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Stamping Out the Sparks: Union Repression of Rank-and-File Activism

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Stamping Out the Sparks:
Union Repression of Rank-and-File Activism

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Abstract

Labor scholars and union activists have long argued that the revitalization of the US labor movement depends on the success of rank-and-file members transforming their unions into more democratic organizations that can properly channel and support militancy. The dominance of the bureaucratic business unionism model has been derided for its inability to successfully wage class struggle, and it has been noted at times that entrenched union bureaucrats can be just as repressive as management or the state. However, there has previously never been a systematic study of how this repression occurs. Using interviews and historical data such as newspaper articles, blogposts, books and scholarly articles three case studies are examined: the establishment and transformation of UAW 2865 over two decades, the 2019-2020 COLA wildcat strike starting at UC Santa Cruz, and the 2013 MAP test boycott (wildcat partial strike). Three mechanisms of repression are identified: containment, demobilization, and credit stealing. Containment is a preventive barrier established between dissident rank-and-file members and other members that blocks the former's influence over the latter. Demobilization are those actions which shut down dissident or autonomous organizing or actions. Credit stealing is assigning credit for work done by others or asserting oneself as the leader or rightful representative of a movement that one did not support or participate in.

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CHAPTER 1 - INTRODUCTION

May Day is celebrated around the world as International Workers Day, but its origins stem from the struggle for an eight-hour workday in the labor movement in the United States. The day commemorates seven anarchist labor leaders who were convicted and sentenced for murder without evidence for throwing a bomb at police after a rally. Police responded to the explosion by shooting into the crowd, killing four civilians and injuring many others. August Spies, one of the anarchists, addressed the court in a now-famous speech in which he claimed that the labor movement could never be stamped out,

"[I]f you think that by hanging us you can stamp out the labor movement—the movement from which the downtrodden millions, the millions who toil and live in want and misery, the wage slaves, expect salvation—if this is your opinion, then hang us! Here you will tread upon a spark, but here, and there, and behind you, and in front of you, and everywhere, flames will blaze up. It is a subterranean fire. You cannot put it out. The ground is on fire upon which you stand."[1]

His final message was clear, the labor movement cannot be stopped through state repression. In the decades afterward this message of hope proved prescient as waves of militancy crashed against capital and the state, but since the late 1970's the US labor movement has been in a massive decline. Union membership rates, number of large strikes, number of working hours lost to strikes, and other metrics all agree that workers just aren't fighting back collectively like they used to. One may wonder why, over the last five decades, we haven't seen the type of resurgence of the labor movement that Spies discussed, and what has been holding it back.

Organized labor's power has waned for decades in the US, and some critical scholars have argued that the dominant model of bureaucratic top-down unionism has impeded building

[1] Spies (1886) from https://www.marxists.org/subject/mayday/articles/speeches.html#SPIES

mass militant struggle. I identify three mechanisms of repression used by bureaucratic union leadership to suppress militant autonomous rank-and-file action: containment, demobilization, and credit stealing. Containment is a preventative firewall tactic that prevents the growth or spread of dissident action. Demobilization is those actions aimed at getting participants to cease an unwanted activity. Credit Stealing is those actions that either take credit for the work of dissidents that the leadership had previously opposed, or the assertion by the leadership that they are the leaders of the movement which they have opposed.

Decline and Revitalization

Scholars and labor activists have looked to numerous reasons including changes in labor law and increased global competition, for example. Emerging from the various diagnoses of the problems labor faces have been different prescriptions for revitalization. The solutions can be characterized as falling into three approaches. First, a labor law-centered approach argues that laws hostile to organizing have eroded the ability to organize new unions as well as the ability of existing unions to fight back as effectively (McNicholas, Poydock, and Rhinehart 2021). One example is right-to-work laws are laws that have eliminated the "agency fee" that non-members pay to the union because they are covered by the contract. This creates the so-called "free rider" problem where one can pay nothing to the union but receive the same pay and benefits that the union has negotiated for with the employer. The use of independent contractor status for many people who are functionally employees is another major problem with labor law. As independent contractors workers don't receive the same protections and rights to organize as employees. Other examples often cited are the so-called "captive audience meetings" where employers can require employees to sit through meetings with anti-union messages and the union election process which due to its many steps it can take so long that in industries with high turnover that by the time the election takes place many of the workers who had signed

