USA: Strikes Still Get the Goods

Review of {Strike Back: Using the Militant Tactics of Labor's Past to Reignite Public Sector Unionism Today}, by Joe Burns (IG Publishing, 2019).

Tuesday 18 June 2019, by BLANC Eric (Date first published: 15 June 2019).

There are four important things to know about strikes in the public sector: strikes must be central to public-sector union strategy, workers need to be willing to strike even if it means breaking labor law, building community support is crucial, and strikes can defeat the Right's privatization offensive.

In early 2018, the United States was hit by a strike wave for the first time in decades. Hundreds of thousands of educators in red states across the country walked off their jobs to demand better school funding and better pay. In the process, these strikers not only won historic gains for themselves and their students, but they've given hope to, and pointed the way forward for, the labor movement as a whole.

This historic upsurge constitutes a direct challenge to the longstanding reliance of union officials across the country on "partnering" with management and lobbying mainstream Democrats. It also cuts against the prevailing advice of most labor scholars, among whom surprisingly few have pointed to reviving the strike as key to organized labor's revival.

In contrast, Joe Burns's book *Strike Back: Using the Militant Tactics of Labor's Past to Reignite Public Sector Unionism Today*, which was first published in 2014 and is being reissued this next month in an updated edition, has been entirely vindicated by the "red state revolt." Indeed, recent events have remarkably confirmed the political analysis and strategic prescriptions of *Strike Back*: the centrality of the strike, the need to break labor law, the importance of community support, and the urgency of defeating the right wing's privatization offensive.

Reviving the Strike

When it comes to political strategy, there's no need to reinvent the wheel. The core contention of *Strike Back* is that the largely overlooked public sector worker upsurge of the 1960s and 1970s shows what it will take to reverse the fortunes of working people and unions today. Above all, this means reviving the strike.

West Virginia, Arizona, and the subsequent teacher revolts in 2018 have once again confirmed that strikes are workers' most powerful weapon. By shutting down production — whether in the private or public sector — working people have immense structural power to force employers to meet their demands. As Arizona teacher leader Dylan Wegela put it:

> A strike was the only way forward, because nothing else had worked. Electing Democrats didn't work – all across the country they've also cut school funds. But strikes work. My argument was basically: "We can win. We're the gears of the machine, if we stop showing up, everything shuts down."

Formerly an accepted truism, this idea was dropped decades ago by organized labor and marginalized on the Left. For both movements, the consequences of turning away from on-the-job militancy have been dire.

Labor-management "cooperation" has led to concession after concession by unions across the country. The much-heralded organizing model associated with SEIU and the "New Voice" leadership that swept the AFL-CIO in the 1990s has not significantly increased union density. Nor has the prevailing form of "social justice unionism" reversed organized labor's decline. Even progressive unions today often remain more focused on electing and lobbying Democrats than in building workplace fight-backs.

But the upsurge of early 2018 shows that *strikes get the goods*. Though not all of their demands were met, striking educators in West Virginia, Oklahoma, and Arizona won more in the span of two months than was accomplished over the past two decades. That they wrested these concessions from intransigent Republican administrations — who for years prior stubbornly insisted that there was no money available to meet the teachers' demands — made their achievements all the more significant. Mass strikes have a remarkable knack for helping employers cough up concessions.

In West Virginia, the push for a work stoppage forced the state to withdraw its controversial rate hikes to the PEIA state health insurance plan. Then, after almost two weeks of shuttered schools, West Virginia's legislature caved to the strikers and granted a five percent raise to *all* public employees — not only teachers. When I spoke with rank-and-file organizer Jay O'Neal in Charleston a few hours after victory was announced, he stressed that this was the climax of an even longer string of wins:

> I'm excited, I'm thrilled, I feel like my life won't ever be the same again. It sounds like hyperbole, but it's not. And what a lot of people have already forgotten is how much we have already won. The government was forced to drop the Go365 program and to keep the PEIA insurance premiums and deductibles at their current level. Also, because of the strike, we were able to ensure that a lot of bad education bills weren't able to get passed. The charter school bill didn't go anywhere, and additional anti-union bills like "payroll protection" all were dropped.

