

The logic of dictatorship: Bush demands workers sacrifice rights to ‘homeland security’

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In a series of campaign-style appearances and rallies last week, President Bush reiterated his demand that Congress strip workers in the proposed new Department of Homeland Security of trade union rights and civil service protection. He praised the bill passed by the Republican-controlled House of Representatives, while attacking the Democratic-controlled Senate, which he said “wants to micromanage the executive branch of government.” He added, “The Senate wants a thick book of rules on how to defend the homeland.”

The Bush administration’s position that American government workers must be deprived of freedom is an unusually blunt admission of the real purpose of the “war on terrorism.” According to Bush, collective bargaining rights are an impermissible obstruction to the actions required to defend the American people from the threat of future terrorist attacks. The executive branch—by which he means himself and his immediate coterie, not the hundreds of thousands of workers employed by the federal government—must have a free hand.

The focus of the conflict is the wording of the legislation to create a new Department of Homeland Security, which would combine 22 government agencies from different departments in a single government body with virtually unlimited domestic police power. It would include the Coast Guard, the new Transportation Security Administration, the Immigration and Naturalization Service, the Customs Service and the Federal Emergency Management Agency, among others.

Of the 170,000 workers who would be employed by the new department, some 40,000 currently are union members with collective bargaining rights. The Bush administration initially sought the immediate elimination of these rights. It then settled for a provision that would maintain existing contracts for one year, after which the president would be free to impose new conditions on the workers by executive order.

The House bill represents the original administration proposal. The Senate version was introduced by Democrat Joseph Lieberman of Connecticut, and maintains existing union membership and collective bargaining rights. In the closely divided Senate, with 50 Democrats, 49 Republicans, and one independent (former Republican James Jeffords of Vermont), a

single Senator can upset the balance. Georgia Democrat Zell Miller announced he would support the administration position, but his vote is offset by the lone Republican defector, Lincoln Chafee of Rhode Island. Neither side can muster the 60 votes required to break a threatened filibuster, let alone the 66 votes to override a presidential veto.

Last week Chafee joined with two conservative Democrats, John Breaux of Louisiana and Ben Nelson of Nebraska, to propose a split-the-difference compromise that would preserve collective bargaining but increase management flexibility in the new department for those workers immediately involved in terrorism investigations, while providing for arbitration in the event of disputes between the unions and the president. The White House rejected the plan, with Gordon Johndroe, a spokesman for Homeland Security Director Tom Ridge, calling the proposal a “nonstarter.”

White House spokesman Ari Fleischer said that Bush would rather postpone the establishment of the new department until next year than accept language that restricted his ability to hire, fire or reassign employees. The Bush administration’s enthusiasm for the legislation was also reduced when the Senate added an amendment, by a top-heavy 90-8 vote, authorizing the establishment of an independent commission of inquiry into the September 11 terrorist attacks.

The legislative history underlying the bill demonstrates how extremely attenuated the rights of government workers already are in the United States. The first president to be given the power to exclude certain groups of federal workers from collective bargaining rights was John F. Kennedy, who issued directives barring union membership for employees of the CIA, the FBI and the Secret Service. Another Democrat, Jimmy Carter, extended such provisions to 47 other groups of federal workers.

None of the workers slated for transfer to the new Department of Homeland Security is covered by the past orders, but Bush reportedly plans to issue a new order covering all or part of the new department’s workforce. The Senate version of the bill would bar him from doing so without obtaining the approval of the Federal Labor Relations Authority—hardly an onerous

restriction, since the president appoints all the members of this body. But since the FLRA operates on the basis of definite rules, rather than executive fiat, the White House has opposed this provision as too restrictive. The Senate bill would require negotiation with the relevant unions in cases of changes in work rules, job assignments or pay levels.

The notion that the Bush administration faces an upsurge of militancy from federal employee unions would be laughable if it were not the pretext for depriving workers of any rights. The federal unions are notoriously weak, even by US standards, since there is no union shop or closed shop in the federal government; membership is entirely voluntary, and the unions cannot bargain over pay or benefits, which are set by legislation. No federal employee union has so much as hinted at a job action, let alone an outright strike, since the air traffic controllers' union PATCO was destroyed by the Reagan administration in 1981.

The Bush administration and the Senate Republicans have raised a hue and cry over one incident where the National Treasury Employees Union, which represents Customs workers, threatened to block a directive requiring customs agents to carry radiation detectors while on duty. The union was insisting that the workers should be trained to use the devices safely, rather than simply serving as human guinea pigs, but it eventually capitulated.

The conflict over the Department of Homeland Security demonstrates the extent to which the Bush administration is beholden to a narrow extreme-right faction for whom unions, even in their current toothless and collaborationist state, are anathema.

No explanation has been given as to why trade union rights are a barrier to a struggle against terrorism, leaving one to believe that for those drawing up policy for the Bush administration, trade unionism is itself considered a form of illegitimate opposition to authority, if not akin to terrorism. That is not such a farfetched conclusion, since many of the provisions of the USA Patriot Act, for instance, can be interpreted to criminalize everyday labor actions like threats to disrupt public transportation.

While Senate Democrats have opposed the White House policy because of their ties to the trade union bureaucracy, they have been very reticent about making the wider public aware of the issue's significance. The logic of Bush's policy is stark: if unions and restraints on management authority are bad for the Department of Homeland Security, this should apply as well to workers in the airline and other transportation industries, nuclear power plants, emergency services, defense plants, etc. Bush is happy to appear with mine rescue workers in Pennsylvania and firemen in New York City, and hail them as heroes, but his administration treats any attempt to assert the independent interests and rights of these workers as a form of treason.

In another speech on the homeland security issue, Bush

declared, "Senators need to understand I will not accept a homeland security bill that puts special interests in Washington ahead of the security of the American people." A government entirely in thrall to the real "special interests"—the Christian fundamentalist right and the corrupt CEOs of America—denounces any concern for the democratic rights of American workers.

The most cynical argument from Bush & Co. is that based on the need for accountability. White House spokesmen have repeatedly cited as an example the possibility that a Border Patrol agent could get drunk and permit a terrorist to enter the United States and cause havoc, but then could not be discharged quickly because of civil service rules. Aside from being a lie—no existing rules would protect such conduct—the Bush administration has failed to make anyone accountable for the greatest security failure in US history.

There are no civil service rules that bar Bush from firing the CIA and FBI officials who suppressed the investigation into Al Qaeda activities in the United States in the months and years leading up to the September 11 attacks. No heads have rolled at any of these agencies or other intelligence services like the National Security Agency. On the contrary, the Bush administration has sought to protect officials who are guilty, at best, of gross negligence, and at worst, of deliberately facilitating an attack on American citizens in order to provide a suitable pretext for US military intervention in Central Asia and the Middle East.

The Bush administration has sought in every way to block investigations into the events of September 11. It refuses to allow officials to testify, resists subpoenas from Congress and from agencies like the General Accounting Office, defies court orders and refuses to provide information that is legally required. Its evident wish is not to increase accountability, but to accumulate ever more unchecked executive power, laying the basis for dictatorship.



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