union membership cards are no longer employees. For proponents of this analysis, the focus is totally on the unfair legal ground upon which organizing must take place. As such, it leans heavily toward an electoral approach - voting in supportive politicians and lobbying others who can be persuaded. It mostly avoids the active participation of the rank-and-file in favor of the union leadership using their political capital to enact changes in the conditions of labor organizing that can help union leaders grow their membership and especially the union density of certain industries. The spectrum of this approach includes the progressive push within labor to elect Bernie Sanders or to pass the Green New Deal or the PRO Act on the one side to, on the other side, union leaders trading the rights of their members to secure union representation for unrepresented workers.[2] Of the three approaches, this is the most conservative, as it neither critiques the current practices nor the current structure of organized labor.

Secondly, there is an approach that says the current form of union organization just needs to take a different approach to organizing. Under this approach, organizing is a technical skill set that professional organizers and union leaders need to adopt and teach to rank-and-file workers. This literature isn't written to the rank-and-file member whose greatest obstacle to organizing may be their own union leadership and staff, as it is largely silent on those challenges, instead, it is an organizer-centric approach that takes a normative and neutral stance toward issues arising from the structure of unions themselves. One advocate of this approach would be Jane McAlevey (2016), who centers the organizer and the technical aspects of organizing with the goal of winning over a specific type of rank-and-file member - the "organic leader". The organic leader isn't necessarily even pro-union at first and may even be management's favorite lackey, but their "natural" leadership skills make them key to winning workers over and mobilizing them. As opposed to the "organic leader," McAlevey distinguishes

[2] See for example Lee Saunders, former President of AFSCME, willingness to give up the right to strike to secure more public sector members, or the willingness of some union leaders to maintain the "independent contractor status" for rideshare drivers in exchange for union representation

the "activists" who are the ideologically committed workers with good intentions but are not "real" leaders. Union democracy under the McAlevey approach must be representative and hierarchical, as the model is about building constituencies and elevating the correct people. This schema doesn't challenge the current structure of organized labor, it merely suggests alternative practices for that organizational form to take. This is a less conservative position, as it critiques the practices of unions, however, it doesn't identify any inherent conflict within the structure of unions as they currently are. Both of these perspectives take for granted the continuation of the structure of unions as is, they just differ on whether the leadership should be taking a new approach to organizing (internal) or if the problem is external (the legal terrain).

The third approach treats the problem as a socio-political issue within the union structure (Moody 2000, Burns 2022). This perspective argues unions have undergone institutionalization and bureaucratization, which undermines the types of organizing that needs to be done, ultimately undermining workers' struggles. It began with the passage of labor laws that legitimized unions as formal representatives and the establishment of a system of labor relations built on the grievance system and contract negotiations; all of which created institutionalized channels of dealing with class conflict and displacing it from the shop floor into boardroom meetings between representatives. Politically, it looks like the pursuit of "labor peace" and the establishment of no-strikes clauses, which evolved into the "win-win" strategies that deny an inherent class antagonism underlying capitalist production and concessionary bargaining that abandons all pretense of building fighting organizations of the working class. This wasn't an automatic "iron law of oligarchy"; rather it was the product of a struggle between rank-and-file radicals and the newly emerged bureaucratic class within unions, that the rank-and-file has overall lost. This school of thought sees this dominant model of unionism, generally called business unionism, as the thing holding labor back. Advocates of this school of thought argue that labor can only be revitalized after it challenges the bureaucratic structure and practices that dominate organized labor today. There is variation within this perspective on

whether or not to pursue dual unionism, the practice of organizing one's coworkers into a parallel organization outside of the official union, or union reform, the practice of changing both the leadership and the structure of the existing union, but both advocate for an approach that centers the direct collective action of the rank-and-file. This critical rank-and-file perspective critiques both the structure and practice of unions and wants to dramatically transform both. But while this critical perspective recognizes the role that the bureaucracy has played in combating worker militancy and radicalism, it does not take this recognition to the level of systemic analysis that can identify the mechanisms of repression that radicals are up against.