The gains won in Oklahoma and Arizona were also impressive. In the Sooner State, teachers won a $6,000 average pay raise by forcing the government to pass its first tax hike since 1990. In Arizona, through two months of mobilizing and six school days of striking, the Red for Ed movement put sufficient pressure on the legislature to stop new proposed tax cuts, keep an anti-voucher referendum on the 2018 ballot, and win hundreds of millions of dollars in additional school funding. Teachers, moreover, obliged the state to grant them roughly a 19 percent pay increase.

It cannot be overstressed that the achievements, and limitations, of the red state walkouts were not limited to the formal policy arena. Even more important than gains in pay and funding were the advances made in terms of revitalizing the trade unions and rebuilding a militant workers' movement.

In particular, West Virginia and Arizona's strikes reflected, and spurred, a dramatic increase in working-class consciousness, organization, and determination to fight, setting the stage for the conquest of further victories in the months and years ahead. To quote Arizona teacher activist Rebecca Garelli:

> The movement and the walkout really increased people's political awareness and our level of grassroots organization. Fifty percent of the win here has been that we now have

> a strong, organized mass movement. And we're not going away. People now have the courage to fight.

Arizona and West Virginia's unprecedented uptick in union dues-payers provides a quantifiable metric for the depth of this revitalization. In a marked reversal of fortunes for West Virginian organized labor, over 2,500 school employees have joined the education unions since January 2018. Arizona — in which the union represented only 25 percent of school employees in early 2018 — has experienced an even deeper sea change. Since this time, over 2,750 new members have joined the Arizona Education Association (AEA). On a Facebook thread concerning the lessons of the strike, a teacher explained:

> I realized how much power a group of united individuals can have when they all stand up and fight for the common good. The word "union" does not scare me anymore. I joined AEA and plan on continuing to fight for what is right for educators and students. I feel the most empowered I have ever felt as an educator and now do believe that change is possible.

Breaking the Law

As noted above, labor leaders and sympathetic scholars have put forward a wide array of proposals for reversing the fortunes of the labor movement. Most have sought either to accept, and work around, the draconian legal restrictions for organized labor in the US or to reform these away through legislative efforts. In contrast, Burns forcefully argues that "it is not conceivable that the labor movement will be revived in any meaningful way without workers violating labor law, as their counterparts half a century ago did."

Public sector strikes remain illegal in the vast majority of states in this country. Given the obvious risks of illegal workplace action, the top union officialdom in the United States has been unsurprisingly hesitant to either advocate or test the strategic option of illegal workplace action. But the strikes in West Virginia and Arizona demonstrated that, for labor to win, it's both necessary and possible to break illegitimate labor laws.

Breaking the law wasn't a decision educators made lightly. Indeed, most teachers were initially highly skeptical about the potential for an illegal work stoppage. Understandably, many were concerned about losing their jobs or facing other disciplinary penalties. Music teacher Noah Karvelis recalls the situation in Arizona: "When we first started organizing, people on the Facebook group were really scared about even talking about the potential for a strike since it wasn't legal."

The same was true in West Virginia, despite the state's stronger traditions of labor militancy and the precedent of an illegal teachers' strike in 1990. Lisa Collins, a teacher and union leader from Wyoming County, posted the following to the state workers' Facebook group in January: "Teachers back then [in 1990] were fearless. We don't have that today. What has happened to people?"

It took the concerted efforts of radical rank-and-file organizers to begin turning the tide. In West Virginia, the first mention of what some teachers referred to as the "s word" came on October 6, 2017 when Jay O'Neal posted news about the push towards a strike in Fresno, California. "We are settling for FAR TOO LITTLE here," O'Neal's post to the Facebook group concluded. A skeptical educator replied that "WV teachers aren't allowed to strike," to which O'Neal responded, "true, but they did anyway in 1990 and it made a big difference."

