. This demand should not preclude the formation of independent unions like the Taxi Workers where the old unions refuse or are unable to step up to the plate. Just as industrial unionists formed new unions when the old organizations refused, is not dual unionism to initiate new organizations to take up the urgent tasks, especially among the growing army of contingent labor fueled, in part, by Corporate America's domination of world markets. The new labor movement would demand lifting no-strike laws which violate public employees' first amendment rights. The new labor movement would address the poorly funded schools in working class neighborhoods and demand that workers, blacks, Latinos and other oppressed formations be included in US and world history courses. And it would reverse the traditional aversion of the unions to abortion rights and other feminist demands. Finally, the new labor movement would expose the farce of Obama care and join the industrialized world to support socialized medicine, termed "single payer" by American left-liberals.

The new labor movement would need to revive the almost abandoned educational mission, not only to discuss labor issues in the narrow range. It would address the historic role of labor in changing the social world; the new tasks of the unions regarding climate change, radical democratization of society and the labor movement itself, and the issues connected to achieving the good life. That is, it would address the failure of capitalism to meet social needs and what are the alternatives available for consideration. Lacking a new labor movement, the existing unions will continue to deteriorate or worse, become even more virulent opponents of social change.