Bureaucracy and Repression

Both labor liberals and leftists agree that capital has largely been winning its offensive against workers the last few decades at least in part because of the failure of business unions to effectively fight back. However, it is only those who take up the critical rank-and-file perspective that argue the union bureaucracy has been a repressive obstacle in the way of rank-and-file workers when they independently fight back. Specifically, the union bureaucracy manifests the contradictions of capitalism- unionized workers are better off than non-union workers, all else being equal, but the bureaucracy must also restrain the rank-and-file and ultimately maintain the capitalist mode of production (Darlington and Upchurch 2012). Winslow (2010: 31) for example argues, "The union, for the most part, were obstacles in the paths of rank-and-file workers. This was first of all a result of inaction- sticking to business as usual…" and that "officials stubbornly clung to bureaucratic practices, hoping to preserve the institutions of collective bargaining upon which they depended for their existence. Yet these were increasingly adequate…" and then goes on to say, "When not collaborating, the unions were also enforcers. The IBT was known

for its violent repression of dissent, but other unions followed suit, as when the UAW mobilized one thousand armed officials and loyalists…" to break a wildcat strike.

As unions institutionalized and became large complex organizations embedded in financial, political, and legal structures that provided them with legitimacy and easier continuity of operation, the heads of these organizations and their full-time staffers developed different - and sometimes conflicting- interests and perspectives from the rank and file workers they were supposed to represent. These new and different interests can shift the goals of the organization to be focused on its reproduction and to keeping the current leadership in power. As unions can be organizations based on abstract goals like "fairness in the workplace", "industrial democracy", or even "working class liberation and social justice" in more radical unions, the new set of interests and perspectives introduced by the development of a bureaucracy can lead to 1) goal displacement in which the goals of the members become secondary to the interests of maintaining the organization and keeping the current leadership in power and 2) goal diversion in which abstract bigger picture goals are replaced with more tangible goals of a much more narrow or limited scope (Warner and Havens 1968).

The union is an evolving organization, with its internal organization shaped by both its relations to outside actors and, importantly for this study, relations between actors inside the organization. Those in power in the organization may engage in repression when confronted with challengers; the product of that power struggle can shape the very form of the organization itself - through the consolidation of power and control over communication and resources, or the decentralization or democratization of those resources. Therefore there are two types of repression that can be examined: 1) acts of repression by union leaders against those who challenge them and 2) changes in the structure of the organization that make it harder to challenge those in power. The bureaucracy itself is a form of repression that is the result of previous struggles - the rank-and-file and the leadership engage in political battles over the

organizational form and the product of that struggle is the form the union takes at any given time.

I will be using the term repression in the way that scholars of state repression of social movements use the term, such as "...a process whereby groups or individuals attempt to diminish dissident action, collective organization, and the mobilization of dissenting opinion by inhibiting collective action through either raising the costs or minimizing the benefits of such action" (Boykoff 2007: 282-283). Within unions, repression includes more than just diminishing dissent, it includes shutting down autonomous collective organizing and resistance that hasn't been approved of by the leadership itself. Brenner (2010: 42) refers to the "tendency of the union officialdom to repress rather than attempt to build outbreaks of worker resistance that they do not control" and goes on to say, "on those occasions when the rank and file do set themselves autonomously in motion against the boss, they can expect, as a matter of course, that the union officialdom, especially beyond the local level, rather than nourishing their struggles as the only way to enhance the union's actual power, will tend to want to sidetrack if not derail them." These wildcat-style actions may not explicitly critique the union leadership or challenge them for power, but the mere existence of autonomous organizing can be seen as an implicit threat to the control the leadership wields over rank-and-file mobilization.

The "long 1970s" rank-and-file uprisings are full of examples of union leaders repressing their most active and militant members[3]; from union officials organizing a strike-breaking squad in response to a wildcat strike in the Teamsters (LaBotz 2010), to CWA leadership breaking a

[3] Not all intra-union struggles fit the mold of militant rank-and-file fighting for democracy against its bureaucratic leadership. Unions are large complex organizations that many people make a career out of, politicking their way up the ladder and/or carving out domains of influence. Trusteeship can be an effective tool for cleaning out corruption in local leadership and has been effective in getting rid of mafia control over locals (Summers 1991), but it can also be a tool of internal union politics. The case of SEIU Local 399, which has been put into trusteeship twice, shows how trusteeship can be the result of internal power struggles within the union bureaucracy (Fletcher and Gapasin 2009) or as a weapon by the International President to silence dissident locals (Fletcher and Lichtenstein 2009). Those in positions of power have several ways they can respond to challengers. Politics and power struggles within the bureaucracy may take on different forms than how the bureaucracy itself responds to independent rank-and-file organizing, and it is the latter which is the focus of this study.

promise to let workers have a vote on whether or not to return to work (Brenner 2010), to UAW officials breaking a wildcat strike (Georgakas and Surkin 2012: 192) and defaming radical Black members as "terrorists", "anti-democratic", "racist", and "Black fascists" (Jones 2010), to the most extreme case of repression, the assassination of Joseph "Jock" Yablonski, along with his wife and daughter, by agents of United Mine Workers President Tony Boyle, after Yablonski filed fraud charges for an allegedly rigged election he lost against the incumbent Boyle (Nyden 2010).

This brings us to the second point- the bureaucracy is maintained by the structural repression of the membership through the erosion of democratic rank-and-file over internal affairs. Moody argues, "In building the power of the bureaucracy, the weakening of workplace union organization was one side of the equation. The other entailed translating the power that the officials derived from negotiating contracts into control over the union's internal affairs."(2010: 111) Some of the ways in which union leaders enshrined their control over the union's internal processes were 1) building political machines to defeat internal opposition, 2) transferring power from stewards and committee members to national leadership, 3) increasing the number of full-time staffers, 4) winning automatic dues checkoff, 5) centralizing the bargaining process, 6) lengthening the time between contracts, and more (Moody 2010: 112-115).

When a struggle breaks out between dissenters and those in power the result may be a change in the form of the organization - if dissenters win they enact reforms that open up the system and make it more democratic, but if they lose, those in power may further consolidate their power or make other changes in the structure of the organization that make their dominance more secure. The relationship goes the other way as well, those in power may consolidate power before being challenged in order to secure their power against future rivals, and these changes may provoke dissent.

The Mechanisms Approach

Causal explanations in the social sciences have expanded to include not just association between independent and dependent variables, but also the mechanisms of such associations- the various structures, processes, and actions that link variables together (Hedstrom and Ylikoski 2010; Maurer 2016). Mechanisms specify more than the degree to which a cause creates an effect, they explain the process of how that unfolds. Putting the correct key into an ignition may cause a car to start and continue to run, but in order to understand how that occurs we need to look at the causal mechanisms that make the motor run: the intake, compression, combustion, and exhaust processes. Specifying these processes also allows us to avoid overgeneralizing causal relations. We can understand the differences between a car with a combustion engine and an electric motor, Furthermore, particular mechanisms may be evident in other contexts. Thus we can utilize our understanding of combustion in automobiles to provide insights into how lawnmowers operate. Historical-comparative sociology, which attempts to make causal claims without the use of the statistical analysis of large samples, has a stronger philosophical basis on which to make such claims through the theorization and identification of mechanisms (Gorski 2009).

Mechanisms have been identified widely in the studies of social movements. Scholars have theorized mechanisms of social movement success/impact (Fishman and Everson 2016), to mechanisms of impact (Bidegain and Millet 2021), to mechanisms of state repression of movements (Boykoff 2007), movement coalition formation (Halfmann 2023), and more.

Three Mechanisms of Intra-Union Repression

In this paper, I analyze three cases in which bureaucratic business union leaders responded to independent rank-and-file social movement activity. My analysis also includes intra-case comparisons and comparisons over time. I examine the history of UAW Local 2865,

which represents academic student workers at the University of California system, from the late 1990s until 2018, which can be defined by three eras, dominated by processes of bureaucratization, democratization, and re-bureaucratization respectively. The second case is that of the 2019-2020 COLA wildcat strike started as a grading strike by graduate student workers at UC Santa Cruz and escalated to a full teaching strike at that campus and spread to other campuses in the UC system to varying degrees. The final case is the 2013 boycott of the Measures of Academic Progress (MAP) test started by teachers at Garfield High School in Seattle and was joined by students, parents, and teachers at other schools. Within these analyses, I theorize and demonstrate three mechanisms of intra-union repression: *containment, demobilization, and credit stealing.*

Containment is any type of action that prevents the growth or spread of the movement. Growth here means that workers who were not initially participating in the activity become participants, while spread means that the activity is now taking place in worksites or areas of a single worksite that it was not originally taking place in. If, for example, a wildcat erupts at one worksite of a multi-site employer or in one department or area of a single worksite it has the potential to spread to those other sites or areas, but even if it spreads to all sites and areas of work it may still only include a portion of the workers that could potentially participate, so even if it has spread to all sites and areas it can still grow through the participation of more workers. Growth is about the absolute number of workers that participate in an activity, while spread occurs when the movement begins to include workers from a different location or type of work. Growth is about the absolute number of workers that participate in an activity, while spread occurs when the movement begins to include workers from a different location or type of work.[4]

If these workers were all covered by a union, say the Teamsters, and had a single local union that exclusively negotiated with their employer, and the wildcat erupted in one of the

[4] Whereas containment is a prevention mechanism that prevents non-participants from becoming participants, its opposites are *diffusion* and *growth*.

scenarios just described, then the response by the elected Teamster leaders would be important. If leadership encourages or supports the action then it can help grow the action by legitimizing it for other workers who haven't yet joined and providing it with communications support, monetary support, etc. It is also possible that the leadership sees the wildcat strike as a threat to its authority, and the wildcat leaders as potential political rivals. It then engages in activities aimed at stopping the movement from growing or spreading. If the wildcat strike is successfully contained, the movement remains isolated and/or small in number and has less of a chance of success.

Social movement scholars have examined diffusion, which may include the spread of a movement's activities to new sites, but also includes the spread of frames, tactics, or organizational forms from one movement to another (Soule and Roggeband 2018). Scholars have examined diffusion mechanisms such as the paths that diffusion takes place through, such as through direct or indirect ties (Morris 1981; Hadden 2014; Romanos 2015), the organizational forms and conditions that best facilitate diffusion (Staggenborg 1989; McCammon 2003; Bessinger 2007), and how one's relevant others or reference group impacts one's propensity to join or be a free rider (Sandell and Stern 1998).

Demobilization is those actions that aim to get movement participants to stop engaging in movement activity. Demobilization differs from containment in that containment is preventative, it's about doing things that may prevent people from joining an already existing action, whereas demobilization targets those already engaged in an activity and tries to get them to stop doing that activity. This distinction is an important one, it is the difference between continued non-participation vs. stopping an ongoing behavior.

In the hypothetical small delivery company Teamsters example from above, if the truck drivers and warehouse workers were engaged in a wildcat the local leadership may engage in containment actions aimed at preventing the office workers from joining and additionally may do things to try to break the strike and get everyone back to work. Demobilization can be a range of

activities, from the extreme case of sending in strikebreakers to physically attack and intimidate strikers, to something as mundane as sending out letters advising members that they could be fired because they are engaging in unprotected activities. If containment is like a firewall or a moat - a protective barrier to keep the undesirable from being in contact with the unspoiled, then demobilization is like a fire extinguisher - something that directly diminishes the undesirable. Demobilization is aimed at the undesired behavior/people, whereas containment is ultimately concerned with the unspoiled.[5]

Containment and Demobilization can happen at the same time, as union leaders may try to prevent the growth and spread of a wildcat while also trying to break the wildcat strike. Firefighters responding to a wildfire may choose to focus their energy on stopping the spread of the fire instead of putting it out, or vice versa, but it is also likely that they will do both in certain scenarios. This is another reason it is important to identify the mechanisms of repression so that scholars can determine if certain mechanisms, such as containment or demobilization, are present in some types of scenarios while absent in others.

Credit Stealing involves attempts by union leaders to take credit for the gains of a movement, or trying to impose themselves as the legitimate leaders of a movement that they don't support or participate in. Union leaders who successfully steal credit may do so to stave off political challengers and to keep their leadership positions. However, the audience for credit stealing doesn't necessarily have to be their own members. It is conceivable that an unpopular leadership stands by and watches a successful wildcat strike (or even tries to break the wildcat strike) and then uses their official position and their platform to steal credit in the eyes of the public, to save face or even build up their image in the eyes of an external audience. Credit stealing isn't exclusively about the memory of the action after it is over, it can also happen during an action when an official union leadership tries to assert itself as the legitimate leader of

[5] The opposite of demobilization is continued participation.

something it had no part in organizing or supporting. This kind of credit stealing works well in combination with demobilization - the typical example is when workers engage in a wildcat and then the union leadership says that the wildcat can stop because management agreed to set up a committee or engage in talks. When union leaders do this they are demobilizing the strike and asserting themselves as the legitimate ones to be "leading" talks on the issue with management or participating in the committee.

Hopefully, my identification of mechanisms of intra-union repression can help rank-and-file dissidents prepare for it and counter it. Furthermore, any attempt to gauge the general success of autonomous rank-and-file organizing must be contextualized by the type and level of repression that rank-and-file movements face. The identification of factors that explain the success and failure of autonomous rank-and-file organizing must include both the mechanisms that facilitate success and the mechanisms that undermine it, including repression by employers, the state, and union bureaucrats.

Data and Methods

The data for this project included historical documentary materials, such as newspaper articles, newsletters, union and employer documents such as emails and letters, webinars, and the writings of union dissidents, such as numerous blogs as well as a scholarly article by Sullivan (2003) that includes reflections on their own participation. It also includes semi-structured interviews with 20 participants in the UC strike and 2 participants in the Seattle strike. To recruit and build rapport with movement participants to formulate interview questions, I drew on my participation in UAW 2865 prior to this study. From 2012-2014, I was a reform caucus member and elected Unit Chair and bargaining team member at UC Davis. I also drew on my own notes and recollections from this period.

I interviewed the UC strike participants by video chat in January through March 2021 and each interview lasted 1-2 hours. Nine participants were from UC Santa Cruz (given its centrality in the strike) while the other 11 were from Davis, Berkeley, Los Angeles, Santa Barbara, and San Diego. Of 20 participants, 14 identified as White, 3 as Asian or South Asian, and 3 as Latinx or Chicanx. Eight identified as men, ten as women, and two as non-binary. All but one of the participants were graduate students in the social sciences or humanities. Approximately 12 could be considered “core organizers.” Only two interviewees belonged to a caucus within the union before the strike, one was a member of a reform caucus and the other had been a member of the dominant leadership caucus but had left the caucus after political disagreements

(For additional demographic information, see Appendix A). In Seattle, I contacted 12 potential interview participants but most were reluctant to participate given the high-risk nature of their activism. I conducted two in-person interviews of about 90 minutes each in the Spring of 2018 with experienced teachers who led and participated in the strike. Both were members of the union and one had served as a building representative. Neither was a member of the reform caucus, the Social Equality Educators (SEE), but both were critical of union leadership and had a collaborative relationship with the caucus.

My analysis relies on abductive logic of analysis; abduction is similar to induction in that the logic flows from the specific to the general, however, unlike induction or grounded theory where new theory is developed from scratch, abduction looks to existing literature to guide analysis and looks for novel ways that the findings may be used to refine or critique existing theory (Halpin and Richard 2021). I identified instances of social movement activity emerging from the rank-and-file and collected data on these movements. During my data analysis, it became clear that one obstacle the participants were contending with was their union leadership. I coded the interactions between the rank-and-file and the leadership and identified types of ways in which the leadership responded. What I was examining was cases of union

leadership's repression of social movement activity emerging from the rank-and-file. Looking at the literature on the decline and revitalization of the labor movement it became apparent that if there are cases of union leaders repressing social movement activity within their union and that if these cases are more likely to be the rule than the exception when social movement activity emerges from the rank-and-file independently, then we may have some insight not just into why the Labor Movement has seen a decline as a movement and why it is better thought of as Organized Labor, but also how this is happening. Critical labor scholars have identified the model of unionism that is dominant in the US as being incapable of building social movements and have even acknowledged that the leadership can act repressively, but there was no systematic analysis of how movements were repressed by their union leadership.

I chose a longitudinal analysis of UAW 2865 for one of my cases because 2865 is such an interesting local, having gone through major upheavals in leadership numerous times in its rather short lifespan. Rank-and-file dissidents fought the initial bureaucratization of the union and lost, but later reformers were able to take the union back and democratize the union, only for later leadership to re-bureaucratize the union under the perceived threat of the Janus v. AFSCME Supreme Court ruling. Since critical labor scholars place some of the blame on the decline of the labor movement on the dominant model of unionism then the evolution of this local through different models of unionism is helpful to establish a baseline understanding of how each model generally operates in relation to the rank-and-file. I was able to identify not just the mechanisms of repression used against insurgent rank-and-file dissidents, but also through process tracing (Mahoney 2012) I could identify not just the deploying of mechanisms of repression, but how the result of the struggle between the rank-and-file and the union leadership would set up new conditions that the rank-and-file would have to organize under.

I chose my second case, the 2019-2020 COLA wildcat strike because it provides a more in-depth look at the responses by a union bureaucracy to a rapidly growing movement of the rank-and-file. That COLA started at a single campus and had to undergo processes of diffusion

to the other UC campuses makes for a great comparative study between campuses, as the movement had a stronger presence at some campuses than others and the various on-the-ground conditions and relations to the official union structure and the caucus in leadership is also useful for a comparative analysis. One limitation of this case study is that it is the same union as the first longitudinal study. However, there is no reason to believe that the dynamics examined and the mechanisms identified are specific to UAW 2865. UAW 2865 has a high turnover of membership and leadership, due to the rotating door of graduate school, so this is the same union in the sense that the Ship of Theseus is the same ship.

My third case, the Seattle MAP test boycott, was chosen due to its similar dynamics to the COLA movement - it emerged quite suddenly at a single site, Garfield High School, from the rank-and-file, not the SEA leadership, and participants tried to spread it to other sites. The MAP boycott wasn't as successful in spreading to other schools, in part because of its success there wasn't a third round of testing to boycott, so there isn't as much diffusion to study as in the COLA case. What the MAP boycott case study provides is another context- a different union, k-12 schools instead of higher education, and a partial strike instead of a grading strike turned full teaching strike - to test the presence of the mechanisms identified in the higher education cases.

While critical labor scholars may argue that business unionism has been incapable of organizing the kind of fight back against capital that is required for labor to regain its lost ground and that it can be a hindrance to rank-and-file militants, I aim to show precisely how it is an obstacle to militant rank-and-file movements. Through what Skocpol and Somers (1980) refer to as the parallel demonstration of theory, I will show through multiple cases these various historical trajectories are best understood with the theory provided. By identifying and theorizing these mechanisms of repression I hope to provide insight as to the challenges that workers face in revitalizing the labor movement.

Chapter Summary

In what follows, I examine the repression by union leadership of three autonomous rank-and-file movements, attending in particular to the theorization and demonstration of the mechanisms of that repression.

In Chapter 2, I outline the literature on the decline of the labor movement and the various schools of thought on how to revitalize it. I highlight the critical labor perspective which identifies two models of unionism--business unionism and social movement unionism--abstractions or Weberian ideal types that can be used as points of comparison with actually existing organizational forms and practices. I summarize the history of the emergence of business unionism and the union bureaucracy, which critical labor scholars argue came at the expense of rank-and-file democracy and militancy. I then introduce the concept of mechanisms of repression, which will be my contribution to the literature, as critical labor scholars have noticed mechanisms of repression before but I am giving a close detailed systematic analysis of them.

In Chapter 3, I examine over two decades of conflict between the bureaucrats and rank-and-file movements in UAW Local 2865, the union representing academic workers at the University of California system. While graduate student unionization efforts at the UC began long before the passage of the 1979 law which provides this legal right, the period under study begins in 1997, at the peak of the final years of establishing the union as the legally recognized bargaining representative for Academic Student Employees at the UC, and continues through to 2018. During the 14 years of this period, leaders of the International repressed independent rank-and-file organizing, centralized power, and inhibited dissent, solidifying a repressive structure that rank-and-file dissenters would struggle against. In 2011, however, dissidents took control of the Local and democratized the union in form and practice, and experimented with building a new type of union across the UC campuses But the threat of the Janus v. AFSCME Supreme Court decision ushered a new area of reform, in which new leaders re-bureaucratized

the union, centralized power and marginalized dissenters, setting the stage for a contested contract ratification process in 2018.

