

After sellout of Wisconsin struggle unions hail vote for state judge

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JoAnne Kloppenburg, the trade union-backed challenger for a Wisconsin Supreme Court seat, proclaimed victory Wednesday after preliminary ballot counts showed she won by a tiny margin over her Republican-backed rival.

Kloppenburg won by 204 votes in a preliminary tally by the Associated Press, upsetting an earlier 1,000-vote lead held by Justice David Prosser, the 12-year incumbent. Prosser, a former Republican speaker of the Assembly, received an endorsement from former Alaska governor Sarah Palin, and was identified with Governor Scott Walker's attack on the collective bargaining rights of public employees.

The Wisconsin AFL-CIO, the Wisconsin Education Association Council and the American Federation of State, County and Municipal Employees (AFSCME) Council 24 and other statewide and local unions endorsed Kloppenburg, who has served as the state's assistant attorney general under both Democratic and Republican administrations. Her candidacy, together with a series of recall campaigns targeting Republican legislators, was used by the trade unions to divert and shutdown the massive wave of protests that erupted against Walker's anti-worker bill from mid-February to mid-March.

Supporters of the Democratic Party and trade unions proclaimed Kloppenburg's campaign a referendum on Scott Walker, and said her election could swing a state court decision on the legality of Walker's bill. In a radio interview Wednesday, Marty Beil, president of AFSCME Council 24, said, "All the Republicans should be nervous. A sleeping giant is awakening. This is a clear message to Scott Walker. Middle class is going to take back its government."

Prior to Walker's announcement of the "Budget

Repair Bill," Prosser led Kloppenburg 55 to 25 percent in a February 15 primary. With all wards reporting, Kloppenburg had 740,090 votes, or 50.01 percent, and Prosser had 739,886 votes, or 49.99 percent, according to unofficial results. Prosser refused to concede Wednesday, calling the result "uncertain" and is expected to call for a recount.

The outcome of the election was influenced by a large vote in the state capital of Madison—also home to 40,000 students at the University of Wisconsin-Madison—where 70 percent of registered voters participated in the election. Kloppenburg won by 73 percent giving her an 85,000-vote margin in the city.

The turnout statewide was unexpectedly high—nearly double the number for a supreme court election—with 33 percent of eligible voters participating. This was compared to a 20 percent turnout predicted by the Government Accountability Board, based on earlier spring elections for the same seat.

Though presented as an opponent of Walker and his proposals, Kloppenburg has refused to take a stand on the legality of the Budget Repair bill. The court currently has a Republican-leaning majority of 4-2 with the seventh justice considered an "independent." If Kloppenburg's victory is declared official, the court will be 3-3 between Democrats and Republicans with one swing vote remaining.

Kloppenburg told the *Wisconsin State Journal* the race was not a referendum on Walker, and that people around the state had voted for her because she pledged to be "independent and impartial" on the court.

The anti-worker law is currently being held up by a temporary restraining order in Dane County (Madison) and legal actions challenging or upholding its constitutionality in the state supreme court. Meanwhile, the Republican-controlled legislature is beginning to

take up Walker's two-year budget, which would eliminate \$1.5 billion from state spending on public schools and higher education and kick more than 50,000 people off Medicaid. Walker has announced he may bypass the legal challenges by rolling his attack on collective bargaining rights into the budget bill.

During the course of the month-long protests—which initially erupted outside of the control of the unions—AFSCME, WEAC and other unions sought to subordinate the struggle to the Democratic Party and limit their demands to the narrow interests of the labor apparatus. Officials like Marty Beil explicitly accepted all of Walker's economic demands and insisted only that they be allowed to retain their legal position to negotiate wage and benefit concessions, and to collect union dues.

For their part, the Democrats castigated Walker for provoking a social explosion and argued that they had carried out the deepest cuts in state history with the support of the unions. The legal and financial crippling of the unions, they argued, would undermine an important political asset, which was necessary to push through sweeping wage and benefit concessions and other cuts to close state's budget deficit.

Like the Republicans, the Democrats promoted the lie that the state was broke and insisted that workers had to accept higher co-pays for health care and pensions that would cost an average workers \$4,000 a year in lost income.

After the state assembly passed the law on March 9 the trade unions rejected growing calls for a general strike of all workers in the state and capitulated to Walker. In an effort to conceal their surrender, they told workers the “struggle would continue” by campaigning for the election of Kloppenburg and the recall of Republican legislators.

The purpose of this was to demobilize the mass opposition to Walker's policies and divert it into support for politicians who back the attack on the living standards of the working class, but prefer to carry it out through with the assistance of the trade unions. It is the protection of the privileges and income of the trade union managers—not the interests of the working class—that lay behind the enthusiastic support of the unions for the Democrats.

No matter what the outcome of the supreme court election—or the recall campaigns—the austerity measures

and attacks on public employees will continue. The Wisconsin governor's brutal cuts mirror the proposals of Democratic governors in California, Illinois and New York, not to mention the cuts on the federal level being carried out by the Obama administration.

The trade unions, meanwhile, have used the legal delay in the implementation of the law to sign a slew of contract extensions that include all of Walker's economic demands. A case in point is the contract (<http://bit.ly/eMQkcW>) ratified by the Green Bay Education Association, which imposes pay cuts and does away with bargaining over benefits, classroom sizes, tenure and other workplace rights. But the contract guarantees that workers will pay union dues, ensuring the incomes of union functionaries.



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