

# What Is Union Democracy?

January 26, 2011

I'D LIKE TO BEGIN by asking a question that has probably occurred to you already: How come despite the biggest economic downturn since the 1930s, and not withstanding the Obama victory which was supposed to have created a center-left realignment, American public opinion has veered to the Right; not the Left? Why have middle class and some working class people been attracted to the Tea Party; not towards progressive organizations; or towards organized labor? According to Gallup and Pew, support for organized labor has actually fallen sharply. In their polling history, it's never been lower. Gallup's been polling since 1936.

I don't think the answer is that the American people reject Left solutions to societal problems — like single payer health care. Or wider Left perspectives, like anti-capitalism. On the contrary, the sole piece of encouragement from recent polls, is the lack of support for capitalism. Only a 53 percent of Americans clearly prefer capitalism to socialism. Among people under 30, Rasmussen reports, it's essentially even.

One reason for the shift against unions that followed the downturn may be the De Tocqueville syndrome. Explaining the hostility of the French towards the aristocracy prior to the Revolution, the French historian observed that the aristocrats' loss of power was not accompanied by a decline in their fortunes. As organized labor shrinks in numbers, it seems more and more like a powerless labor aristocracy. The comparatively high pay and benefits won by workers over the years offer targets for resentment, which the Right, if it knows anything, certainly knows how to motivate.

Another possible reason for the Right's ascendancy is that the Left — particularly organized labor — doesn't offer broad channels for popular opposition and the Right does. In the Tea Party we see what labor hasn't been for generations: a social movement. The ratio of paid to unpaid participants is low; formal organizations are bypassed by mass action from below; individual fear is channeled into collective indignation; and a common purpose is achieved. Today, about a quarter of the U.S. electorate identifies with a very militant, albeit malignant movement.

Consider by way of contrast, organized labor's response after the Upper Big Branch Mining disaster. The AFL-CIO's Rich Trumka issued what his press people called "a blistering statement." It made some obvious points. Under the "the profit system" — Trumka observed, "Many mining companies, have given too little attention to safety over the years and too much to the bottom line." This is true. But isn't that why we have a Mine Safety and Health Administration (MSHA)? The problem, as prize winning reporter Ken Ward of the Charleston West Virginia *Gazette*, observes, is that the MSHA is a weak agency with a shameful tradition of enforcement lapses. It's been a coddler of coal companies, not an enforcer of law and regulation. Not just under Bush, but for nearly two decades going back to the Clinton Administration. And as the *New York Times* recently documented, the pattern of laxity continues under Obama. The President, after all, like former president Bush, is a big supporter of "clean coal"; according to environmental activist Robert F. Kennedy Jr. he's "an indentured servant" of the coal companies; under his administration, the MSHA continues to favor coal production over mine safety.

You'd think this would be an opportune time for organized labor to demand that the MSHA enforce its rules. Or better, call for even tougher rules and stiffer penalties. And to back up that call with action. Yet Trumka, a former miner himself, never called the Administration to account; no threat to strike or march on Washington; no call for demonstrations. Not even a noontime pause to recall those who sacrificed their lives for profit.

But then you might ask, what's Trumka to do? The United Mine Workers is just a shadow of its former self. Officials claim over 100,000 members in public; but they report only 78,000 on their federal LM-2 report; and of these, some sources report only about 14,000 active members. So it's not as if organized labor had the leverage to stiffen the spine of the bureaucrats at the MSHA.

BUT WAIT A SECOND, it does. The federal official responsible for mine safety is a fellow by the name of Joe Main. He's the former head of mine safety for the United Mine Workers. He was arguably the weaker of the two candidates for the job. Once appointed he had the chance to establish a consistent standard for floating coal dust.

