

Missouri referendum vote kills “right-to-work” law

Patrick Martin
11 August 2018

Tuesday’s primary election in the state of Missouri included a referendum vote on the “right-to-work” law enacted by the Republican-controlled state legislature in 2017 and signed by Republican Governor Eric Greitens. The law was massively repudiated, with 67 percent voting to overturn it and only 33 percent voting to uphold it.

The two-to-one margin was a surprise to union officials who organized the petition drive to force the referendum, and a shock for the state Republican Party, which controls both houses of the legislature by wide margins, as well as the governorship. It is notable that the landslide defeat of the legislation came in a primary where slightly more voters chose Republican ballots than Democratic ballots—an indication that large numbers of workers who voted Republican also voted against the right-to-work law.

The Missouri State AFL-CIO mounted the petition drive last year to collect the 100,000 signatures needed to place the “right-to-work” referendum on the ballot. The drive won widespread support among working people, with more than 300,000 signing the petition, far more than the number required. The campaign leading up to the referendum vote was even broader, involving visits to more than 800,000 homes and more than 1,000 workplace meetings.

There is no question that in the Missouri referendum, hundreds of thousands of workers saw the right-to-work law as an attack on their rights by big business and responded accordingly. It was an expression of the more general shift to left among working people, expressed in the wave of teachers’ strikes, the overwhelming strike votes by workers at UPS, and the widespread opposition to the Trump administration’s persecution of immigrants and refugees.

The *Janus* decision

There is a sharp contrast between the class response among working people to the enactment of a state right-to-work law—widely viewed as an attack on the democratic right of workers to form independent organizations—and the lack of outrage among working people after the Supreme Court’s decision in *Janus v. AFSCME*, issued in late June, which denied public employee unions the right to collect dues from non-members under an arrangement known as the “agency shop.”

This reflects the differing historical conditions under which the fight for the union shop and the institution of dues checkoff arose, and their contrasting significance: the first, as a defensive mechanism for the working class, the second, as the financial lifeline of the privileged union bureaucracy.

The union shop was a central demand of the mass movement of the industrial working class in the 1930s, which built the CIO in an insurgent revolt against the entrenched, pro-employer craft unions of the AFL.

Workers had learned through bitter struggles that the survival of their new organizations required the removal of strikebreakers and company spies from the workplace. The purpose of a union shop, with every worker in a given workplace a union member, was to guarantee this.

Dues checkoff was established as part of the process by which a privileged bureaucracy was consolidated in the leadership of the newly established industrial unions, bringing these organizations under the influence of corporate management and the capitalist state. It had the effect of insulating union officials from direct accountability to the rank-and-file, since the funds for the union were now supplied by the company, based on automatic deduction from workers’ paychecks. This began a process of bureaucratization that has long since transformed contemporary American unions into monstrosities that bear no resemblance, except in the name, to the democratic, fighting organizations that workers instinctively seek to form whenever they first go into struggle.

The *Janus* decision was the product of a drive by the Republican Party to cut off a source of funding for the Democrats, as part of the increasingly bitter political warfare within the US ruling elite. As the WSWs wrote at the time, the decision was a defeat for the union officialdom, not for the working class: “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.”

But the decision sparked an outcry from the AFL-CIO and the Democratic Party—as well as from the coterie of pseudo-left organizations that orbit around both—because it threatened to cut off an important source of their funding. Under a longstanding and politically reactionary arrangement, Democratic Party officeholders uphold the franchise of the public employee unions and their access to a continued stream of dues income. The unions in return provide substantial financing to the Democratic Party, while suppressing any struggles of state and local government workers. As one union attorney argued before the court, “Union security is a tradeoff for no strikes.”

Workers vs. union apparatus

These same forces hailed the vote in Missouri as though it was a vindication of the unions. AFL-CIO President Richard Trumka, who in the course of his long career in union office has probably betrayed and sabotaged more workers’ struggles than any other individual in American history, hailed the vote as a harbinger of a Democratic Party landslide in the November elections.

At the same time, he wrote in an op-ed column in the *Wall Street Journal*, in what amounts to sounding the alarm for his masters in corporate America, that what is emerging is “an uprising unlike any I’ve seen in my 50 years in the labor movement. From crowds of striking

teachers speaking out for fair treatment to an entire generation of young workers rejecting a broken status quo, Americans are demanding more than the crumbs we've been handed by corporate and political elites."

The radicalization of the working class does not mean a strengthening of the AFL-CIO unions, however, but sets the stage for an even more explosive conflict between the workers and these organizations, which have been transformed into one of the principal bulwarks of corporate domination over the working class.

Perhaps the most fatuous response came in the *New York Times*. The newspaper published an editorial headlined, "The Wind at Labor's Back," and presented the Missouri referendum as a vote of confidence in the unions and "the latest sign of resurgent and effective labor activism. The vote comes months after teacher strikes around the country forced Republican-controlled legislatures in states like West Virginia and Oklahoma to hand out big raises to overworked and underpaid workers for the first time in many years."

