

How the
Assault
on Labor
Endangers
Civil Society

had arrived in the United States in the early 1990s. • If I had to speak in public, the New York Civic Participation Project, would turn red and would not know what to say. • Then she became involved with the Justice for Janitors campaign of Service Employees International Union (seiu) Local 1877 in Southern California. Miami, United for Dignity, an independent nonprofit started by 11seiu helped Lucia acquire the knowledge and confidence that later enabled her to speak at her sons' school and in other public settings. • When we were trying to deal with overcrowding at the school, I brought a lot of people to the meetings...my sisters, the neighbors, other parents, Lucia said. Applying the training she had received in the union local, she used her new civic skills to rally collective action that often got results.

The sociologist Veronica Terriquez has studied the seiu janitors' local and examined levels of civic engagement among union members, including Lucia with schoolchildren. • The findings suggest that union members...independently and without prompting from the union...draw upon their acquired skills to effect change in their lives, Terriquez writes. • People learn to run meetings, communicate problems effectively, and use existing processes and protocols. This empowers people to help themselves and their children. •

The study found that mobilizing union volunteer at homeless shelters, coach in protests and participating in union-led youth sports programs, teach Sunday campaigns helped the Latino immigrants transcend barriers, including limited English language skills and low formal education levels. In essence, the janitors' involvement with their union led to greater civic engagement.

During my time as president of seiu, I saw firsthand many examples of workers programs like those in Los Angeles that helped Lucia. In New York City, for example, seiu Local 30j joined with other

core. Unions empower the individual, but they do so through collective action and solidarity.

The janitors in Los Angeles fought hard struggles with antiunion employers, but workers stuck together and won decent wages and benefits, as well as a voice at work.³ Their union-won economic gains enable them to buy the products and services made and provided by other workers and to pay taxes to support needed public services, such as schools, roads, clean water, firefighting, and police forces. Much harder to quantify on a balance sheet are all those daily acts by

Few such gains seem possible in the current harsh antiunion climate. Those who belonged to unions...one factor in the the very top of our society in terms of recent round of campaigns against public wealth, income, and power have captured employees. Over the last half-century, virtually all of our society's economic gains in recent years. Suffering is worse for those at the bottom, and the broader middle class is rapidly eroding. Unions are one of the few forces that help counterbalance this increased power of corporations and the wealthy.

The Occupy movement, which began in a park in New York City as a protest against Wall Street's abuses and the rosive power of multinational corporations over our democratic process, went on to define the inequality issue fully and simply as the 99 percent versus the 1 percent. Unions are a crucial and incontestable component of that 99 percent, seeking greater economic and political fairness.

Today, the tremendous resources devoted to harsh attacks on unions by political candidates and conservative pundits such as Glenn Beck and Rush Limbaugh, and their corporate and right-wing allies might lead one to think that labor has gained massive power over America's businesses and politics. But a clear look at the current state of unions provides a different and more complex picture. In reality, unions have significantly less agenda-setting power than they would have believed; yet they still function as a significant counterweight to other, less-democratic power centers of American life.

The union membership rate in 2010 was 11.9 percent, down from 12.3 percent the previous year and down from about 36 percent in 1945. The percent of wage and salary workers who were members of unions in the private sector in 2010 dropped to 6.9 percent. By contrast, some

16.2 percent of public-sector workers today belong to unions...one factor in the the very top of our society in terms of recent round of campaigns against public wealth, income, and power have captured employees. Over the last half-century, virtually all of our society's economic gains in recent years. Suffering is worse for those at the bottom, and the broader middle class is rapidly eroding. Unions are one of the few forces that help counterbalance this increased power of corporations and the wealthy.

