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An End to Labor's Long Retreat?

Kevin Carson

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Monthly Review has an interesting article by Fernando Gasparin and Michael Yates, on the challenges facing the labor movement: "Labor Movements: Is There Hope?"

The authors describe capital's strategic offensive over the past thirty years, and its effects:

For the past thirty years, the class struggle has been a pretty one-sided affair, with capital delivering a severe beating to labor around the globe. When economic stagnation struck most of the world's advanced capitalist economies, beginning in the mid-1970s, capital went on the offensive, quickly understanding that the best way to maintain and increase profit margins in a period of slow and sporadic economic growth was to cut labor costs. Governments and global lending agencies such as the World Bank and International Monetary Fund began to implement policies that made workers increasingly insecure.

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A list of the actions taken by labor's class enemies makes for depressing reading: slashed wages and benefits, lean production (with its attendant increase in injuries and health problems, seldom addressed these days by public agencies), closed plants and ruined communities, successful ideological warfare by the right, the dismantling of the social welfare state, privatization of public services, deregulation, regressive taxation, structural adjustment programs, outsourcing and offshoring of work, antiworker trade agreements, and direct violence against workers. A special mention must be made of the situation in the former "East Bloc." These countries have seen a massive theft of what had been social property and its conversion into private property. This along with the elimination of nearly all forms of socialized consumption have resulted in the unemployment of tens of millions of persons, the marginal employment of tens of millions more, and the death of tens of millions of workers and pensioners before their time. And China has seen drastic blows to the rights of labor and the growth of gross exploitation.

Besides damaging workers directly, the class war waged by employers has also radically restructured employment. Worldwide, there are many hundred million persons who are either openly unemployed or engaged in extremely marginal informal employment. This group includes millions of displaced peasants living in the sprawling urban slums surrounding the great cities of the global South. Among the rest of the working class, various kinds of contingent employment have spread rapidly—homeworkers, temporary

workers, contracted workers, self-employed (and self-exploited) workers. Full-time, year-round employment is much less common, even in the rich nations, than it was in the generation following the Second World War. What is more, workers once secure in their employment must now face the likelihood of being uprooted and forced to move both within and among countries to find work, making the working class of every nation more ethnically and racially diverse. And everywhere, work stress and work danger are on the rise.

I dealt with organized capital's shift in strategy, in similar terms, in a section of Chapter Eight of *Studies in Mutualist Political Economy*.

Gaspasin and Yates blame labor's sluggish reaction to the offensive on the bureaucratic model of "business unionism" that dominated the labor movement since the Wagner Act:

[L]abor unions were wedded to the "labor accord" worked out in the late 1940s and 1950s in which employers tolerated unions and unions respected managerial control of the workplaces.

The free market libertarian Karl Hess said pretty much the same thing in a 1976 *Playboy* interview (I'm indebted to free-man, libertarian critter for keying it in):

But one crucial similarity between those two fascists [Hitler and FDR] is that both successfully destroyed the trade unions. Roosevelt did it by passing exactly the reforms that would ensure the creation of a trade-union bureaucracy. Since F.D.R., the unions have become the protectors of contracts rather than the spearhead of worker

demands. And the Roosevelt era brought the “no strike” clause, the notion that your rights are limited by the needs of the state.

If labor is to fight a successful counteroffensive, it has to stop playing by the bosses’ rules. We need to fight completely outside the structure of Wagner and the NLRB’s system of certification and contracts, or at least treat them as a secondary tactic in a strategy based on direct action. Wagner worked fairly well for labor, back in the days when big business saw organized labor as a useful tool for imposing order on the workplace. If workers lost all control of how their job was performed, at least their pay kept up with productivity and they had the security of a union contract. Life as a wage-slave was certainly better under the corporate liberal variant of state capitalism than under the right-to-work banana republic Reagan and Thatcher replaced it with. The Wagner regime worked for labor only so long as capital wanted it to work for labor. It was originally intended as one of the “humane” measures like those the kindly dairy farmer provided for his cattle in Tolstoy’s parable (the better to milk them, of course). If we’re going to be livestock, better a humane farmer than one who decides it’s more profitable to work us to death and then replace us. But that’s a moot point now; when the corporate elite decided the “labor accord” had outlived its usefulness, and began exploiting the available loopholes in Wagner (and the full-blown breach in Taft-Hartley), labor began a long retreat.

If labor is to return to a pre-Wagner way of doing things, what the IWW’s Alexis Buss calls “minority unionism” will be the new organizing principle. She explains what that means here...

If unionism is to become a movement again, we need to break out of the current model, one that has come to rely on a recipe increasingly difficult

lost a conventional strike. The pamphlet describes a Wobbly cell in one restaurant that had lost a strike. Once back on the job, the workers agreed on a strategy of “piling the customer’s plates high, and figuring the bill on the low side.” Within a short time, the *boss* was asking for terms. Unions that have just got their teeth kicked in playing by the bosses’ rules might be open to unconventional warfare, making the bosses fight by their rules for a change.

to prepare: a majority of workers vote a union in, a contract is bargained. We need to return to the sort of rank-and-file on-the-job agitating that won the 8hour day and built unions as a vital force...

Minority unionism happens on our own terms, regardless of legal recognition...

U.S. & Canadian labor relations regimes are set up on the premise that you need a majority of workers to have a union, generally government-certified in a worldwide context, this is a relatively rare set-up. And even in North America, the notion that a union needs official recognition or majority status to have the right to represent its members is of relatively recent origin, thanks mostly to the choice of business unions to trade rank-and-file strength for legal maintenance of membership guarantees.

The labor movement was not built through majority unionism-it couldn’t have been.

and here:

How are we going to get off of this road? We must stop making gaining legal recognition and a contract the point of our organizing...

We have to bring about a situation where the bosses, not the union, want the contract. We need to create situations where bosses will offer us concessions to get our cooperation. Make them beg for it.

As the Wobbly pamphlet “How to Fire Your Boss” argues, the strike in its current business union form, according to NLRB rules, is about the least effective form of action available to organized labor.

The bosses, with their large financial reserves, are better able to withstand a long drawn-out strike than the workers. In many cases, court injunctions will freeze or confiscate the union's strike funds. And worst of all, a long walk-out only gives the boss a chance to replace striking workers with a scab (replacement) workforce.

Workers are far more effective when they take direct action while still on the job. By deliberately reducing the boss' profits while continuing to collect wages, you can cripple the boss without giving some scab the opportunity to take your job. Direct action, by definition, means those tactics workers can undertake themselves, without the help of government agencies, union bureaucrats, or high-priced lawyers. Running to the National Labor Relations Board (N.L.R.B.) for help may be appropriate in some cases, but it is NOT a form of direct action.

Instead of conventional strikes, the pamphlet recommends such forms of direct action as the slowdown, the work-to-rule strike, the "good work" strike, selective strikes, whistleblowing, and sick-ins. These are all ways of raising costs on the job, without giving the boss a chance to hire scabs.

The pamphlet also recommends two other tactics which are likely to be problematic for many free market libertarians: the sitdown and monkey-wrenching (the idea behind the latter being that there's no point hiring scabs when the machines are also on strike). Regarding these last two, I can only say that the morality of trespassing and vandalism against someone else's property hinges on the just character of their property rights. If, as Murray Rothbard suggested, corporations that get the bulk of their profits from state intervention are essentially parts of the state, rightfully subject to being treated as the prop-

erty of the workers actually occupying them, then sitdowns and sabotage should certainly be legitimate means for bringing this about.

The average worker can probably think of hundreds of ways to raise costs on the job, with little or no risk of getting caught, if he puts his mind to it. The giant corporation, arguably, has become so hypertropied and centralized under the influence of state subsidies, that it's vulnerable to the very same kinds of "asymmetrical warfare" from within that the world's sole remaining superpower is from without.

The important thing to remember is that most of the tactics listed above are either illegal, or are prohibited under the terms of conventional union contracts (which, as Karl Hess suggested above, are aimed precisely at depriving unions of access to the weapons that really work). I'm firmly convinced that it was easier to organize an industrial union by flying squadron (shouting "down tools" and walking off the job without warning), in the days before Wagner, than it is now to convince a majority of workers in cold blood to sign union cards and put their jobs at risk. And it certainly was easier to win a strike before Taft-Hartley outlawed secondary and boycott strikes up and down the production chain (including transport workers refusing to carry scab cargo). The classic CIO strikes of the early '30s involved multiple steps in the chain—not only production plants, but their suppliers of raw materials, their retail outlets, and the teamsters who moved finished and unfinished goods. They were planned strategically, as a general staff might plan a campaign. Some strikes turned into what amounted to regional general strikes. Even a minority of workers striking, at each step in the chain, can be far more effective than a conventional strike limited to one plant.

If we're considering ways the labor movement might regain some of its strength, how's this for one small step in the right direction: start sending a big box of "How to Fire Your Boss" pamphlets to the headquarters of every union local that's just