Yet Main chose not to. Instead of creating a new effective standard, he and his boss, Labor Secretary Hilda Solis, held out as the standard of mine safety an existing mine with a union contract: the Patriot Mine Co.'s Federal No.2. Hilda Solis said she was "in awe" of its performance. It was, she proclaimed, a genuine model of union-management cooperation. But the Patriot Mine No.2, it was revealed in February, not only had an injury and violations rate twice the national average — it is under Justice Department investigation for felony falsification of records. "Explosive levels of methane were found in sealed parts of the mine," the *West Virginia Gazette* reported, "after at least one foreman admitted he falsified a required safety examination of the sealed area." In reply to *Gazette* inquiries, MSHA hung up the phone.

You can see how Trumka is boxed in. What's he to do? Lead a march on Washington against the guy he just got appointed? His dilemma follows as a predictable consequence of organized labor's traditional inside the beltway strategy. Labor's subordination of itself to the national Democrats goes back to pre- WWI days, to Samuel Gompers' decision not to form a labor or socialist party — like European trade unionists — but to operate as a pressure group inside the national Democratic Party. Gompers' decision, in turn, was foreordained by the locals' strategy, going back to the 19th century to line up behind big city Democratic machines like Tammany Hall. Trumka's box is a cage that has been forged by decades of vassalage.

Yet back in 1995, when John Sweeney and Rich Trumka came to power on the New Voice ticket, many labor Leftists saw a break with the past. Sweeney and Trumka were said to be products of a "revolt" — albeit a palace revolt; they said they'd rather block bridges than build them. There was talk of a revival of the 1960s social movements.

Instead what we got was a revival of the offensive strategy of the Ohio State football teams of the 1960s: Coach Woody Hayes' famous "three yards and a cloud of dust." The basic principle was similar. Simple, repetitive, low risk campaigns; where even with poor execution you couldn't lose all that much. In the increasingly common card check campaigns, which relied on employer neutrality, unions increased their chance of winning recognition, but diluted the meaning of recognition. And unlike Woody Hayes, whose teams regularly moved the ball down the field and won a lot of games, organized labor has continually lost ground. Since the advent of the New Voice, there are a million less union members; 2 million less in the private sector. The share of private sector workers' wages in national income is at an all time low. Still the labor chiefs send out their cheerleaders as if labor was running up the score against corporate America. They perform cartwheels; they shake their pom-poms. "Rah Rah, Sis boom bah..EFCA! EFCA! EFCA!"

There's no reason to suppose that organized labor's playbook will change soon. So where is change going to come from? One hope held out by some labor Leftists is that it will happen spontaneously. Labor leftists can continue to do what they've always done. But workers will spontaneously revolt, occupy the factories, and demand justice. It happened in Chicago, at the

Republic Windows and Doors' warehouse, didn't it? Sometimes Rosa Luxemburg's name is attached to this kind of wishful thinking. But Rosa Luxemburg didn't think workers could fight effectively without developing new movements to replace old, depleted forms of labor organization. Or without political parties to take the initiative in building labor movements.

The only purely spontaneous actions in which human beings engage are reflex actions like blinking and gagging. All other actions are the product of culture. The 200 militant warehouse workers in Chicago were overwhelmingly immigrants who came from Latin countries with a very different labor culture from ours. They brought that culture here with them. But most immigrants assimilate to our less solidaristic union norms. When conservative garment boss David Dubinsky first arrived here from Czarist Russia he was a revolutionary socialist. So was the SEIU's Dennis Rivera when he came here from Puerto Rico. We can't import an alternative labor culture, the transformation has to begin here.

Is it possible for the labor Left, as presently constituted, to be the change agent? Please pardon me if I express my doubts. Labor leftists are those who see organized labor not simply as a kind of forklift to raise wages and deliver them to specific groups of workers, but in terms of its potential for uniting the working class and transforming society. Ideally, they view their own involvement not as a source of livelihood, but as a vocation.

Like mainstream labor, however, the labor Left's playbook has a Woody Hayes-like consistency. And not much has changed in the way of basic analysis of labor's plight and what it needs to do since the days of Max Shachtman, the founder of the Trotskyist Workers' Party — and ideological mentor to many of America's most prominent labor Leftists.

