

What's behind the Detroit Federation of Teachers' lawsuit?

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Last Friday, January 29, the Detroit Federation of Teachers (DFT) and its parent union, the American Federation of Teachers (AFT), filed a legal complaint charging that the Detroit Public Schools (DPS) and its state-appointed emergency manager “has not performed its duty” to “provide a minimally adequate education and to properly maintain the schools.”

The legal complaint was filed in Michigan's Third Circuit Court of Appeals on behalf of the unions, current DFT President Ivy Bailey, and ten parents of DPS students.

The suit cites several examples of the intolerable decay of the schools. Spain Elementary-Middle School, for example, has dangerous mold under the buckled gym floor. Osborn High School has “rodent droppings, exposed wiring, unsanitary bathrooms with nonfunctioning equipment...fungus growing out of the walls, missing tiles, warped floors, broken windows that have been taped or boarded up, and even bullet holes that have not been repaired.”

These appalling conditions, which make it virtually impossible to teach or to learn, are certainly a damning indictment of top DPS officials, the Snyder administration and successive emergency managers, including Darnell Earley.

However, the nine remedies the DFT requests the court to adopt would amount to little more than minor window dressing under conditions in which Democratic and Republican legislators in Lansing are preparing the wholesale dismantling of public education in Detroit.

The first is the removal of Earley and the restoration of “local control” over DPS. This has largely been superseded by Earley's resignation, which has been cited as a necessary precondition for an agreement on the new legislation. Under its terms, “local control” is allegedly being restored with Detroit Mayor Mike

Duggan and Governor Snyder appointing a new Detroit school board, which will be replaced by an elected school board in January 2017. However, this will be little more than a fig leaf, as the banks will continue to exercise a financial dictatorship through an unelected Financial Review Commission, which has ultimate power over spending decisions.

The second request is to “Compel Defendants to perform the duties enjoined upon them directing them to promptly conduct periodic and systematic inspections of all school buildings in the City of Detroit.” In fact this is already being conducted by Mayor Mike Duggan, as part of the efforts of local Democrats, who have overseen decades of budget cuts, school closings and mass layoffs, to dupe teachers into thinking their “voices have finally been heard.”

The additional “relief” asked for by the suit includes “compelling Defendants to perform the duties enjoined upon them by directing them to promptly investigate the complaints filed by parents or teachers regarding the deteriorating physical conditions” and providing “a safe and hazard free workplace to the teachers who work in the City public schools.”

It also calls on the court to compel the defendant to “remedy all existing violations of the City and State Building Codes and to maintain City public schools in accordance with the standards set forth therein” and “institute a capital plan that provides the students of Detroit 21st century schools in which parents would want to send their children and educators would want to teach, and that provide students the opportunity to be prepared for life, career and college.”

It also urges the court to “continue jurisdiction over this matter to receive reports from Defendants of inspections to the plant and equipment of the school system, the results of the inspections and the steps

being undertaken to remedy the problems.”

The truth is that even if all of these remedies were granted tomorrow it would not stop the continued looting of the schools and public resources, which the Democrats and Republicans throughout the country have conducted on behalf of the big banks and corporations pushing “school reform.”

As noted above, the Democrats and Republicans in Lansing, with the full support of the DFT, AFT and other unions that are part of so-called Coalition for the Future of Detroit Schoolchildren, are moving ahead with plans to break up the school district, attack teacher pensions and vastly expand the operations of for-profit charter schools.

Enjoining school authorities to guarantee a safe learning environment is meaningless under conditions in which the entire political establishment, Democrats and Republicans, the courts, the governor, the mayor, the City Council, and any future school board, accept without question the dictates of the banks and big business. In every state and school district around the country politicians from both parties claim “there is no money” while the Obama administration finds billions to enrich the Wall Street criminals and finance the endless and expanding wars of conquest and domination. Citing budgetary concerns, officials in Providence, Rhode Island this week fired their entire teacher workforce.

In its lawsuit, the DFT and AFT assiduously avoid any mention of their own the role. If truth be told, in any lawsuit concerning criminal conduct in the destruction of public education and teachers’ jobs and living standards, top DFT and AFT officials would have to be in the dock right along with the emergency managers and big business politicians.

The lawsuit says nothing about the shortage of teachers and attacks on their wages, benefits, seniority rights, and pensions over the past two decades. This is because these retrograde measures were all supported by the DFT.

In 2009 alone, the DFT, in the name of “saving jobs,” imposed drastic concessions on teachers, including a \$10,000 per teacher forced “loan” to the district. The contract also included cuts to health care and a merit pay scheme.

The entire purpose of the lawsuit by the DFT is to divert the anger and determination of teachers into dead

end appeals to the courts for justice. This was the same tactic the unions used during the Detroit bankruptcy of 2013-14, when they claimed that workers’ pensions and other rights would be defended. And what was the outcome?

US Bankruptcy Judge Steven Rhodes, with the support of Obama’s Justice Department, ruled against retirees and simply tossed out the state constitutional protection for their pensions. Rhodes also ruled that citizens did not have an “inherent right” to water and sanctioned mass water shutoffs in order to pave the way for the privatization of the city’s water department.

The DFT and various Democratic politicians, including State Representative Sherry Gay-Dagnogo, have claimed that the January 25 decision by Judge Cynthia Stephens to deny Earley ‘s request for a temporary injunction against protesting teachers “proves” that teachers can get justice in the courts. In reality, this was only a maneuver aimed at giving the DFT more time to corral the teachers and crush them.

If the unions are not successful, the same judge would just as quickly issue an injunction and impose mass fines and order the arrests of teachers that defied her. That such repressive measures are being prepared is underscored by the ongoing discussions on State Bill 713-715 sponsored by Senate Education Committee chair Phil Pavlov, who wants anti-strike laws expanded to cover the sick-outs by Detroit teachers. The proposed bill would strip teachers of their licenses for two years and add an extra incentive for the union to crush such protests by threatening teacher unions with decertification, i.e., the cutoff of their dues income.

The way forward for teachers is not fruitless appeals to the capitalist courts but championing the fight for a mass political movement of the working class to defend public education and all the social and democratic rights of workers and young people. Only by replacing the corporate-controlled government with a workers’ government can workers reorganize economic and political life to address the pressing needs of society.



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