

Lawsuit in California targets workers' rights

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A coalition of conservative organizations in California has filed a lawsuit against the National Education Association (NEA), the California Teachers Association (CTA) and several other teachers unions. The lawsuit filed in Santa Ana, California, targets the so-called “agency-shop” rule and would allow teachers to opt out of paying union dues.

The suit has been brought by the Center for Individual Rights and the Jones Day Law, a corporate law firm currently involved in the assault on workers in the threatened bankruptcy of Detroit. The real driving force behind the suit is the Christian Educators Association International (CEAI). The groups says it opposes mandatory dues payment on the grounds that the money gets channeled into the Democratic Party, forcing Christian teachers to support liberal political causes such as abortion and gay rights.

In fact, the CEAI is engaged in an effort to insert Christian ideas into public education, or, in their own words, “To encourage, equip and empower educators according to Biblical principles.” Its aim is to undermine the establishment clause, which guarantees the separation between state and Church, and promote the diversion of public funding to parochial schools. Its legal action is aimed, among other things, at overcoming deep popular opposition to these reactionary and anti-democratic goals.

Under existing law, teachers who choose to opt out of the union each year continue to pay “association” fees. As the result of a Supreme Court ruling last year, the current law also allows teachers, whether members or not, to withhold any portion of fees that goes to political causes they oppose. The current lawsuit would go a step farther by allowing teachers who opt out of the union to refuse to pay any fees at all.

Terry Pell, a representative of the Center for Individual Rights handling the suit on behalf of CEAI, believes it will not succeed in the California District

Court. Presumably the strategy is to appeal up to the US Supreme Court.

Last year, the US Supreme Court in the case of *Knox V. Service Employees International Union, Local 1000* ruled, in a decision written by right-wing justice Samuel Alito, it was not enough for the union to give workers a chance to opt out, but that unions must receive an explicit approval from their membership before spending money on political causes.

While the immediate aim of the lawsuit is to undermine union financing for the Democratic Party and its related political activities, the ultimate target is the democratic rights of the working class. The proponents of the lawsuit are to impose legal restrictions on any political activity and speech by teachers and other workers.

The California effort follows similar anti-worker measures in Wisconsin, Ohio, Michigan and other states spearheaded by Republican governors and their right-wing corporate backers. The aim of these efforts was to undermine any opposition to the destruction of public education, the attack on public workers and an expansion of tax cuts for big business.

The Socialist Equality Party's opposition to the lawsuit in no way implies support for the unions or those who control them. The NEA and the CTA serve as an appendage of the Democratic Party and the Brown administration in California and have proven to be a vital asset to the ruling class in its efforts to cut wages and benefits for public school teachers throughout the state and the entire country.

The unions' opposition to the lawsuit is entirely based on defending the institutional interests of the union bureaucracy, in particular the continued collection of millions of dollars in union dues and association fees. Union officials denounce workers wanting to opt-out of dues and fees as “freeloaders” who reap the supposed benefits of collective

bargaining. In fact, the the NEA and CTA have been complicit in imposing one concession after another.

The unions' funding for the Democrats is also aimed at preserving the interests of the bureaucracy, not teachers and other workers. As opposed to the Republicans, which seek to weaken or even eliminate the unions, the Democratic Party tends to utilize the services of the unions to slash teacher wages and dismantle public education.

Since coming to office, the Obama administration has spearheaded the effort to decimate public education, use standard testing to scapegoat teachers and shut supposedly "failing schools" and channel public money into for-profit charter schools. Far from opposing this, the NEA and the American Federation of Teachers have only insisted they be partners in Obama's reactionary "school reform" agenda.

In California, the unions channeled opposition behind Prop 30 last year, presenting the Democratic-backed measure as a savior for public education and jobs. Now much of the money that was raised from an increase regressive sale taxes and temporarily hike in the marginal top tax rate is being used to pay debt obligations and underfunded pension plans. Meanwhile, districts throughout the state, with full complicity of the unions, have continued to hand out thousands of pink slips for next year.

Last month, the CTA gave unconditional support to an Assembly Bill that would expedite the dismissal process for fired teachers as well as broaden the terms allowing teachers' firing (see: "California union supports Democratic-sponsored attack on teachers").

These repeated betrayals have produced widespread disgust with the unions, with right-wing organizations are seeking to exploit. The task of lifting the deadweight of the rotten organizations from the backs of the working class, however, cannot be outsourced to rabid enemies of workers and democratic rights. While opposing this reactionary measure, teachers must build new organizations of struggle, independent of the unions and the Democratic Party, to open up a new road for the working class. The defense of public education and other social rights is, above all, a political question, bound up with breaking the grip of the financial elite over society and carrying out a vast redistribution of wealth necessary to guarantee social equality and fundamental social rights, such as a vast

expansion and improvement of public education. This necessitates the building of a mass political party of the working class to fight for the socialist reorganization of economic and political life. That is what the Socialist Equality Party fights for.



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