One reason for the lack of novelty, I would submit, is that much of the labor Left is under the spell of a dominant ideology. An ideology is a body of ideas that re-arranges reality in order to justify a pattern of actions and political choices. A dominant ideology incorporates a smaller group in a larger group with different values and aims. It's not that the subordinate group is "brainwashed" by the dominant group. On the contrary, the subordinate group freely develops ideology. The point is to enjoy the benefits of subordination — often described as "resources" — while without feeling the loss of autonomy. Or the betrayal of the original values and aims. The strategy of a dominant ideology is to strain at gnats while swallowing camels.

THE DOMINANT IDEOLOGY of the labor Left is probably "union democracy." Certainly not all labor Leftists believe in the primacy of union democracy. (The "Call for Labor Renewal" in 2005 by prominent labor Leftists including Bill Fletcher Jr., hardly mentioned it.) But union democrats offer the clearest sense of what organized labor must do to realize its potential. Rather than simply deplore symptoms of decline — the inability to strike, organize, create a movement, or move a political program — they offer a *structural* analysis of labor's decline. Since labor leaders depend on the structure — the set of legal and political institutions on which their authority rests — such analysis risks antagonizing the leaders and reducing the possibility of gaining access to union "resources." By contrast, union democrats have the courage to dissent in a clientistic union culture whose highest value is loyalty. And where sanctions can result in a lifetime loss of livelihood. Such clarity and courage deserve the respect of criticism.

Union democracy owes its origin to Max Shachtman the brilliant, charismatic dissenting Trotskyist who co-founded the Workers' Party in 1940. He defined the field of left politics — whether in the Soviet Union or in American trade unions — as a struggle between "democracy" and "bureaucracy" (see "Left Wing of the Labor Movement?" 1949). His use of this binary — conformed

to the fundamental requirement for ideological production — that its defining terms be "empty signifiers": empty in the sense that either they don't exist at all, or the term's meaning is so ambiguous as to justify almost any political course.

Admittedly, Shachtman himself seems like an improbable progenitor of Left labor's ideology since Trotsky's one-time "foreign affairs commissar" wound up as the ally of the most inveterate business unionists including those promoting the Vietnam War. By the mid-50s, he was defining the struggle for democracy as the battle for the allegiance of labor leaders rather than union members. But his political direction can be understood as a logical consequence of his premises: all labor leaders are bureaucrats. But some bureaucrats — the totalitarian Communists — are worse than others. And with the exception of the Soviet Union itself, no Communists were more bureaucratically top-heavy and therefore more evil than the CPUSA. Ergo "union democracy" consists in the struggle to ally with the less evil bureaucrats against the most evil — the American Communists.

As Shachtman began to drift more and more to the Right, he was opposed by two of his main disciples. The first was Hal Draper — who would later write the influential, but one-dimensional, *Two Souls of Socialism*; and who also co-founded the Berkeley-based Independent Socialist Club — from which Teamsters for a Democratic Union descended; the other was Herman Benson, the Brooklyn-based founder of the Association for Union Democracy. They gave "union democracy" a less paradoxical slant, one more attuned to the values of the labor Left.

In Draper's model, two and only two vectors exist in the political universe: up and down. There's the democratic vector. It's made up of those on the bottom exercising pressure from below. And there's the bureaucratic: where the topmost issue orders from above. True labor leftists help the former and oppose the latter.

Leftists however must operate with great care. First, they must make sure their opposition is loyal. "That means," Draper said, "loyal to the interests of trade-unionism." Second, the true interests of trade unionism demand that there be only one union — not in the Wobbly sense of One Big Union; but in the AFL CIO sense of maintaining the system of traditional jurisdictional monopolies. So a split in a business union leading to two unions competing for the same jurisdiction is not dual unionism. Any effort to create a union on alternative foundations however is dualism and therefore deplorable. "Time and again," he explained, "experience has showed that any kind of breaking of real, new territory can most successfully be done outside the framework of an existing organization which has become fossilized. But not outside the trade union movement." Why AFL-CIO fossils should be an exception Draper doesn't explain.

According to Draper any union that's created on the basis of "some ideological aim about the nature of the union movement" is bad. Whereas a union trying to seize another's jurisdiction is okay. Draper accepts the seeming paradox that Rosa Luxemburg and the IWW deviated from labor principles; whereas the mob-run Laundry Workers Union did not.

Given Draper's definition of trade union interests, it's no surprise that he would later oppose the strategy of "industrialization" that emerged within his organization — permeating the AFL-CIO with rank-and file "struggle groups" — the openly socialist precursors of what would become the non-socialist Teamsters for a Democratic Union. Draper's best example of true fidelity to trade union principles was his wife's career as a middle level official with a west coast garment union.

Herman Benson, the former labor editor of the Shachtmanite *Labor Action* did support TDU. It was only one of many labor reform groups he supported and advised since he founded the Association for Union Democracy in the mid-60s. Since then he's become labor's outstanding civil libertarian; it's hard to think of anyone who's done more to defend workers' Landrum-Griffin rights.

Any regular reader of AUD's *Union Democracy Review*, or Benson's blog will find no sharper or more knowledgeable criticism of union autocracy. That the academic leftists who organized the 1995 Columbia University "Teach-In with Labor" could exclude him said more about their stature than his. Unfortunately, though, Benson sees politics and trade unionism in almost exactly the same binary terms as Draper and Shachtman.

For him American politics exemplify the "eternal conflict" between bureaucracy and democracy. According to Benson, the labor movement is a great pillar of American democracy. "But this great pillar of democracy," he observes, "is itself nibbled away by the mice of bureaucracy...to paraphrase Emerson, 'Bureaucracy is in the saddle and is riding mankind.'" Bureaucrats stifle the energies of the workers; they make them apathetic. It's the job of Leftists to help the workers chase the away the bureaucratic mice away by making their unions more democratic.

But what is "democracy"? Benson gets testy when forced to confront this question. It seems academic to him. What could it possibly mean other than plain old American democracy? The Bill of Rights as conceived by the founders. Or as he puts it "democracy-democracy." More critical reflection might unravel a paradox that ought to concern Benson. Unions — like the Teamsters — have become a lot more democratic in the sense he offers without becoming more democratic in a more substantive sense. Prior to Landrum-Griffin (1959), elections weren't federally mandated. Many unions didn't have them. Or had them only rarely. Now at least there is what political scientists call "minimal" democracy — there are elections; there is competition between politicians for votes. But no sense that workers are sovereign or that union regimes are democratic in the sense Lincoln made famous: of, by, and for the people. The Teamsters have gone from mob-domination to what may be America's most democratic union — at least in Landrum-Griffin terms. But since inception of direct elections for national officers in 1991 and federal election oversight (which brought down reformer Ron Carey) fewer Teamsters participate in them. In the last election, only about a quarter of the members bothered to vote even when provided with mail in ballots. It seems as if the struggle for democracy produced a lot more political vitality than "democracy" itself.

Apathy can't be explained, as Benson would have it, by the bureaucratic trampling of union civil liberties. Because bureaucrats don't normally run unions. As anyone who's ever worked as a union bureaucrat will attest, they do what they're told by elected officials. Andy Stern's rule over the SEIU has been seen by Benson and others as the triumph of centralism and bureaucracy. Stern created his own barons from his entourage, whom he sent out to rule the provinces. But last month, labors would-be King John met his Runnymede. The barons said, "No mas!" Stern's resignation and their refusal to ratify his chosen successor as president, illustrates just how powerful the centrifugal forces working to empower the local baronies remain in the U.S. model of unionism. The King can make barons; but the barons get local fiefdoms that give them the potential to unmake the King.