Over the coming months, this basic debate was repeated thousands of times in a myriad of iterations online and offline. Eventually, the rank and file in both states successfully pressured their unions to

get on board with the call for a strike.

High-ranking state officials and politicians responded to educators' strike authorization votes with threats of sanctions against any employee walkouts. West Virginia attorney general Patrick Morrissey announced the following on the eve of West Virginia's action:

> [A] work stoppage of any length on any ground is illegal. Let us make no mistake, the impending work stoppage is unlawful. State law and court rulings give specific parties avenues to remedy such illegal conduct, including the option to seek an injunction to end an unlawful strike.

Hoping to prevent a walkout, Arizona's state superintendent of schools, Diane Douglas, spoke to the media in the days leading up to the strike to threaten educators with the loss of their teaching certificate if they struck: "A walkout is a nice term for it. It is a strike, plain and simple. And in Arizona, it is not legal for teachers to strike."

Ultimately, however, the state was unable to make good on its threats. The sheer number of employees on strike made the prospect of firing all strikers unfeasible. Other forms of sanctions were avoided above all for political reasons.

Repression risked emboldening, rather than intimidating, the strikers and their supporters. It also risked further alienating politicians from the public.

State officials were refreshingly upfront about the political reasons underlying their reluctance to resort to legal sanctions in early 2018. When asked in a post-strike press conference why he had not tried to impose an injunction, West Virginia state superintendent Steve Paine's reply was to the point. It only would have "added gas to the fire," he acknowledged. For her part, West Virginia rank-and-file leader Emily Comer summed up the lesson of the strike wave as follows: "It doesn't matter if an action is illegal if you have enough people doing it."

Community Support

Throughout *Strike Back*, Burns underscores that the nature of a public sector strike requires that employees and their organizations win over the public to their cause. What teachers lack in the ability to cut off profits, they can often make up for through their influence among broad layers of the working class. West Virginia's American Federation of Teachers president Christine Campbell put it well:

> The thing that makes the public sector different is the relationships we develop. Educators are embedded in our communities; people trust us to educate their kids. So when parents see the teachers of their children struggling to make ends meet, working at a second job on the weekend, this is a much more direct relationship with the community than in the private sector.

Public education's location at the heart of social reproduction means that these work stoppages involved far more people than the roughly 130,000 teachers and support staff that struck in Arizona, Oklahoma, and West Virginia. The total number of students that missed class was well over 1.5 million; the number of affected family members roughly twice that. Even if we don't include the one-day walkouts in Kentucky, Colorado, and North Carolina, it's clear that the red state rebellions involved many millions of people. Stakes in a system-wide school strike are high.

Aiming to win over parents and the broader public, each of the contending sides naturally sought to blame each other for the conflict. For example, a typical conservative op-ed published a few days

before Arizona's strike called the impending action a "war against parents":

> As of Thursday, the fight will no longer be teachers vs. politicians; the fight will be teachers vs. parents. . . . Some parents are begging friends and family to watch their kids. Others are getting prices for daycare and worrying if they'll be able to afford it on their stretched budgets.

For most unions, building unity with the community has meant working with liberal NGOs to promote electoral campaigns or, at best, to organize demonstrations in support of progressive demands. Much of this work is laudatory. But as Burns has pointed out, labor's current social justice unionism approach suffers from two critical flaws. First, it has gone hand in hand with an abandonment of the strike weapon. Second, it has depended on alliances from on high with relatively weak nonprofits and community leaders, instead of relying on rank-and-file workers to organize and mobilize the broader working-class communities of which they are an integral part.

A different model of social justice unionism exists — one capable of generating the power required to win. The red state revolt showed what this alternative looks like in practice by leaning on the leverage of workplace militancy, raising demands on behalf of the whole working class, and tapping into strikers' deep social networks.

To win parent and student support, teachers in West Virginia began grassroots organizing months before they voted to go on strike. They took every opportunity to talk with parents, explaining that educators' working conditions were students' learning conditions. They waved signs, pass out informational fliers, and organized morning "walk-ins," during which they rallied together with parents and students alike. A February 2 text by Emily Comer paints the picture: "Our walk in was bad-ass. A ton of students. Lots of parents honked. Everyone was fired up, chanting, we even did the wave with our signs."

As the walkout approached, educators began collecting food donations to give to those large numbers of children who were dependent on school lunches and free breakfasts. Once the strikes began, teachers spent untold volunteer hours collecting and distributing food to these same students, often hand-delivering care packages to their homes.

A big strike is made up of many small acts of solidarity. One common highlight was the unexpected encouragement from parents. A large number of teachers recounted experiences similar to that of Tanya Asleson in Ravenswood, West Virginia:

> On Wednesday [February 28] after the governor and union leaders reached that bad deal, I was out delivering food because I knew that day was particularly crucial: there was already open debates about going wildcat and I expected resistance from parents. I went to the house of a parent who was really poor, his kids always desperately need food at school. The strike was a real hardship for his family — but instead of telling me to go back to work, he said: "M'aam, you stay strong now. You haven't won yet, don't go back tomorrow." It was so moving.

One of the strikers' secrets to success was that they raised political demands — for example, massively increased school funding — that lie outside the restricted bounds of normal collective bargaining. The defense of student interests was put front and center. In Oklahoma, the work stoppage focused almost exclusively on demands for increased school funding, since the legislature had already passed important salary concessions in a last-minute attempt to prevent educators from walking out.

Fighting for students, and framing their struggles as a defense of essential services for the public, went a long ways towards undercutting the Right's constant harping that striking teachers were hurting children. Educators made a compelling case that they weren't walking from the students, but *for* them. As one West Virginia teacher explained in a March 1 letter to her students: "I love you and that's why I'm doing this."

Churches proved to be no less politically important for the red state revolt. Once the strikes began, a large number of church buildings became makeshift child care sites and food distribution centers. Many otherwise conservative pastors came out in favor of the teachers, which greatly consolidated the strikes' support base. Unlike in most union campaigns, this community alliance was not born from an agreement between labor leaders and relatively isolated progressive clergy. Instead, rank-and-filer workers and their family members directly brought the movement to their co-religionists.

As one Arizona teacher explained on April 22, "I just talked to my ninety-four-year-old mother who proudly told me that she had worn Red for Ed to church and to her women's group meeting and had talked to everyone she could about our cause. Oh, and we are also on the prayer list. #churchladieshaveourback."

Reversing Privatization

Burns is right to insist that rebuilding an effective fightback among public employees necessarily goes hand in hand with the project of reversing the privatization of public services. He puts it as follows:

> Just as conservatives have sought to reshape public policy by injecting their "free market" ideology into all realms of civil and economic society, labor must fight back by articulating the importance of the public sphere while delegitimizing the notion that the private sector is better or somehow more natural.

On this issue, there are some critical differences between the 2018 revolt and the last great round of rank-and-file radicalism in the US, the strike wave of the late 1960s and early 1970s described in *Strike Back*. Whereas labor struggles four decades ago came in the wake of a postwar economic boom and the inspiring successes of the Civil Rights Movement, this labor upheaval has erupted in a period of virtually uninterrupted working-class defeats and neoliberal austerity. As such, political scientist Corey Robin was right to call 2018's educator upsurge the "most profound and deepest attack on the basic assumptions of the contemporary governing order."

The stakes are high. Public education remains one of the few remaining democratically distributed public goods in the US. For that very reason, corporate politicians have done everything they can to dismantle and privatize the school system. As professor Gordon Lafer documents in his book *The One Percent Solution*, this isn't only about immediate profit-making. Big corporations, he writes, are trying "to avoid a populist backlash" against neoliberalism "by lowering everybody's expectations of what we have a right to demand as citizens":

> When you think about what Americans think we have a right to, just by living here, it's really pretty little. Most people don't think you have a right to healthcare or a house. You don't necessarily have a right to food and water. But people think you have a right to have your kids get a decent education.

