

# Supreme Court rules against unions in Janus case

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Wednesday's Supreme Court ruling in the *Janus v. AFSCME* case is a defeat for the union bureaucracy, not the workers.

Teachers, firefighters and other state and municipal workers have absolutely no interest in upholding the power of the unions to forcibly extract dues from their paychecks when these organizations do absolutely nothing to defend them.

In the 5-4 decision, the Supreme Court ruled that state governments and public-sector unions can no longer extract so-called agency or union security fees from public employees who choose not to join a union. Up until now, 22 states, plus the District of Columbia and Puerto Rico, have deducted agency fees while 28 states have prohibited the practice.

For weeks, the unions, the Democratic Party and various pseudo-left organizations have been warning that this ruling would be a calamity for workers. In oral arguments before the court, however, union attorneys asserted that the government had a "state interest" in propping up the unions because of their role in suppressing the class struggle and imposing "labor peace." It was understood that this meant imposing one round of layoffs and wage and benefit cuts after another.

"Union security is a tradeoff for no strikes," an attorney for the American Federation of State, County and Municipal Employees (AFSCME) argued, adding that the removal of agency fees could "raise an untold specter of labor unrest throughout the country."

In a *Washington Post* column, American Federation of Teachers President Randi Weingarten pointed to the wave of teachers' strikes in states where unions were weakest and warned that the type of "activism" seen in West Virginia would "be multiplied and magnified across the country if collective bargaining is struck

down."

Both factions on the court argued from the premise that the unions' function is to police the workers and undermine their resistance to the corporations and the government. However, the Republican majority on the court concluded that it was more important to undercut the unions' ability to serve as a cash cow for the Democratic Party. Hailing the decision, President Trump tweeted, "Big loss for the coffers of the Democrats!"

Writing the dissenting opinion, Justice Elena Kagan, an Obama appointee, argued that the Supreme Court had long recognized there were "important government interests" in "stably funded bargaining partners." In its 1977 *Abood v. Detroit Bd. of Ed.* ruling, Kagan wrote, the court upheld agency fees and exclusive bargaining rights for individual unions because this prevented the emergence of rival unions and facilitated "peaceful and stable relations." The government "could not avail itself of these benefits," she wrote, unless the "union has a secure source of funding."

The overturning of this legal precedent, Kagan warned, "will have large-scale consequences... Across the country, the relationships of public employees and employers will alter in both predictable and wholly unexpected ways."

Justice Samuel Alito, arguing for the majority, rejected this argument. "Whatever may have been the case 41 years ago when *Abood* was decided, it is thus now undeniable that 'labor peace' can readily be achieved through less restrictive means than the assessment of agency fees."

The conflicting opinions on the court reflect tactical divisions within the ruling class and the state over how best to suppress the resistance of the working class. The apologists for the unions, including various pseudo-left

organizations whose members hold leading positions in the teachers' and other unions, present the Janus ruling as an attack on the rights of workers, who they identify with the union apparatus.

This is a fraud. For genuine socialists, there is nothing progressive or democratic about compelling workers to pay dues to organizations that function as strikebreakers and enforcers of austerity. The money extorted from workers is used to finance the salaries of union executives like Weingarten, who made \$543,150 last year. Their money is also used to fund the election campaigns of the Democratic Party, which, like the Republicans, has overseen the destruction of the jobs and living standards of hundreds of thousands of teachers and other public-sector workers over the last decade alone.

If the unions were legitimately fighting for workers, they would not have to rely on the government to deduct money from workers' paychecks. When the mass industrial unions first emerged in the struggles of the 1930s, union stewards had to go around the shop floor to collect dues. Workers would demand that they address their grievances before paying up.

The automatic dues checkoff system, which more and more liberated the unions from accountability to their membership, was instituted during World War II when the unions were enforcing the war-time no-strike rule and sitting on joint war production boards with the government and the corporations to suppress wages and increase speedup. The dues checkoff was instrumental in the consolidation of a pro-capitalist and pro-imperialist bureaucracy in the unions.

After the war, in exchange for the dues checkoff, the unions enforced no-strike clauses in contracts with the employers. This was tied to the unions' defense of capitalism and rejection of any political break with the two-party system.

Over the past four decades, the unions have transformed themselves into corporatist adjuncts of big business and the government. They have reduced strike activity to record lows while taking bribes from union-company slush funds, as in the United Auto Workers, as payment for handing back all of the past gains won by workers in decades of bitter struggle.

As the rebellion of teachers earlier this year showed, the struggles of the working class are increasingly taking the form of a direct conflict with these corrupt,

right-wing organizations.

New organizations of struggle--factory and workplace committees democratically elected and controlled by rank-and-file workers--must be built to protect workers and fight for their interests.

Such a struggle is inseparable from the development of a political movement of the working class against both corporate-controlled parties and the capitalist system they defend.



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