

# British Columbia: Courts seize union assets, but teachers remain defiant

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Forty thousand British Columbia elementary and secondary school teachers remained off the job Friday, their fifth day of strike action in direct challenge to a series of laws and judicial rulings that strip them of the legal right to strike, impose regressive changes to their terms of employment, and undermine public education.

At a court hearing Thursday, BC Supreme Court Judge Brenda Brown ordered that the BC Teachers' Federation (BCTF) cease using its finances, offices and equipment to support the strike. Justice Brown, who on October 9 had found the BCTF and teachers in contempt of court for defying no-strike legislation, was particularly insistent that neither union funds nor third-party donations be used to pay the teachers their \$50 a day in picket pay.

To ensure her order was carried out, Justice Brown effectively seized control of the union's finances for at least the next 30 days, naming a monitor to supervise the dispersal of BCTF's funds.

The BCTF, which had argued in court that teachers are engaged in lawful civil disobedience against unjust legislation, announced almost immediately after Judge Brown's ruling that teachers would continue their "political protest" against Bill 12. Rammed through the BC legislature last week by the Liberal provincial government, Bill 12 imposes a two-year wage freeze on teachers and re-imposes the regressive changes in class sizes and teacher workload the Liberals first imposed by legislation in 2002.

"We will continue to support our members and we will continue to communicate with them," vowed BCTF President Jinny Sims. "This is a collective action and we're all in this together."

Justice Brown had been expected to order the BCTF to pay large fines—in excess of \$150,000 per day of illegal strike action. The BC Public School Employers'

Association, which for all intents and purposes is an arm of the provincial Liberal government, had urged her to do just that.

But Justice Brown, while reserving the right to impose massive fines at a later date, decided to freeze the union's strike fund instead.

Her purpose was twofold. First, to penalize individual teachers by stripping them of their picket pay in the hope that increasing the financial hardship to teachers would undermine their support for the strike. Second, and no less important, to avoid identifying the courts too obviously with the hated Liberal government of Gordon Campbell, for fear of adding fuel to what wide sections of the ruling class rightly perceive to be an explosive political situation.

The government, big business and the corporate media have been dismayed both by the readiness of teachers to defy the government and the courts and by the widespread public support for the teachers. The Liberals and media have accused the teachers of taking 600,000 school children "hostage" and promoting anarchy, but large numbers of parents recognize that it is the Liberals with their socially regressive agenda of slashing public spending so as to provide tax cuts to big business and the well-to-do who constitute the menace to public education. Moreover, there are large numbers of workers who see the teachers' struggle as the potential catalyst for a broader social struggle against the Campbell government, which over the past four years has very much spearheaded corporate Canada's assault on public and social services, worker rights and environmental regulation.

The union officialdom have been forced to concede that they are facing considerable pressure to organize sympathy strikes and even a province-wide general strike in support of the teachers.

BC Liberal Finance Minister Carole Taylor, meanwhile, has justified the government's insistence that teachers' wages be frozen for two years, by saying that if the government relented it would face a "revolution" as other public sector workers would demand that their contracts be reopened.

The nervousness in ruling circles was well illustrated in an editorial published Thursday in the province's most important daily, the normally rabidly antiunion *Vancouver Sun*. Titled "Teachers, government must find a way to halt the madness," the editorial called on the government to abandon its insistence that it will not talk to the BCTF till the strike is ended.

As in previous major class confrontations in BC and across Canada, the ruling class are looking to the trade union bureaucracy and the social-democratic politicians of the New Democratic Party to do what the courts and government have failed to—enforce a return to work and impose a concessions-laden contract.

The NDP was quick to welcome Thursday's court ruling. "It doesn't further enflame the situation," said NDP education critic John Horgan. "... I'm hopeful that [Labour Minister] Mike De Jong will seize this opportunity. There is an opportunity to reach out to, and I think they'd get a positive response from, the union leadership."

Significantly Horgan pointed to events of May 2004—when the government negotiated with officials from the BCFL and Hospital Employees Union, while hospital workers were out on an illegal strike—as an example of what could take place with the teachers. What Horgan omitted to say was that hours before a province-wide day of action in support of the hospital workers was set to begin, the HEU leadership arrived at an agreement with the government on a contract that imposed savage wage cuts and massive job losses on 40,000 hospital workers.

The BCFL has called for a mass rally in support of the teachers at the provincial legislature in Victoria on Monday. Teachers and other workers should certainly mobilize for this demonstration in the tens of thousands. But they should do so fully cognizant that the union and NDP leaders are seeking to use this action not to broaden the strike and mount a working-class political challenge to the Campbell government, but to camouflage their efforts to reach an accommodation with the government.

Rank-and-file teachers and other workers must wrest control of the strike from the union officialdom and their allies in the NDP. Above all this is a political task: the struggle to arm workers in BC and across Canada with a new perspective that consciously repudiates the pro-capitalist politics of the unions and NDP.

The working class must constitute itself as an independent political force. In answer to the never-ending demands of big business for jobs, wages and public services to be slashed so as to ensure corporate "competitiveness," working people must mount a struggle for a workers' government that would radically reorganize economic life so that social need, not the profit interests of the few, would be the guiding principle.



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