In fact, the teacher walkouts in West Virginia, Oklahoma, Arizona and other states came about through rebellions *against* the two major teacher unions, the AFT and the NEA, and were eventually betrayed and sold out once the union officials gained control of them. All these states have right-to-work laws, which proved no obstacle once the teachers decided to fight.

***Jacobin* glorifies the AFL-CIO**

The *Times* also opened its op-ed column to two representatives of *Jacobin*, the magazine affiliated with the Democratic Socialists of America, Bhaskar Sunkara, the publication's editor, and Meagan Day, a staff writer. Under the headline, "Why You Should Care About Unions (Even if you're not in one)," the two gave a description of the AFL-CIO unions which no worker today would recognize.

"Unions improve wages, benefits and working conditions for their members," they wrote. "But it's not just to members' advantage. Collective bargaining affects pay standards across entire industries, meaning even nonunion workers benefit. Unions also secure legislation that protects all workers, from workplace safety guidelines to a guaranteed weekend. And they reduce gender and racial wage gaps across industries, which contributes to broader equality in society."

One would think Sunkara and Day have never belonged to a union or ever spoken with a union member. They acknowledge the decline of the unions in terms of membership over the past four decades—from nearly one third of all workers in 1970s to barely 11 percent today, and much lower than that in private industry—but they entirely ignore the qualitative transformation that has taken place.

The unions no longer "improve wages, benefits and working conditions," they negotiate reductions and a general worsening of the terms for the sale of labor power to the capitalists. The unions do not negotiate standards across industries, but rather the fragmentation of the working class into multiple tiers, even within a single workplace, with the lower tiers more poorly paid and brutally exploited. The unions do not press for legislation that protects and elevates workers, they hustle votes for a Democratic Party that is, just as much as the Republicans, the instrument of Wall Street and the military-intelligence apparatus, and which defends the interests of the super-rich at the expense of the working class.

The corporatist degeneration of the unions has led to their transformation from defensive organizations of the working class—although never as successful as the rosy daydream presented by the *Jacobin* writers—into an industrial police force for the corporations and the capitalist state.

It is this context that one must evaluate the result of the vote in Missouri.

Behind the spread of "right-to-work" laws

Right-to-work laws, which outlaw the union shop, were devised as a weapon of big business against the mass movement of the working class which built the industrial unions in the 1930s and 1940s. They have nothing to do with guaranteeing workers the right to a job, as the name might suggest. Instead, they outlaw "union security" contracts, under which workers are required to join a union and pay dues as a condition of employment.

Such laws were promoted by corporate lobbies, such as the US Chamber of Commerce, after states were permitted to enact them under Section 14(b) of the anti-labor Taft-Hartley Act of 1947. Initially, "right-to-work" laws had a regional character: in the South, where the Democratic Party was then dominant, and the rural West, controlled by the Republicans, unions were relatively weak. Right-to-work laws were passed at the urging of local business interests to maintain that status quo.

More recently, the struggle over these laws has taken on a different character, bound up with the steady shift to the right in capitalist politics, and the transformed character of the trade unions. While the unions have long abandoned any defense of the working class and work as agents of the employers on the shop floor, they still play a central role in capitalist politics as an adjunct of the Democratic Party.

With the unions aligned with the Democrats and supplying a considerable proportion of Democratic Party funding and campaign workers, the Republican Party has come to view "right-to-work" as a partisan weapon. They have pushed such laws even in Midwest industrial states where the trade unions have long played a prominent role and where Republicans as well as Democrats once solicited union support.

In the past six years, Republican state legislatures and Republican governors have pushed through right-to-work laws in five once heavily unionized states: Michigan (2012), Indiana (2012), Wisconsin (2015), West Virginia (2016), and Kentucky (2017). Missouri in 2017 was the sixth. Significantly, this current push for right-to-work laws is not in response to demands from the employers: on the contrary, most giant corporations now view the unions as indispensable partners in controlling and suppressing worker militancy.

From the standpoint of the working class, there is not the slightest progressive content to "union security" clauses that require workers to join and pay dues to organizations that do not represent them and instead do the bidding of the corporations. But state intervention in the form of right-to-work laws is an attack on the democratic rights of the working class, aimed at creating a political climate in which any genuine effort by workers to organize independently and fight the capitalist class is criminalized. It is on that basis alone, and without the slightest illusions in the nature of the unions, that workers should oppose right-to-work laws.

The socialist movement upholds the right of workers to establish their own organizations to defend their economic interests against the employers, whether trade unions, factory committees or some other form. The existing organizations of the AFL-CIO, while calling themselves unions, do not perform any of the defensive tasks with which they were once associated. This is why, for example, virtually all the efforts of the present-day unions to organize workers—i.e., to increase the dues income of the bureaucracy without in any way inconveniencing the employers—generally fail. There is no reason for workers to join them.

The revolutionary alternative is for workers to break with the old, bankrupt organizations and build new ones: factory committees, to

conduct the struggle in the workplace; neighborhood committees, to defend democratic rights and oppose attacks on social conditions, such as evictions and utility shutoffs; and above all, the building of a mass political party of the working class, to fight for a socialist program against the capitalist system as a whole.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact