

# ON THE FUTURE OF AMERICAN LABOR

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*There is now a vigorous debate, in the era of labor's decline, concerning the future of the American unions. Some have argued that revitalization requires the replacement of the so-called service model of unionism which focuses mainly on meeting the needs of existing members by an "organizing" model that emphasizes expanding membership. This article argues that, even if organizing is important, the main problem is that unions have remained subordinate to capital and to the Democratic Party. Unions need to regain their independence, but the top leaders are probably not capable of reversing the transformation of members into clients. What is needed is an independent labor-oriented catalyst that raises the question of the democratization of the labor movement, chiefly from the bottom.*

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The crisis of the United States labor movement is an old story but it has entered a stage where predictions of its virtual disappearance as a significant economic force are now fairly common, even among some of organized labor's top leaders. For the fifteen years after the 1980 election of Ronald Reagan, even as deindustrialization decimated most of the largest production unions and many smaller ones as well, and under the duress produced by Ronald Reagan's bold firing of 11,000 striking air traffic controllers, many unions gave back wages and benefits, some in despair and others as a result of lost strikes. The palpable decline of union power festered under the inaction of the old-line Meany-Kirkland leadership. By the mid-1990s union density, which in 1953, the virtual eve of the American Federation of Labor (AFL) and Congress of Industrial Organizations (CIO) merger, constituted 35 percent of the labor force—at a time when public employees' unions were tiny, unrecognized, and struggled to stay alive—had been cut in half. As density slid to 16 or 17 percent, in the early 1990s, Richard Freeman predicted that union density in the private sector would be no more than 6 percent by the year 2000. At 8.2 percent in 2003, Freeman was not too far from the mark.

Nearly all observers of the labor movement agree that unions' woes began in the late 1970s with the fundamental restructuring of the economy that through technological change, mergers, and acquisitions and capital flight have eliminated some nine million factory jobs, many of them well-paid and covered by union contracts. Employment in textiles and clothing, once America's largest

manufacturing industries, as well as steel, auto, electrical products, rubber, and a host of other sectors were hard hit. In fact, after undergoing a veritable technological revolution in the 1980s, the South-based textile industry has been hemorrhaging jobs since 2000 because of the greener pastures offered by lower-waged China and India. Ignored by most labor analysts was the effect of these changes on local communities.

While the official national unemployment rate hovers around 5.5 percent, hundreds of cities and towns, among them once-proud industrial centers like Youngstown, Buffalo, Cleveland, Akron, and Rochester, have seemingly intractable jobless rates of almost 10 percent. In many instances, having lost most of their plants or, as in the case of Rochester, experienced over the years a loss of 70 percent of their camera and copying-machine jobs, communities such as General Electric's former flagship city of Schenectady, which has witnessed the loss of more than 90 percent of its 20,000 jobs, struggle to pay teachers and to clean their streets. The bulk of newly created private sector service employment, much of which is offered on a part-time basis, pay wages that hover around the federal minimum wage and few offer benefits. And joblessness is augmented by the hidden unemployed: large number of "discouraged workers" who have left the labor force and for this reason are not counted in the statistics. Many are involuntarily "retired" on substandard pensions, work in the informal economy or are engaged in child and parent care. By some estimates, the real jobless rate in the United States approximates the double digits of many European countries.

There has been a marked reduction of labor struggles in the last two decades as well. Fear and anxiety afflicts large sections of the unionized labor force which, to safeguard their jobs in a soft economy, feels forced to accept bad contracts that erode health and pension benefits and whose wage settlements fail to keep up with inflation. And many unorganized workers hesitate to join unions because they know they can be fired without effective recourse to the law or to the exercise of union power. Or the plant might pick up and flee to Mexico, China, or the nonunion American South. Moreover, many workers have lost their faith in unions as guarantors of a better life, largely because they perceive that labor is in full retreat. Organizing in the retail sector, which is generally exempt from the phenomenon of the runaway shop, has, with the exception of food markets, remained in the doldrums. But, past union gains in the retail food sector are under siege. The recent lost strike by 75,000 grocery workers, members of the Food and Commercial Workers, highlighted the difficulties faced by relatively well-paid unionized retail food establishments in the wake of the advent of Wal-Mart, the eight-hundred-pound guerilla in the industry that pays close to the minimum wage. That the union did not choose to spread the strike throughout the industry's hundreds of thousands of union members—violating the no-strike provisions of dozens of contracts, if necessary—was a symptom of the timidity that afflicts much of organized labor.

### Rise of the New Unity Partnership

Among the sharper critics of the current drift are the leaders of the New Unity Partnership (NUP), presidents of the Service Employment International Union (SEIU), Union of Needletrades, Textiles and Industrial Employees (UNITE, the merged union of men's and women's clothing, textiles, and the remnants of hat and shoe workers), the Hotel and Restaurant Employees (HERE), United Brotherhood of Carpenters (UBC), and the Laborers' International Union of North America (LIUNA). Acknowledging the weight of economic change, political defeats that accompanied the so-called Reagan Revolution, and the corporate offensive against past gains they insist that the predominant "service" model of unionism takes pride in explaining why labor has lost so much ground.

The service model devotes most union resources—money and staff—to serving the needs of existing members: negotiating contracts, handling members' grievances, administering benefits programs. These services are highly political especially in times such as these when union's power to win substantial gains at the bargaining table is severely limited. Because most local and national unions observe the rituals of liberal democracy even if they are one party regimes, officers must be reelected by the membership.

If leaders cannot bring home the bacon, in part because of the economic and political weakness of the union, and because the leadership actively discourages members from engaging in strikes and other forms of direct action at the local level, they can always point to a job saved, a tooth filled, or an arbitration won. Where militancy fails, lawyers and business agents take over. Even as rising prescription and hospital costs plague most union-administered benefit funds, social security remains inadequate for retirees, and corporations who administer union-negotiated benefits take advantage of bankruptcy and the so-called Medicaid and Medicare reform to flagrantly make unilateral cuts. For internal political reasons, many unions cling to their private welfare programs rather than fighting for a universal, publicly financed and run health care program and an adequate national pension system to replace the increasingly problematic company or union plans. In sum, the service model is not simply a choice; it is the bread and butter of the leadership.

It is ten years since a coalition of the leaders of some of America's largest unions—the three main metalworkers organizations (auto, steel, and machinists), the giant state, county, and municipal employees (American Federation of State, County, and Municipal Employees [AFSCME]) SEIU, perhaps the most dynamic of them all, and several others—swept a slate, led by SEIU's John Sweeney, into the AFL-CIO leadership. Blasting what they perceived as the ineffective and complacent record of the Kirland administration, especially its failure to undertake aggressive organizing, Sweeney urged its affiliates to stop labor's bleeding by, in effect, replacing the service model with an organizing model. Simultaneously, the AFL-CIO started an organizing department under

the direction of one of labor's shining stars in the field, Richard Bensinger. And the Federation became a major player in Bill Clinton's 1996 reelection campaign, pouring millions of dollars into the Democratic Party coffers and financing the intensive get-out-the-vote drives. But, less than three years later, Bensinger was gone, having endured the ire of the affiliates who charged him with subverting their prerogatives. The main responsibility for organizing has reverted to the international unions. Some beefed up their organizing budgets but most of the federation's sixty affiliates promptly relegated it to the back burner.

What was left of the Sweeney insurgency? The AFL-CIO has made a de facto shift from organizing to electoral politics. In 2000, labor stepped up its political efforts and helped Al Gore win the popular vote and was prepared to win the electoral college in the wake of widespread black and Latino disenfranchisement and vote fraud in Florida. But when Gore urged the unions and other allies to accept the decision of the Supreme Court to stop the vote count, they vacated the streets and went quietly into the night. The year 2004 witnessed renewed and intensified electoral activity by the AFL-CIO, which more than doubled its 2000 \$45-million budget and put thousands of union activists on the streets. When Kerry conceded the 2004 election on the morning after Bush's dubious victory in Ohio, labor's voice was absent from the conversation about whether the state's vote had actually gone to Bush. These events reveal the degree to which organized labor has become a "dependent variable" in the political arena, notwithstanding its importance in the Democrats' coalition. Labor takes direction from the party rather than reflecting its own political independence.

### **Organizing New Workers**

Having all but abandoned its organizing emphasis and only a handful of the Federation's affiliates taking up the challenge, the combination of the 2001-03 recessions and the continued contraction of employment in some production sectors where unions have been strongest accelerated labor's membership and density losses. Meanwhile, the strike weapon was all but auctioned to the Smithsonian. When several large airlines filed or threatened bankruptcy in 2004, once more the specter of wage cuts and other concessions permeated the industry. The Airline Pilots Association, which never saw a wage cut they would not embrace, quickly granted United Airlines and Delta "temporary" relief. Only the independent flight attendants union, composed mostly of women, has shown its willingness to fight. In New York, led by the 125,000-member DC37, an affiliate of the American Federation of State, County, and Municipal Employees (AFSCME), most municipal unions settled for wage increases that failed to equal the inflation rate and in return for the city's largesse, granted the city government concessions. Meanwhile, with the tacit agreement of the leadership of DC37, thousands of unemployed welfare recipients are working in entry-level

public jobs in hospitals, parks, and other public faculties at minimum wages and without union representation.

In 2003, NUP leaders Andy Stern, Bruce Raynor, and John Wilhelm issued a statement abhorring the loss of labor's economic power and, as Richard Hurd has pointed out, called once more for the adoption of the basic features of the 1995 Sweeney program by, among other measures, allocating at least 30 percent of their budgets to organizing. Perhaps most controversial was their proposal that, in order to regain labor's economic clout, the sixty international unions affiliated to the federation be consolidated to twenty or fewer, thereby reversing the fifty-year trend toward general unionism rather than craft or industrial unionism (of course, UNITE and SEIU are general unions, but i.e. another story). In the process, they urged the end of intraunion rivalry and for the labor movement to concentrate on fighting the boss instead. As Hurd has argued, NUP was predicated on the idea that organizing was enough to revive the movement and it was mainly a matter of reallocating resources to get the job done. Recently, for example, Stern proposed allocating \$25 million of the federation's \$180-million budget to organize Wal-Mart, which, given the size of the task, is a symbolic gesture (Hurd, 2004).

But NUP leaders are indifferent, even hostile, to the concept of democratic, rank-and-file unionism. In the first place, none of the internationals they lead is famous for its bottom-up democratic processes. Second, their centralization proposals would make a social movement model of unionism much more difficult to achieve because it would reinforce the dominance of the vertical, hierarchical structure over local autonomy. Recall that during the industrial union upsurge of the 1930s—labor's last great moment of private sector growth—there were two distinct modes of organizing. John L. Lewis and Sidney Hillman formed “organizing committees” directed from the top in steel, packing, textiles, and chemical industries. These campaigns were run from headquarters, even though Lewis was anxious for the radicals' participation, which he received. But, except for packing, where the left unionists refused to allow themselves to be dislodged, when the committees gave way to full-fledged internationals most became some of the more reliable bulwarks of the emerging labor conservatism after World War II.

The second model is exemplified by the early development of the United Auto Workers (UAW), whose activists never permitted Lewis and Hillman to run their union, but retained a highly decentralized organizational structure and an organizing campaign which, in many instances, was conducted by local unions and by shop floor leaders, some of whom were radicals. Walter Reuther's own West Side local was one of the major sites of parts plant organizing. This was true of the Ford, GM-Flint, and in Ohio White Truck, Toledo Auto-Lite, and the East coast assembly plants where local unions formed their own organizing committees and rank-and-file workers did much of the work. In its early days, after local leaders sent the AFL-appointed president Francis Dillon on his way, the UAW was racked by internal conflict, factions, and what some have term “ultra-democracy,” and harbored many radical groups who jostled for

leadership. Yet, contrary to the prevailing view among labor leaders and experts alike that turmoil and competition hurts the labor movement, it was among the most successful of the early CIO unions. The same can be said for the Rubber Workers, which was a highly contentious organization from its founding in 1936 to the mid-1950s.

### **Electoral Politics: Labor at the Brink**

The Bush victory augurs badly for unions, especially because they have chosen to completely subordinate themselves to the Democratic Party. Not only is there no chance for labor law reform, for raising the minimum wage, or indeed for repeal or modification of North American Free Trade Agreement and other antilabor trade agreements, but the environment for unions and particularly for organizing is poisoned for the next four years. Paradoxically, that the law stands against the workers might become an excuse for resuming labor's historic preference for direct action. This is especially true for the South, now an electoral bastion of reactionary Republicanism. But this state of affairs was not inevitable. It came about largely because throughout the twentieth century, the South remained an open shop region.

Had the AFL-CIO committed its resources to the South, and succeeded in organizing textiles, among other major production industries, the political complexion of the region might have been different. Instead, most unions abandoned attempts to organize in the region after 1950 when the CIO's Operation Dixie, a four-year organizing campaign centered in textiles, failed miserably in part because the top CIO leadership steadfastly refused to address the race question. The Textile, Communications, Clothing, Woodworkers, Longshore, and Teamsters unions are exceptions, mostly because they had little choice but to try to unionize their industries. But any good labor historian knows that some of the most militant strikes in textiles, clothing, communications, road transportation, tobacco, and other prominent industries have occurred in the South. Once Southern Workers get the union spirit, they are as reliable and enthusiastic unionists as any other workers, mainly because the union is a cause as well as a rational solution to their economic problems.

Southern organizers understand well that organizing is not a routine business activity, but a struggle to win the hearts and minds of workers, and when they succeed they have some of the best unionists anywhere. As a result of the pervasive business unionism, the South is now the region of choice for much of US manufacturing and transportation industries. That the AFL-CIO has virtually absented itself from the region, both at the level of organizing and in the electoral arena, is one of the markers of its possible demise (Griffith, 1988).

In the 2004 elections, the Democrats chose to ignore the South, even though, paradoxically, Kerry selected John Edwards as his running mate. The decision to focus on a relatively narrow band of battleground states, all of them except Florida and Pennsylvania in the Midwest, was based on crackpot realism: Kerry's staff believed he had no chance of winning any of the Southern states

so he was better advised to spend his resources on the so-called “battlefields.” Yet there were five open Democratic Senate seats at stake in the South. Would a vigorous campaign in the Carolinas, Georgia, and Louisiana have made a difference in the outcome of the senatorial races? Maybe not. But the long-term future of the party and the progressive forces within it clearly depends on its ability to make new inroads in the South. Avoiding the Southern states puts the Democrats in fairly narrow demographic corridors. For the unions, the South is one of the crucibles upon which its future depends.

The tacit message that labor must become more aggressive was delivered several times by Stern. During the 2004 primary election season, he broke ranks with many other union leaders who backed labor’s old friend Rep. Dick Gephardt and, instead, supported Howard Dean’s more forthright anti-Iraq war stance and somewhat bolder liberal message. When, by careful manipulation by the centrist leadership of the Democratic National Committee, Dean went down in flames, Stern lost no time criticizing the victor, John Kerry and his staff for conducting a boring campaign without a message. In the environment of Democratic euphoria that followed the party’s Boston convention, Stern’s statement went down like a dose of food poisoning. He was condemned by Democrats, their minions, and some labor leaders alike for undermining a potentially victorious campaign.

In retreat, Stern assured his critics that his union was contributing \$65 million to the Democratic campaign. But the underlying theme of his critique became clearer only days after Kerry’s defeat on November 2. As the AFL–CIO Executive Council gathered in Washington on November 10 to consider its options after Kerry’s defeat, Stern drew the lesson that the labor movement must go back to the fundamentals, especially organizing. *New York Times* labor reporter Steven Greenhouse speculated that the “labor movement is in turmoil.” He reported that Stern was warning his colleagues that SEIU “may pull out of the labor federation and some labor leaders say [in] that John J. Sweeney might face a challenge for its presidency. Greenhouse goes on to speculate that HERE president John Wilhelm might be a candidate to oppose Sweeney (Greenhouse, 2004).

### Challenges to NUP Program

As a major union of public employees, SEIU has no alternative but to engage in political action because, as Paul Johnston has pointed out, public sector unions are almost invariably “state builders” (Johnston, 1995). But behind the call for spending more money and energy on rebuilding the labor movement through organizing is a suggestion that the labor movement return to syndicalism, albeit not of the ideological kind. The NUP’s syndicalism would restore economic power the old fashioned way: increasing union density through organizing and pursuing a highly concentrated industrial consolidation rather than political action. In demanding greater centralization, Stern and his colleagues

are returning to the early CIO model where many major organizing campaigns were directed by men closely tied to the top leadership, as opposed to the ancient AFL model of decentralization, where a small organization, say, the Office and Professional Employees or the Glassblowers, remained firmly in control of their own destiny at every level.

In the main, there is little public criticism within labor's ranks of the NUP proposals. The exception is the 700,000-member Communications Workers, many of whose local unions and organizing drives are a near-model of democratic process. Although the union supported Tom Donahue, Kirkland's anointed successor, in 1995, it cannot be said that it is among the international unions that has remained complacent in the face of membership losses, because of technological change and to telephone company mergers and acquisitions. Its successful campaign to organize thousands of United Airlines ticket agents in the 1990s relied mainly on the agents themselves. Staff provided assistance but by no means dominated the organizing drive.

Modern unionists, spawned in several generations of ideology according to which union participation in electoral politics must take center stage mainly because of the importance of the legal framework within which collective bargaining and organizing operates, might criticize this virtual paradigm shift as retrograde, or at least accuse its proponents of turning a blind eye to the key role the law plays in everyday union affairs. Not to mention the profound resistance of union leaders who jealously guard their autonomy, even if the pond in which they operate as big fish is drying up. Of course, NUP leaders would claim they are not trying to eliminate political action from labor's arsenal. But they have drawn different lessons of the last quarter century of trade union decline, from most labor leaders and labor experts.

Paradoxically, it was under the tutelage of the conservative New York plumber, George Meany, that the AFL-CIO steadily built a powerful political and lobbying machine after 1955. Here, too, Meany followed the CIO Political Action Committee model of central control, rather than the old AFL practice of leaving the initiative to affiliates. By the 1960s, the federation's Committee on Political Education had deployed a field staff working with state federations, appointed a central "operating committee" consisting of key staff operatives of some affiliates such as the UAW and the International Ladies Garment Workers Union (ILGWU) to develop an electoral strategy focusing on key union-rich states that, among other achievements, helped John F. Kennedy win a closely fought presidential race and raised millions for the Democrats' national candidates. At the same time, Meany steered organized labor away from its traditional nonpartisanship. During the Kennedy-Johnson years, the AFL-CIO became perhaps the most important political base of the Democratic Party. But while the federation remains a vital component of the coalition that constitutes the Democrats' electoral campaigns and, under Democratic administrations participates—sometimes at a cabinet level—in government, in other respects until Sweeney's tenure, it was reticent to get involved in such core union functions as organizing.

Meany was an old AFL stalwart who believed, in the Gompers mode, that the federation should intervene in electoral politics and adjudicating jurisdictional disputes among affiliates when bilateral negotiations failed. On most issues, Meany was willing to use his bully pulpit to articulate labor's political and social goals. But on the ground, he remained opposed to substituting the federation for its affiliates on crucial union functions such as organizing, even if Gompers himself had sponsored large-scale Packinghouse and Steel organizing campaigns during World War I, appointed William Z. Foster, a leading syndicalist before the war, to head the campaigns. Meany's protégé and successor, Lane Kirkland, whose union credentials were far more shaky but was equally conservative, nevertheless opened a wedge in 1983 to federation involvement in organizing, but it remained only a wedge. Sweeney and his associates might have faulted him for being too cautious in the pursuit of union-building, but it was during Kirkland's administration that the precedent had been set.

Labor's ills go far beyond its organizing failures or defeats in the electoral arena or its declining membership relative to the size of the labor force. Recent attempts by nearly all airline companies and many other private sector corporations to reduce or eliminate benefit packages for working employees, and to abrogate union contractual requirements which provide benefits to retirees "for life," illustrate the fragility of collective bargaining. Another symptom is brought about by the virtual disappearance of the strike weapon in most industries and sectors: as a result, in many instances, collective bargaining has become collective begging.

Union leaders and labor relations experts tend to attribute these losses to declining density. If unions in textiles and apparel or in the retail sector, for example, had more membership, they would be more potent at the bargaining table. Of course, this theory fails to explain the crushing defeats suffered in the 1980s by UAW members in the farm equipment industry, especially industry leader, Caterpillar, where union density was very high, or the concessions granted by the union to the big three auto corporations, which, until the 1990s, were almost 100 percent organized, particularly the huge 1979 \$400-million wage concession to Chrysler. Moreover, the UAW followed this precedent-setting agreement with a series of collaborations with Ford and GM to secure worker "participation" in modifying or rescinding hard-won work rules and cooperating with programs such as flexible specialization that prepared the ground for massive outsourcing of parts production to lower-paying contractors; or the wage concessions granted by the Packinghouse division of the Meatcutters union in the mid-1980s that was resisted by Austin, Minnesota Hormel workers who found themselves largely abandoned by their international union.

Nor does the density theory stand up in the cases of high density sectors such as teachers' and other public employees' unions whose salaries suffered significant erosion and working conditions worsened in the 1980s and 1990s when state legislatures simply refused to allocate more state aid to education and other services, forcing local communities, already suffering a shrinking tax base because of deindustrialization, to fend for themselves. Today, many public

unions accept the proposition that every significant wage or benefit gain must be balanced by union concessions such as giving up hours, agreeing to two-tier salary scales for the same title, and increased copays and deductibles for prescription drugs and medical procedures.

### **Why Organized Labor is Losing**

Although necessary, density loss is not a sufficient explanation for the current labor pains. Underlying the decline of the labor movement are these 6 factors:

#### *Globalization and Technological Change*

The twin perils of economic globalization and technological change. While the Sweeney administration has made a few stabs at forging international labor solidarity by supporting organizing and strikes in Mexico, Central America, and some Asian countries, and a handful of unions played an important role in the December 1999 Seattle protests against the World Trade Organization, these actions have proven too few and have slackened since September 11, 2001. Since then the AFL-CIO and many of its affiliates have refused to join antiglobalization protests, even though their European, Latin American, and Korean counterparts are often the soul of the antiglobalization movements.

Equally egregious is organized labor's complete silence about the nature and consequences of technological change at the workplace. Since the 1960s and 1970s, when, as a price for permitting technological displacement, the two Longshore unions, the Typographers and the UAW, negotiated job security agreements for their members, there has been absolutely no movement for guaranteed income and shorter hours in the labor movement as a whole. Even as French and German trade unions have fought for the thirty-five-hour week and to protect their generous unemployment and job security programs with mass protests in the streets, Americans are working longer hours and suffering greater insecurity, but the labor movement remains silent.

#### *Legal Attack against Worker Rights*

The legal framework for collective bargaining, upon which unions rely, is in the process of disintegration. It seems that in the United States every contract is inviolable except one: the union contract. If, by appeal to courts or by their own counsel, employers can squander, rescind, or otherwise break their wage agreements and reduce negotiated benefits without union approval, the collective bargaining agreement no longer has the force of law. If this is true, only direct action can stop the employers' resolve to address their profit problems by putting the burden on the backs of labor.

Since the National Labor Relations Act (NLRA), which was enacted by Congress and became law only in 1938, unions have gradually surrendered the

strike weapon as an organizing tool and relied, almost exclusively, on the representative election for membership recruitment. No sooner had the law been verified by the Supreme Court decision in the so-called chicken pluckers case, that the same court outlawed factory occupations for union recognition, known as sit-down strikes. Since then, unions have been habituated to the procedures prescribed by law for determining union representation. The official union line is that the effectiveness of the National Labor Relations Board (NLRB)—and state labor relations boards—depends on who is appointed to key panels, and to high administrative positions, that is, on politics.

Consequently one of the main arguments for supporting the Democratic national ticket and state Democratic candidates is to assure sympathetic treatment of labor's ability to organize, and in the case of public employees, to secure bargaining rights. Ignored in this assessment is the indisputable fact that, almost from the very beginning of the NLRA, courts and Congress have combined to water down the fundamental right to organize by, among other restrictions, allowing employers free speech to issue circumspect but unmistakable threats to close or remove the plant from its existing location if workers voted for the union; instituting an almost interminable unfair labor practices procedure that permits employers to fire union activists and alter working conditions during campaigns without risking immediate sanctions; the NLRB can agree with employers to exclude or include certain employees from the representation unit that might affect the outcome of the election; and giving the employer the ability to delay the vote or challenge its outcome in the courts. In the last decade, we have seen this tactic employed time and again by public and private universities. In most instances, graduate teaching assistants and adjuncts have refused to be discouraged from forming unions. But there are other cases where, in this occupation of high turnover, the campaign fell apart because of the refusal of the employer to agree to a given bargaining unit or to recognize the union immediately after the election.

### *Labor and the Cold War*

One may question whether in the 1940s most unions were well-advised to give up their most reliable organizing method, the union-recognition strike, in favor of the representation election. In this context, I acknowledge that in wartime—both hot and Cold wars—even as unions gradually damped down their combativeness, under the Roosevelt and Truman administrations, union growth prospered under the law, even as they were subordinated to it. It may be argued that the size of union expansion during the 1940s, which matched the industrial union upsurge a decade earlier, was linked to their integration into the war production imperatives. For example, after decades of resistance to union organization, in 1941, under penalty of being denied defense contracts, the Ford Motor company was forced by the Roosevelt administration to recognize the UAW. And a half dozen smaller steel corporations (called “little” steel) were similarly coerced to enter negotiations with the Steelworkers.

After the surrender of Germany and Japan, both major labor federations became firmly committed to the Cold War, and under prodding not only from Truman but also from some of their own leaders like Walter Reuther, drove the Communists out of its ranks. Despite the labor movement's strong criticisms of Truman's relentless centrism and antilabor policies, CIO leaders all but renounced its intention to organize a labor party or any independent political force. Between sharing in the sumptuous defense contracts that accompanied the permanent war economy and a relatively favorable climate for organizing, it was not difficult to persuade union leaders to bond with the administration rather than opposing it and in their quest for stability, to seek accommodation with employers. From the standpoint of industrial unions, NLRB regulation seemed to be a boon to organizing.

But the Truman era was, in many respects, the beginning of McCarthyism; most union leaders were all too willing to collaborate with government agents to repress the left, but apart from membership gains, labor was not well treated by Truman. He used his emergency powers to draft railroad workers, dragged his feet on national health care legislation, and, in vetoing the Taft-Hartley amendments, several historians have documented his gradual tacit approval of them (Hamby, 1973: 445).

The exodus of the Communists in all but a handful of unions was the necessary condition for bringing the giant labor movement to heel. The Communists' behavior during the war, where, like Reuther and most labor leaders, they supported the wartime no-strike pledge, did not endear them to many rank-and-file militants. But the red purge undertaken by liberal and left anticommunist labor leaders was reprehensible, and not only on civil liberties grounds.

With the cooperation of union leaders, many were hounded out of their shops, off the waterfront, and the ships by the Federal Bureau of Investigation. But recent scholarship has demonstrated that the postwar so-called "left-led" unions (a euphemism for anti-Cold War and Communist-influenced organizations), were often militant and effective, especially in organizing. Their main sin was that they opposed the Cold War and the increasingly accommodationist policies of the mainstream labor movement. Within the unions, they did not control. Communists and their allies had often helped organize opposition caucuses on the local and national level which, especially in the UAW, remained irritants to the leadership throughout the 1950s and 1960s. This intervention did not endear them to the powers that were (See Cutler, 2004; Griffith, 1988; Rosswurm, 1992).

From 1948 through the 1960s, the labor movement was a stalwart and reliable ally of the government's pursuit of the Cold War. During this period, deferring to patriotic considerations, unions in defense industries—which defined a large fraction of material production—used the strike weapon sparingly. But the Cold War consensus also spawned illusions of labor/corporate cooperation. Pursuing labor peace in 1950, Walter Reuther, the UAW president, signed an unprecedented five-year contract with the leading auto corporations, which included a no-strike pledge during the life of the agreement.

Although the rank and file rejected the provision by engaging in a series of wildcat walkouts against speedup, and succeeded in amending the 1955 agreement to reintroduce the right to strike on discharge and health and safety issues, by the end of the decade, most industrial unions had fallen in line with the proposition that the strike weapon could only be employed at the termination of the agreement. Even the historic 116-day steel strike of 1959 failed to abrogate the no-strike clauses which, today, are in force in an overwhelming majority of labor agreements. And most do not permit strikes for any reason until the termination of the contract (Lichtenstein, 1995).

### *National Politics and Restrictions on Organizing*

Then there is the ghost of Taft–Hartley. Under the 1947 amendments to the Labor Relations Act, unions are deprived of their right to conduct sympathy strikes, to engage in secondary boycotts, and, in some cases, the president can prohibit or delay a strike in the interest of national security. The impact of Taft–Hartley was to make the elementary weapons of labor solidarity illegal. After a brief attempt to repeal most of the amendments, the labor movement has become accustomed to bondage and obeys the law with frightening regularity. Even during the 1960s and the Carter and Clinton Democratic administrations, union leaders had all but given up making a serious effort to overhaul the labor relations law to permit wider freedom for workers to engage in direct action. The AFL–CIO limited its reform efforts to streamlining Labor Relations Board procedures to speed up representation elections and the adjudication of unfair labor practices charges. But at the state level, in exchange for the right to bargain, most public employees’ unions willingly accepted the no-strike provisions of the public labor laws. In the state of New York, for example, the AFL–CIO calls for reform of the Taylor law, but has not opposed its antistrike provisions.

These restrictions tilt the playing field to the employer’s side regardless of which political party is in power, although admittedly under Republican administrations the situation is worse. And because Republicans have dominated the White House for all but twelve of the last thirty-five years, with four more years of antilabor rule in the offing, it is questionable whether unions are well-advised to continue to use the NLRB for organizing purposes. This insight was clearly the basis for Lane Kirkland’s ironic 1980s comment that the Labor Relations Act should be repealed and of John Wilhelm’s proposal to substitute card checks for NLRB-supervised elections. But under present circumstances where the Right controls both houses of Congress and the White House and unless employers give voluntary assent, labor-sponsored legislation legalizing card checks has little chance of passage in the foreseeable future. More likely will be Republican initiatives to further weaken labor’s legal rights.

It is no accident that, at least in terms of organizing labor’s forward march being slowed, halted, and finally reversed, beginning in 1953 the year union density reached its apex. The year 1953 was when the New and Fair Deals defin-

itively came to an end. The first Republican presidency in twenty years, the Eisenhower administration, did nothing to abet the right of workers to form and join unions of their own choosing. But unions themselves had already abandoned their anticorporate rhetoric and severely tempered their militancy, in favor of a more moderate stance in both politics and on the shop floor. Even organizing gradually took the form of an appeal to workers to join the union in the same manner that they would buy insurance. With the exception of the few major campaigns such as the New York hospital workers and California farm workers, both of which wrapped themselves in the symbols of the civil rights movement, organizing appeared as an extension of routine business union practices.

### *Labor Organizing Strategies*

The dismal history of Southern organizing, arguably the greatest failure of the labor movement, largely remains an untold story. After the failure of AFL-CIO, attempts to coordinate the organizing efforts of unions in specific geographical regions of the Carolinas, Georgia, and Tennessee from 1946—when the CIO's Operation Dixie started off on the wrong foot by refusing to address the race question—to the late 1960s, when, under Meany's leadership, the AFL-CIO conducted a pedestrian and somewhat incompetent drive in the Greenville-Spartanburg area and had little to show for their efforts, the federation and most of the international unions turned their backs on the South. The teamsters, furniture workers, clothing and textile workers (Amalgamated Clothing and Textile Workers Union [ACTWU]) and laborers did not entirely abandon the region.

The results have not been particularly impressive, because, with the partial exception of ACTWU, which conducted a life-and-death struggle at several sites in Virginia and North Carolina against, respectively, JP Stevens and, as UNITE at the Fieldcrest Mills—the largest single textile mill in the United States—they lacked not only resources but also political perspective to achieve significant gains. The tiny furniture workers union went so far as to move its headquarters from New York to Nashville, but never got the support to organize this mammoth industry, so it merged with the electrical workers. At JP Stevens, ACTWU leadership hesitated to conduct an all-out struggle and, even though, because of its effective corporate campaign, it had the company on the ropes, it settled for less than half a loaf, and won recognition in six plants of a huge chain. The Fieldcrest Mills campaign was the culmination of a decade of steady and consistent work which finally bore fruit in an election victory, but which was followed by the aforementioned global textile crisis that reduced the workforce (Aronowitz, 1998: chapter 3).

But, one of the conditions for change, militancy is not in fashion within organized labor. In most major unions, after the Communists' expulsions, radicals and other union activists who insisted that the labor movement address issues such as industrial discipline, speedup, the growing practice of mandatory

overtime, shop-floor racism that manifested itself in denying blacks the chance for employment and upgrading, were either marginalized or denounced as reds or “trouble-makers.” Officials preferred to work through the cumbersome grievance procedure provided in the contract rather than encouraging direct action to solve problems on the shop floor, and vigorously opposed the seething discontent that permeated labor’s ranks in the late 1950s and early 1960s over work rules and technological change, which the workers correctly perceived as a threat to their conditions and their jobs. As Jonathan Cutler has documented, Reuther and other major leaders of industrial unions turned their backs on the demand for shorter hours even as capital began a long process of introducing job destroying technologies into the workplace (Cutler, 2004).

Meanwhile, pinned down by an increasingly hostile national administration and a conservative Labor Relations Board, union growth slowed. The Kennedy–Johnson years resumed union growth, but only because, inspired by the civil rights movement and later second-wave feminism public employees, many of them African American and women, began to look at their own situation and found it wanting. In 1961, Kennedy made good on a promise made to the AFL–CIO to issue an executive order recognizing the right of federal employees to organize—a stroke of the pen which prompted many Democratic-controlled state houses and legislatures to enact parallel legislation. However, many state laws recognizing union rights and establishing public employee labor relations boards in the 1960s and 1970s stipulated that the strike weapon was prohibited. New York state’s law is particularly draconian in that it provides for severe penalties, not only against unions and their leaders who defy the strike ban, but against individual workers as well. Still the teachers’ Al Shanker and the transport workers’ union’s Michael J. Quill, being trade unionists of the *old type*, supported their members’ strike actions and went to jail for their temerity (Johnston, 1995).

In a time when employers, the media, and law are arrayed against labor, the labor leader of the *new type* is not so foolish. Having persuaded members to accept the efficacy of the peaceful path to job security, higher living standards, and better working conditions, they have presided over a steady erosion of union power. In our period of the Reagan Revolution, the labor movement is in a free fall. At the same time, union members have been transformed into clients by the service model. At election time, they trot out propaganda for labor-endorsed candidates, but otherwise, most unions do not have educational programs to train shop-floor leaders and the general membership, except in grievance handling. At the local and national level, many union officials are seen by employers and rank-and-file members—and see themselves—as managers of the contract, the union apparatus, its treasuries, and its institutions such as health plans. Most importantly, they are often managers of their own members.

Given the magnitude of the revitalization task, the clientization of the membership raises serious questions about the adequacy of an organizing model that proceeds from the top. Even the great centralized CIO drives of the 1930s and the equally oligarchic, if tenacious, public employee organizing of the 1960s

relied on a plethora of rank-and-file organizers, some paid off but mostly did not. These volunteers were imbued by a rebellious spirit, sometimes anticapitalist, sometimes antiracist and feminist. Many of the most active rank and filers were persuaded that the labor movement was a vehicle for social change. The motives of today's activists are not that different, but it is not clear that they fight with more than a glimmer of hope that the unions will rise from the ashes.

In 2004, Sweeney crowed that thousands of union members worked hard to register voters and to elect John Kerry president, the underlying passion was fueled by fear that a second George Bush term would witness further defeats; Kerry himself was mostly an empty container into which many workers placed their fear and anger. From the days of Bensinger to our own time of Stern and Raynor, there is little talk of organizing from the bottom. The most active organizing unions still rely chiefly on professional staff and call upon their own members to assist the drives only occasionally. The union activist who holds no official local post is frequently regarded with suspicion when not outright contempt. Unless, of course, she belongs to a caucus that seeks power. In which case, in the post-Cold War era, her group is subject to charges that they are "crazies."

Which raises the question: What would it take to motivate union members to become organizers? Historical evidence shows that only when they see the cause of labor as a crusade or an insurgency analogous to a civil rights struggle will they donate their time and their energies to building the union. And they must see themselves as stakeholders in the movement, as genuine participants in the life of the union, not clients of an entrenched leadership. The union activist as a social type still exists, especially in unions of the working poor and in unions with a democratic, militant tradition such as the UAW, ILWU, some locals of HERE, especially in Boston and San Francisco, AFT, and a few newly organized unions of professional and technical employees where unionization remain a cause. But the pervasive practices of business unionism actively block the emergence of critical mass of rank-and-file activists who are not part of an oppositional culture.

### *Labor as a Social Movement*

To enlist rank-and-file organizers, unions must become social movements. The industrial union upsurge was prompted by the depression and the capital's brutal response to workers' suffering, but also by a fairly elevated level of class rage at a system that exploited the employed by working them under a regime of totalitarian management, and ignored, when it did not persecute the third of the working class who remained unemployed until the late 1930s. While polls have consistently shown that, all things being equal, workers prefer unions to working in an open shop, their confidence in the ability of unions to deliver has declined substantially since the 1960s. Wage differentials between union and nonunion occupations for the same work still shows the advantage to unions, but the gap is narrowing because of paltry wage gains in contract settlements.

We live in an era when real wages have been depressed for most workers by as much as 25 percent. During the 1980s, press and television reports of the union retreat on a broad front did nothing to improve the organizing environment. And although union organizing improved somewhat during the 1990s, their inability to organize among the working poor, the growing technical and professional categories, except in health and education—and most fatally their abandonment, except in a few instances, of the historic task of organizing the South, now the main site of manufacturing growth, meant that the few organizing successes were more than counterbalanced by job growth in nonunion sectors.

Of course, social movements do not arise from leaders' will or by issuing edicts. The catalysts for insurgency—but not necessarily the leaders of the actual movement—are usually ideological groups whose dedicated and visionary members are prepared to suffer scorn and ostracism from the mainstream to pursue their objective of “fanning the flames of discontent” among their constituents—workers, blacks, women and, in the case of ecologists, the whole population. After World War I through the 1950s, these formations manifested themselves as small political parties of the Left such as the Communists and various Trotskyist groups.

But after the 1960s, insurgencies were spurred by what may be called “pre-party” formations characteristic of independent socialists, such as the New York United Federation of Teachers opposition caucuses, the rank-and-file groups in the Teamsters, Communications Workers of America (CWA) and Transport Workers Union (TWU); Historically, in the black freedom movement in contrast to the dominant National Association for the Advancement of Colored People, which has favored legal remedies to address discrimination, some organizations such as Student Non-Violent Coordinating Committee (SNCC) and Southern Christian Leadership Council (SCLC) advocated and conducted direct action such as sit-ins in public accommodations, marches, and other acts of civil disobedience to achieve civil rights or economic justice. Taken together, these are the collective or organic intellectuals of labor and other movements, but because unions are largely business organizations, they are obliged to function independently of the apparatus.

Recently, two staff members of the United Electrical Workers issued a call for the creation of a new Trade Union Education League (TUEL) to spur organizing. They perceive that the official labor movement has lost much of its capacity to attract the legions of the unorganized, and argue that labor needs an independent stimulus, primarily at the local level. Indeed, the left in the labor movement was the grandparent of latter-day activists. In the 1920s, the Communist Party and its sympathizers, many of whom had been Industrial Workers of the World activists, formed the TUEL, which operated as a militant minority within a significant number of AFL unions.

Founded in 1922, TUEL provided support to strike struggles in rail, mining, apparel, and textile among others. As a relatively small organization, it attempted to recruit activists to its ranks by conducting educational work among

the rank and file. And, most controversially, TUEL organized caucuses within some leading unions such as the Machinists and the ILGWU (now merged into UNITE). Attacked by AFL officials as a dual union meant to destroy the unity of labor, the fact is TUEL entered its dual-union phase (the Trade Union Unity League or TUUL) only when its members were expelled from the unions, often through amendments to union constitutions barring them from holding office but also from working in the industry or trade where unions had closed shop agreements with employers.

Affiliates of TUUL were particularly active on the waterfronts, machine and metal trades, apparel and farm labor organizing, especially in the south and west, but a socialist-inspired tenant farmers union, headed by HL Mitchell, which had difficulty joining the AFL because its members did not pay dues, was more successful in Arkansas and set the stage for the celebrated United Farmworkers campaign in the 1960s and 1970s. Another socialist group, the American Workers Party, which adopted a parallel line of working within the AFL, played a key role in the organization of the unemployed in some cities, especially Toledo, where its organizers were prominent in the Auto-Lite strike of 1934. And the Trotskyist Socialist Workers Party was a major force in the teamsters union which spurred the Minneapolis general strike the same year. In the San Francisco local of the International Longshoremen's Association the Communists and other radicals were able to pursue their traditional policy of working from within the AFL. Harry Bridges, who claims never to have joined the Communist Party, was the leading figure in the San Francisco general strike, fighting his own international union as well as the stevedores who owned the shipping companies (Foner, 1991, 1995; Kimmeldorf, 1988; Preis, 1964).

Today, there are no longer viable national caucuses within major unions with the single exception of the long time Teamsters for a Democratic Union (TDU), which briefly shared national power with forces around Ron Carey and has a few seats on the Teamsters Executive board. After Carey's ouster, TDU has resumed its position as a key organization within a broader, but minority opposition. But although organized and led by independent radicals, TDU is a syndicalist organization in that it confines its program and activity to promoting democratic and militant unionism, particularly around the contract. Social movement unionism, which has different origins and modes of operation, survives at the local level in a few rank-and-file caucuses and a small number of democratically run local unions that took office as a result of rank-and-file insurgencies, especially in the UAW and Teamsters.

Among the most notable of the more recent examples were the New Directions Caucus of the subway and bus employees, New York's 35,000-member Transport Workers Union (TWU) local 100, and the New Caucus of the Professional Staff Congress (AFT), the 14,000-member union of faculty and staff of the City University of New York. Both caucuses, whose activists were mainly a *mélange* of independent leftists, spent much of the 1990s running and often winning chapter and division offices but losing at the local level. In the early months of the new century, both captured local union office. Although these

insurgencies have worked to improve the lives of their members and participate in wider struggles, they remain hemmed in by the onerous legal and political framework of collective bargaining, the generally conservatism of most New York City unions, and affiliations with highly centralized international unions. Contract administration occupies most of the time of the leadership and staff, even as the unions do not hesitate to involve themselves in wider activities.

### Conclusion

The model of social movement unionism is the missing ingredient in various prescriptions for addressing labor's issues. Intrinsic in this model is a thoroughly democratic organization that not only confers consent on leaders but actively works to make the union not only an organization *for* the rank and file, but one that is *of* and *by* the membership as well. This means that all basic union activities, from grievances administration to organizing are essentially in the hands of the membership, to which the staff responds and assists, rather than directs. A wide range of union policies are subject to the democratic decision making by the members. The leadership sees itself as a collective educator rather than an oligarchy which subverts the prerogatives of the rank and file by taking power into its own hands, even if it obtains consent.

The day-to-day activity of the union focuses largely on providing opportunities for members to get involved by understanding their own situation, the relation of their problems to those of other working people in other industries and around the world, what the labor movement stands for, and how they can participate. A democratic union forms committees, including an organizing committee, consisting of rank-and-file members to make the decisions and perform the actual organizing, and builds an extensive network of workplace leaders—stewards, committeepersons, who are invested with the power to protect and extend everyday member interests. And the social movement is expressed by engaging in direct action as well as negotiations with employers to achieve union objectives and goals. The social movement unionist is critical of labor institutions such as insurance- and union-run health plans that, despite the good intentions of their administrators and union leaders, perpetuate the clientization of the membership, and for this reason, she fights for genuine publicly funded health and pension programs.

The social movement union project organizes workers, whether they can expect to obtain a union contract in the foreseeable future or not. Workers should be able to join the labor movement as individuals, and groups that do not have an immediate chance of winning a majority to strike or petition for a representation election should be invited to be part of labor movements. These individuals and groups should be able to participate in many of the same activities a social movement union expects of its own members and should be offered, where possible, discounted group health insurance and other benefits. In this respect, we can recall the experience of the nonunion era of the 1920s

when some unions and radical labor organizations enrolled activists for the long haul.

Note well that the ILGWU and some contemporary radical groups such as the Chinese Staff and Workers Association opened workers centers and enrolled members in the 1980s and 1990s without the short-term expectation that they would quickly win contracts. Contrast this strategy with the current narrow emphasis on working exclusively with existing union members or with workers in nonunion situations if, and only if, they are ready to vote in an NLRB election. From an ideological standpoint the current practices reinforce the view of many that unions are not class organizations but instead are a series of private clubs open to special people.

It is naïve to think that the revitalization of the labor movement can be left to the leaders of international unions. For, among other reasons, organizing cannot be left to vertical organizations. More than forty years ago, Chicago radical Sidney Lens argued for shifting to horizontal modes of organizing and political action. He believed that the central labor councils (CLC) should be main sites for these tasks. The current San Francisco Central Labor Council may be one example of this model. But there are too few parallel examples in other cities and counties. In many instances, transforming the CLCs into organizing and effective political vehicles will take a major effort. Until a formation—perhaps a nonsectarian TUEL—emerges to bring together rank-and-file and elected union activists in a broadly based organization which provides space for discussion and action, education, and strategic direction for rebuilding the labor movement, the union movement will continue its slump.

This formation would not counterpose talk to action. It would take positions on crucial issues of concern to labor conceived in its widest meaning to include housing, education, health, and environmental issues. And because it would be broadly democratic in the social sense—inviting blacks, Latinos, Asians, women, and gays into its ranks—it would not ask its activists to leave the social issues at the door. It might support anticorruption and other democratic movements within local unions. While it would participate in strike and organizing support activities, including those initiated by international unions and by the AFL–CIO, and help mobilize workers for demonstrations, it would also be a forum for debate on vital issues, such as the elements of a new vision of a good life appropriate for our times; a practical program of labor and social revitalization; whether or not labor needs a new party in which progressive unions, environmentalists, elements of the black freedom movement, feminists, and community activists play a decisive role; and a sober, realistic assessment of the United States and global economic political situation upon which to forge a practical class strategy for change (Lens, 1961).

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