A stronger middle class is the foundation for a vibrant American economy. [Unions] ensure that workers are considered in corporate decision-making and provide job training that helps workers advance in careers. In the political arena, unions get workers involved to boost voting rates, and are champions of economic programs that create a strong middle class. They pushed for and have defended Social Security, Medicare, family leave, the minimum wage, and more recent policies, such as health care reform.⁷

Other research by sociologists Bruce Western and Jake Rosenfeld has found that the decline of unions accounts for one-third of the rise in inequality in the United States over the last thirty years.⁸ Inequality is the enemy of a strong democracy that has the vital civic engagement of its citizens. The share of pretax income taken by the richest 1 percent of Americans more than doubled between 1974 and 2007, rising to 23 percent from 9 percent according to the U.S. Census Bureau. And

Massey tragedy in West Virginia, and the

fair chance to join unions. But that did not occur, largely due to the ½libuster process in the Senate.

Labor issues are not the only ones derailed by the ½libuster and other forms of political obstructionism. The threat of

Not to be outdone, Republicans in the House passed legislation on November 30, 2011, to negate an Obama rule that sought to give workers a timely vote on whether or not to be represented by a union, rather than the current procedure that allows long delays by employers opposed to unions. Although the Senate is unlikely to pass such legislation, the Republican-led House persists in its war on labor.

Why? Harold Meyerson, a columnist for The Washington Post, catalyzed Republican motives this way:

When it comes to elections, unions are still the most potent mobilizers of the Democratic vote...getting minorities to the polls and persuading members of the white working class to vote Democratic. Indeed, Republican gains among working-class whites (whom they carried by an unprecedented 63 percent to 33 percent in 2010) are, above all, the result of the deunionization of that class. An analysis of exit polling over the past 30 years shows that unionized white working-class men vote Democratic at a rate 20 percent higher than their non-union counterparts. For political reasons, Republicans are determined to deunionize workers even more.

For unions to be a catalyst that encourages and reinforces positive levels of civic engagement by their members, unions have to exist in the first place. The countries that scholars regularly judge to have the most vital civil societies often are those in which unions thrive and are accepted usually as one of the three pillars along with business and government.

I would challenge labor opponents, such as those in Wisconsin, Michigan, and Ohio and in the Republican-controlled House, to name a true democracy that does not have a labor movement participating in the debates on major public

questions. For example, the Nordic countries, where democracy and civic engagement thrive, have very strong unions and very low levels of inequality, and go through economic growth. Canada, our neighbor and trading partner to the north, has strong unions (including) and a union density of above 30 percent...more than twice that of the United States. Germany, as noted, has powerful trade unions and tough laws that give workers a strong voice in corporate decision-making. Yet business thrives in these countries, and everyone benefits from unions and management working together for common goals.

Both the hostility of the corporate and political right toward unions and labor's powerful role as a steward of the common good have roots in American history. Unions actually predate our country's founding, as some nonagrarian workers pushed for a greater say than that of the old master-servant relationship. Despite current reverence for the founding fathers, it is important to remember that civic engagement and political democracy had clear limits in America's opening century and even beyond. Voting in most states was restricted primarily to white property-owning males. Women, Native Americans and people of color (both slave and free), and most wage earners had their civic participation severely restricted by law, as John Kretzschmar, director of the Brennan Institute for Labor Studies, has pointed out.¹⁸

Judges here relied on British law in the absence of statutes on unions and bargaining; as a result, America's early unions were viewed as illegal criminal conspiracies. Employers could form groups to advance their interests, but employees who did so by joining unions engaged in illegal behavior. Over time, wage earners who were not property holders agitated

and often got voting rights; workers also collective bargaining. After World War II, began fighting for expanded rights on a consensus emerged that unions were economic matters.

Unions remained illegal in many jurisdictions until the 1930s. As a result, many nations sought to rebuild. Japan had many jurisdictions until the 1930s. Abolished unions, but General MacArthur unemployment rose to 25 percent by 1932, and the Allies restored them in 1946.

a series of laws were passed that helped unions. The National Industrial Recovery Act adopted in 1933 sought greater fairness for workers through provisions that stated: •Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from interference, restraint, or coercion of employers. Although a conservative U.S. Supreme Court quickly deemed the Wagner Act passed by Congress in 1935 led to expanded union organizing in the years that followed.