As in the rest of the United States, spending cuts have gone hand in hand with a push for privatization. The corporate playbook is not complicated. First, you starve public schools of money, then you insist that the only solution to the artificially created education crisis is "school choice" —

i.e. privately run (but publicly funded) charters, as well as vouchers for private schools. In Oklahoma, there are now twenty-eight charter school districts and fifty-eight charter schools. “Is the government purposely neglecting our public schools to give an edge to private and charter schools?” asked Tulsa teacher Mickey Miller.

This nationwide offensive to take education out of the public sphere has undoubtedly advanced furthest in Arizona. About 17 percent of Arizonan students currently attend a charter school — more than three times the national average. Many of these schools generate millions of dollars in private revenue.

Like many other parents in Arizona, Dawn Penich-Thacker questioned the state’s priorities: “If there’s so little funding for education, why should it be given to profit-making businesses?” In 2014–15, for example, BASIS charter schools made almost $60 million for the private BASIS corporation that services its schools. “Business is business,” noted Owen Kerr, who was formerly employed at BASIS. “So I can see that though a number of charters try to do things differently, most are set up to make money.”

One of the major upshots of the red state revolt was that opposition to privatization has spread widely, particularly in Arizona. To quote Kerr, “this grassroots movement could very well be the first step towards reversing privatization in Arizona and beyond.” Penich-Thacker explained how the state’s Red For Ed movement had boosted anti-voucher sentiment in the state:

> Red for Ed has more people paying attention to education than ever before. Even last year, a lot of people hadn’t heard of the funding crisis, let alone vouchers. Now you can’t go anywhere in Arizona without talking about this. Red for Ed is an incredible “force multiplier” for efforts to put a stop to increased privatization: it makes all of our tools more powerful. Now every conversation we have about vouchers and charters is amplified across the state.

Though the initial pay and funding demands of these education movements may seem relatively modest, each walkout raised a question with radical political implications: should our society’s wealth and resources be used for human needs or corporate profits?

A small, but not insignificant, number of strikers concluded that systematic solutions will be needed to resolve our society’s underlying crisis of priorities. When asked about her favorite moment of the strike, Morgantown teacher Anna Simmons recounted the following anecdote from the day West Virginian educators went wildcat:

> At a mostly unoccupied mall in Morgantown we met to discuss our options. Ultimately, in a nearly singular voice, we stated that we were not willing to accept the same empty promises our politicians have given their constituents for decades. It was a spontaneously planned meeting with short notice, but our school employees showed up in huge numbers.
>
> I realized that night that I wasn’t the only one feeling as passionately as I was feeling about what the work stoppage meant. It was the moment I realized that it was about more than just insurance premiums and salaries. It was the continuation of a movement that started with Bernie Sanders and is going to result in a power shift from the elite wealthy to the working people.

For readers interested in understanding the precedent for the 2018 education strikes — and in strategizing how to most effectively deepen their momentum across the US in the coming period —

Strike Back is an indispensable read. The book shows what tactics and strategies worked in the 1960s and 1970s and why these are essential to bring back today.

Burns also demonstrates that the fate of labor upsurges are not written in stone. It took hard work by organizers to make past labor victories possible. And, conversely, the decline of strike activity after the mid 1970s shows that militant workers and their unions must be ready to confront an intense pushback from employers and politicians. Both the carrot of Democratic Party cooptation and the stick of anti-strike repression should again be expected. Working people are up against powerful opponents.

Whether today's upsurge can continue to deepen, continue to spread, and continue to win remains to be seen. If history is any guide, the outcome of the current strike wave will be determined to a significant extent by the interventions of labor activists committed to workplace militancy and working-class independence. By arming themselves with the political lessons and history laid out in Joe Burns's *Strike Back*, public employees and union members across the country can effectively prepare themselves for the battles to come.

ABOUT THE AUTHOR

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Jacobin Magazine
https://www.jacobinmag.com/2019/06/strike-back-review-joe-burns-teacher-strikes