

State Supreme Court set to review challenge to Wisconsin anti-worker legislation

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The Wisconsin Supreme Court has set a June 6 hearing date to review a ruling by Dane County Circuit Judge MaryAnn Sumi striking down a new state law stripping most public workers of collective bargaining rights.

Sumi's decision to void anti-worker legislation passed by the legislature March 11 was based on procedural violations of the Wisconsin open meetings law, which requires a 24-hour notice and other specific public meeting requirements. The snap meeting convened by state Republicans on the evening of March 9 to approve the bill did not meet these conditions.

Meanwhile, Republican state legislators are considering inserting the anti-worker legislation in the pending budget bill. If Republicans are successful in rolling the collective bargaining segment into the budget, they may be able to circumvent the court challenge entirely.

During the months of February and March, the state of Wisconsin was engulfed by protests of workers and students who opposed budget cuts and the attack on workplace rights. The hundreds of thousands who assembled in opposition to Wisconsin Republican Governor Scott Walker's "budget repair bill" expressed demands and sentiments of workers not just in Wisconsin, but throughout the US and internationally.

The unions demobilized these powerful protests, diverting opposition to Walker's anti-worker legislation into a toothless campaign to recall Republican legislators and replace them with Democrats. This under conditions where Democrats made it clear they backed Walker's demands for massive wage and benefit concessions from public employees along with spending cuts to close the budget deficit.

The strangling of the movement has provided a green light to the political establishment in Wisconsin, led by Walker, to finalize an unprecedented assault on the education system, health care benefits, and the take-home pay of more than 300,000 public employees.

The Joint Financial Committee (JFC) has made only slight modifications to Walker's original \$1.7 billion in cuts to the 2011-2013 budget. The budget may proceed to the full Legislature as early as this weekend. Included in the cuts are \$800 million from public education, \$500 million from Medicaid, \$250 million from the University of Wisconsin, and changes in tax structure, which will reduce credits for the poor and create more tax breaks for business and investments.

In a section of the budget plan entitled "Jobs Now Fund," \$200 million in tax breaks would be provided to insurance companies if those companies offer up \$250 million in capital to invest in Wisconsin businesses. Certified capital companies (CAPCOs) from outside the state will choose how the money is invested, and the companies providing funding will keep the majority of the profits. There would be no reimbursement to the state for tax credits.

Again and again, union leaders have made it clear that their opposition to Walker and the Republicans wasn't about the money or cuts, but only about the right to "collectively bargain." To the union apparatus, this does not mean defending living standards and conditions of worker but preserving their position to hand over the hard-won gains of public employees while continuing to collect dues from workers.

In an article May 26 on the Wisconsin Education Association Council (WEAC) website entitled "Wisconsin teachers applaud ruling striking down collective bargaining bill", WEAC President Mary Bell declares:

“Wisconsin public school employees applaud the ruling today that strikes down this backward legislation. The motives behind the collective bargaining bill were clearly political. Governor Scott Walker has already admitted the bill was never intended to be about ‘budget repair’ but instead a way to bust public employee unions.”

While implementation of Walker’s anti-worker measure was delayed by the courts, public sector unions across the state rushed to sign new contract extensions in line with Walker’s demands that state workers double their contribution to their health care and pay half the cost of their pensions. The deals also preserve the automatic deduction of union dues from workers’ paychecks—something that will be removed from all expired contracts once the bill is signed into law.

As the WSWs wrote on February 22: “The union officials’ references to ‘collective bargaining’ are entirely cynical. By declaring their willingness to accept every concession before hand, they have given up collective bargaining, if this term is to have any substantive meaning at all—that is, the right of workers to fight against the demands of the corporations and the state.”

The court challenge to the anti-worker legislation in Wisconsin is not based on its fundamentally anti-democratic content, but simply the *procedural* legitimacy of how the law was passed.

The legal conflict over the anti-worker bill reflects tactical disagreements within different factions of the ruling class on how best to impose attacks on the working class. The Republican far-right faction is pursuing a policy to completely emasculate the trade unions—a process that in this case has compelled them to circumvent the legalities of the court system to facilitate the process.

The Democrats’ policy consists of carrying out social cuts with the assistance of the labor bureaucracy. In exchange for suppressing class opposition by the rank-and-file workers, the Democrats protect the legal position and financial interests of the bureaucracy. This is exactly what is being done in Illinois, Massachusetts, New York, California and other states where Democrats control state governments.

There will be renewed struggles in Wisconsin. If these are not to be strangled by the unions and the

Democratic Party again, the lessons of the battle at the beginning of the year must be drawn in order to develop a new political strategy based on a complete rejection of all cuts and a socialist opposition to both parties of big business.

The author also recommends

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