By the end of World War II in 1945, union membership rose to more than 14.5 million from about 8.7 million in 1940.

Predictably, as labor's numbers and power expanded, political enemies mobilized. A conservative Congress targeted unions in 1947 with the Taft-Hartley Act, passed over President Truman's veto; significantly, he called it the •slave labor act. It severely limited labor's right to strike, outlawed secondary boycotts, and banned closed shops that required an employer to hire only union labor. Opponents of the legislation pointed out that it had been drafted not by Congress, but by corporate lawyers working for the Chamber of Commerce and the National Association of Manufacturers.²⁰

Despite the setback of Taft-Hartley in the United States, there remained a broad and global consensus that labor was an important component of democracy. The Nazi party viewed unions as a threat, and in 1933 Hitler seized funds of German unions, arrested labor leaders, sent them to concentration camps, and replaced

President Reagan and many on the political right embraced the Solidarnosc union very publicly and repeatedly. But here at home, almost simultaneously, Reagan succeeded in busting the air traffic controllers' union in 1981, setting off a war on labor that has yet to moderate. (The bizarre affection the right has for unions abroad but not at home could be seen yet again in late 2011 during the campaign for the Republican presidential nomination. Former Senator Rick Santorum issued a strong call in Iowa for federal government support for labor unions...unions, that is, in Iran. Santorum wanted the United States to have several avenues of getting money into Iran to help striking labor unions. But on labor issues on his home turf, Santorum wants to abolish unions that represent federal, state, and local workers; he regularly attacks them; and he opposes most everything American unions support.)

The civic role played by unions threatened those in power not only in Eastern Europe, but also elsewhere in the world. The ruling elites in El Salvador in the 1980s were complicit in the killing of trade unionists; tens of thousands died at the hands of military-backed death squads. Under apartheid rule in South Africa,

cation Association in this debate. But I do think the attacks on teachers' unions have helped fuel a false narrative of American labor as a special interest that selfishly protects its own at the expense of the broader society. That narrative has a special resonance with the public when it involves America's children, who in fact do deserve far better from our education system. It is easy for teachers' union opponents to attack the "rubber rooms" in New York City, where tenured teachers accused of incompetence or wrongdoing received full pay to sit in sparse rooms and do nothing (until this practice was ended in 2010). It is far harder to shift the focus to innovative labor-management partnerships, such as those in Cincinnati, Oklahoma City, and Pittsburgh, where students are benefiting from teachers and school administration was

How the
Assault
on Labor
Endangers
Civil Society

circumstances. But the backlash to that embraced the civil rights move-
huge payouts in California clearly hurtment, fought racism in the workplace,
public unions and played into the politi-and joined in the push for antidiscrimi-
cal narrative orchestrated by those whose nation legislation. Unions helped orga-
primary goal is to weaken labor. nize the Montgomery bus boycott, joined

Public employee unions needed over the Selma to Montgomery march in force,
the years to break out from the narrow and worked with Dr. Martin Luther King,
constraints of traditional collective bar-Jr., who was assassinated while in Mem-
gaining and negotiate instead not only phis to support striking union members.
for wages and bene½ts, but also for the Given their mixed record through the
delivery of high-quality public services. years, unions today need to face the chal-
Management usually resisted such efforts.enge of becoming more diverse through-
but public worker unions are gaining cit-out their leadership, from local unions to
izen support by partnering with govern-the very top positions. I used to say fre-
ment to improve public services. Citizens,quently that union leaders are too often
often are frustrated by inef½ciencies and male, pale, and stale. In , more than
bureaucracy and need to see public work- million new members joined between
ers siding with them in the effort to have 1996 and 2010, and a majority of them
services delivered better and at fair cost were women and workers of color. A con-

Yet another problem unions must con- concerted effort was made to reflect that in
front is the need for greater racial, ethnic, our leadership, and by 2005 we had an
and gender diversity in the labor move executive board that was 40 percent
ment. Looking back in history, African women and 33 percent people of color.
Americans had to ½ght to join unions. But there is so much more that needs to
and many American Federation of Labobe done in this area.

(A) unions in their early years barred Unfortunatly, many other unions do
blacks from membership, particularly in not do as well at reflecting the diversity of
the crafts. My own union, , by con- their memberships. If labor is to prosper
trast brought together white and black in the decades ahead, all unions must do a
janitors in Chicago in the early 1900s and a far better job of developing multicultural
indeed, had an elected vice president and leadership that is more inclusive of women
three executive board members who were and people of color. We need more peo-
African Americans. By the 1930s, the ple like Mother Jones and A. Philip Ran-
Congress of Industrial Organizationsdoph. I am proud that is today led
(), made up of industrial unions, by a woman, Mary Kay Henry, a veteran
aggressively recruited black members labor organizer who also is a leader in
and became an important force for America's B community, and Eliseo
desegregation and antidiscrimination Medina, a respected ½gure in the Latino
before many other segments of American community who has helped lead the na-
society. tional immigration reform effort.

In the 1960s, African Americans made As part of the broad effort for gender
up about 25 percent of U.S. union men and racial equity, labor needs to embrace
bers, but some unions, such as those the movement for immigrant rights more
the construction trades, continued to bar vigorously than it has so far. America
black apprentices and otherwise limit needs comprehensive immigration reform
African American membership. But at that provides a meaningful legal path to
the same time, unions such as the citizenship for undocumented workers.

In the past, unfortunately, some unions saw immigrants from Mexico and Central America as threats to their jobs and mistakenly supported bad immigration policies. Today labor is united in pushing for immigrant rights and works closely with grassroots coalitions of religious and community groups both for changes in federal law and also in opposition to racist and reactionary laws recently enacted in states such as Arizona and Alabama. Unions need to be out front on the immigration issue both because it is the right thing to do and because they will benefit as our country's demographics grow more diverse in coming years.

As labor faces strong attacks from antiunion corporations and the political right, there are a number of other changes that must occur if it is to win and expand public support. I pressed to modernize and streamline union structures during my tenure as president. I based my suggestions for reform on changes that had been made within over a number of years. Those changes enabled my union to more than double, to 2.1 million members, during my time in office. After a long period of internal discussion within the AFL-CIO in the early to mid-2000s, needed reforms did not seem likely and a group of other unions withdrew and formed Change to Win.

Unfortunately, real reform did not develop out of those events, and changes are still needed to strengthen unions. The labor movement needs to:

- Embrace the mission of seeking justice for all workers, including, but not limited to, current union members;
- Confront labor's own underlying structural impediments and those of its affiliates;

Refocus on membership growth through Andy Stern reinvigorated organizing of nonunion workers;

Modernize strategic approaches to employers in the new, competitive global environment;

Improve labor's messaging to the broader public, using all the tools of modern technology and communication;

Widen efforts to build coalitions with citizens' groups, civil rights advocates, church activists, environmentalists, the LGBT community, and others who share a progressive outlook; and

Expand and improve labor's political effectiveness by further involving workers and their families in the civic process.²⁵

In future, unions need to streamline. Many members are divided into national unions that do not have the size, strength, resources, and focus to win for workers against today's ever-larger employers. As the attack on public workers escalated, we had thirteen unions with significant numbers of public employees. Transportation workers were divided into fifteen different unions, health care workers into more than thirty, and manufacturing workers into nine. We need consolidation so that labor can bring size, power, and focus to the table. There are too many small unions that lack what is needed to deliver for their members. When I pushed for change, only fifteen of the sixty-five national unions had more than two hundred fifty thousand members, and forty had fewer than one hundred thousand. Many of these unions, even with good leadership, do not have the strength to unite more workers in their industry in order to improve workers' lives and civic engagement.

I have proposed, as have others, that we seek to unite the strength of workers who do the same type of work (or are in the same industry, sector, or craft) to take on their employers. And we need to ensure that workers are in national unions with the strength, resources, focus, and strategy to help nonunion workers join together to improve pay, benefits, and working conditions. This also means that unions will have to adopt new strategies of incorporating nonunion workers into their structures, and that they must constantly look to protect the rights of all workers

they turned out at higher rates than nonunion workers. Unions historically have helped counter economic greed fosters political apathy. That apathy, but Tocqueville's fear of that apathy, but Tocqueville's fear of activities were done person-to-person or in-person interactions (64 percent), as discussed above.