In our system, which features 25,000 semi-autonomous locals, the elected officers win office not because they have the support of the staff. It's actually the other way around. They have the support of the staff because they win elections. And they win elections because they've built a political machine made up of patronage followers who exchange loyalty to the union boss for positions and perquisites. The machine can usually count on staying in power as long as it delivers a union premium and — in craft unions — keeps the out-of-work list short.

BENSON NOTWITHSTANDING, political apathy is a natural product of this one-party machine culture — and of the narrow restrictions on the political agenda created by local autonomy. These confine the worker to a low political horizon shaped by his local's contract and his own individual grievances. Just like district politics in the south Bronx or ward politics on the southside of Chicago, union micro

politics rarely offers workers the opportunity to consider much less exercise leverage on wider, supervening issues.

That the local union acts as a kind of political Lunesta is bad. Worse though than the centrifugal forces isolating workers, are those antagonistic forces created by the goal of the local union premium. The whole legal infrastructure of exclusion, coercion, and exclusive bargaining is designed to enable local members to earn a wage higher than those doing the same work outside the local. Unsurprisingly, the local union member tends to see other workers in competitive terms: both the non-unionists undercutting his contractual wage — as well as other unionists seeking to take "his" work. Whereas the most basic aim of unionism is to unite workers by taking wages out of competition.

My first sense that there was something deeply wrong — not just with this or that labor leader or even with their collective propensities — but with foundations of American unionism came on a picket line. It was being manned by a Local 608 carpenter whom I later got to know and work with on *Hard Hat News*, a rank-and-file paper. He was an Irish-American very active in the carpenter reform movement who at the time was picketing the use of non-union labor in a Wall Street office-to-residential conversion that was so common during the downturn of the early 90s. The workers on the job were Asian carpenters. Patrick expressed no racial animosity. He simply insisted that Asians were welcome to join the union. Only though, if they could persuade their contractor to become a union contractor. So the non-union workers faced a real catch-22. They were regarded as scabs because they were working non-union; but effectively, they weren't allowed to join the union either. This exclusionary feature of craft unionism goes back to the 19th century. J.S. Mill criticized it; so did Engels. Union democrats don't.

The real democracy deficit in American labor unions is not that the locals are bureaucratic. It's that there are American style locals at all. What's missing from the one-dimensional ideology of union democracy, imprisoned in the metaphor of bottoms and tops, is any sense of the scope of political conflict.

The aim of the Right is always to restrict the scope of class conflict — to bring it down to as low a level as possible. The smaller and more local the political unit, the easier it is to run it oligarchically. Frank Capra's picture in *A Wonderful Life* of Bedford Falls under the domination of Mr. Potter illustrates the way small town politics usually works. The aim of conservative urban politics is to create small towns in the big city: the local patronage machines run by the Floyd Flakes and the Pedro Espadas.

The genuine Left, of course, seeks exactly the opposite. Not to democratize the machines from within but to defeat them by extending scope of conflict: breaking down local boundaries; nationalizing and even internationalizing class action and union representation. As political scientist E.E. Schattschneider wrote a generation ago: "The scope of labor conflict is close to the essence of the controversy." What were the battles about industrial and craft unionism; industry wide bargaining sympathy strikes, he asked, but efforts to determine "Who can get into the fight and who is excluded?"

The first step in the transformation of American unionism in the 21st century is to get beyond exclusion, accomplishing a task that unions in other countries accomplished as early as the 19th. A labor Left that breaks with the old playbook will bypass the autonomous local union, it will fight to end monopoly unionism, creating a system of representation that offers workers a choice of political ends, transforming finally a culture that breed sectionalism into one that promotes solidarity. Because what the left Labor needs is not union democracy but working class democracy.

Based on a talk given at the Left Labor Club, April 14, 2010

## **Footnotes**