Legal scholar Lawrence Lessig and Glenn Greenwald, a writer now at the Guardian, have argued effectively that the average of all progressive organizations alone did more overall policy outcomes today often are indifferent to the will of the people and to democratic debate.²⁸ The power of money in politics has enabled elites to shape out-the-campaigns themselves and the parties committees. In a discussion of Lessig's book, *Republic, Lost: How Money Corrupts Congress... and a Plan to Stop It*, he and Greenwald agreed that the Occupy protests in late 2011 was done by . Catalist reported that expanded rapidly and developed resources because people now understand that voting no longer fixes systemic problems in our money for influence culture.

In Indiana, after subtracting the work of the Obama campaign, data showed that more than 40 percent of all voter contact was done by . Catalist reported that members knocked on 118,765 doors in Indiana; made 186,145 phone calls to voters. That huge outpouring of individuals engaged in electoral participation had a big impact: Obama won the state by a margin of 25,000 votes. apathy and withdrawal) or disruption

Other unions also performed at high levels in 2008. And if we look more broadly at the rate of voter participation as one metric for civic engagement, it is clear that unions are an important element of increased turnout. Political scientist Benjamin Radcliff and Patricia Davis, of the U.S. Department of State, studied nineteen industrial democracies around the world and all fifty U.S. states. They found that aggregate rates of turnout are affected strongly by the strength of the labor movement: • The results indicate that the greater the share of workers represented by unions, the greater is the turnout.²⁷

When we look at the period following the 2008 economic collapse, one might have expected very tough legislation and regulations on banks and Wall Street aimed at preventing a future recurrence. Instead, even the very modest Dodd-Frank reforms... far short of the retooling of the financial sector that is needed... continue to be resisted and

De Tocqueville feared domination of society by the state and saw the American society he studied in the 1830s to be joined by private associations that counterbalanced the state. He also argued that economic institutions opposing regulation. We have thus entered an era that is very threatening to civic engagement and

democratic society. People who vote for numbers to provide some counterbal-
•change they can believe in. Understanding on both the political and economic
ably become disillusioned by not seeing fronts; that is why labor has been target-
that promise become reality. ed by state politicians in Wisconsin,

America is a country divided. The pro-Ohio, and Michigan, and by presi-
cess has broken down. The danger is we
no longer seem capable of transcending
our divisions to accomplish anything.
Our checks and balances allow a minor-
ity...usually a small minority...to block
the will of the majority on issue after
issue. Debt ceiling approval and disaster
aid end up being levers for political
hostage-taking by Republicans in this
new era.

The Citizens United decision by an
extremist and activist conservative Su-
preme Court will only worsen the huge
and corrosive impact of money...mainly
corporate and right-wing money...that
now further floods our public debate.
The current voter suppression agenda
gives further cause for concern, as Repub-
licans and their corporate/right allies
push to deny voting rights through new
restrictions (allegedly intended to pre-
vent fraud that most observers agree is
minimal).

Unions are the only segment of civil
society with the resources and grassroots

How the
Assault
on Labor
Endangers
Civil Society

⁷ David Madland and Nick Bunker, "As Unions Weaken So Does the Middle Class: New Census Data Shows the Importance of Unions to the Middle Class," Center for American Progress Action Fund, September 23, 2011, http://www.americanprogressaction.org/issues/2011/09/madland_unions.html.

⁸ Bruce Western and Jake Rosenfeld, "Unions, Norms, and the Rise in U.S. Wage Inequality," *American Sociological Review* 76(4) (August 2011).

⁹ The study is cited in Thomas Geoghegan, *Were You Born on the Wrong Continent? How the European Model Can Help You Get a New* (New York: New Press, 2010), 187.

10