This chapter breaks the union's history into three eras, each a case study of repression. I find that where there is a process of bureaucratization there coincides repression, and where there is democratization there is no repression present. I identify two mechanisms of repression: containment and demobilization. Repression during the two eras of bureaucratization tended to focus on communication, shutting down the flow of dissident ideas to the membership through centralization of communication channels, and the stigmatization of dissent and marginalization of dissenters. The demobilization of rank-and-file engagement through the management of expectations during contract negotiations or periods of mass mobilization was another commonality between these two cases.

The Admin Caucus that ran the union until 2011 cut funding for campus-based newsletters, centralizing communications, and required all mass communications to be approved by the statewide leadership. Under the OSWP leadership, which began in 2017, communications were again centralized and mass communications required the approval of the leadership. Also, a full-time communications professional was hired from outside the union. This staff member took orders from their boss, the union leadership. This model of communications varies greatly from one in which communications are more politicized and there is a democratic process through which arguments over framing and other aspects can be hashed out. Both the AC and OSWP repressed dissident voices and as such polyvocality in official union communications decreased. OSWP also used the paid staffers to push their "official" viewpoint during the ratification vote in 2018, and the official ballot contained the full text of the Yes side of the vote on it, whereas the No side text was on another website entirely. Through its centralized control over communications and staff, OSWP was able to use union resources to contain dissident points of view.

Stigmatization of dissent and marginalization of dissenters was the other major commonality between these cases. Stigma works as both containment and demobilization, as it functions to keep people away from the stigmatized, and it is harmful to the stigmatized, increasing the personal (emotional and social) cost of their continued participation in union spaces. Under the AC, criticism of the leadership was stigmatized as "trashing the union" in the words of the former president. Under OSWP it was called "union busting", "anti-democratic", and more. That one former OSWP member who broke from them politically called this culture of stigmatizing dissent "toxic" shows that even those who once supported this leadership and were part of it recognized the harms it inflicted on the individuals it targeted. By driving dissidents away from the union OSWP was able to maintain its hold on leadership positions for years to come.

The main demobilization that can be found during both eras occurs during bargaining or other periods of mass mobilization where the union leadership needs to control member expectations and essentially reverse the mobilization that they had previously been engaging in. The AC unilaterally called off a strike and asked for a 90-day cooling-off period. Members followed the instructions, and all strike organizing stopped. However, many members felt betrayed and in the long run, disengaged from the union entirely. OSWP never even called for a strike in 2018, instead it switched gears from mobilization to lowering expectations by defining what was practical to win and combined that with fear-mongering about what would happen if negotiations were settled soon. OSWP warned about the union going bankrupt and there not being a union anymore, which made many members angry at those who had higher expectations and wanted to continue fighting because they saw their actions as potentially harmful or even an existential crisis for the union. This fear was mixed with a comparison to other UC unions in the middle of contract negotiations who had been negotiating longer and hadn't won more than 2865. Instead of seeing at least 3 UC unions all struggling to win

concessions and concluding that the unions should combine forces, the conclusion was that 2865 couldn't get more because the others couldn't either.

In chapter 4 I analyze the emergence and diffusion of a systemwide wildcat strike demanding a Cost of Living Adjustment. In 2019, graduate student workers at UC Santa Cruz launched a grading strike that escalated into a full teaching strike. Rank-and-file members at other campuses autonomously joined in on the movement, however, the different organizing conditions on each campus led to an uneven spread of the movement. Some campuses had a bigger network of dissidents, while others had a stronger presence of the caucus in power. Just as momentum was gaining statewide the 2020 Covid-19 pandemic struck and upended all aspects of life, including the strike.

I identify three types of responses to the strike by the union leadership: containment, demobilization, and credit stealing. One way of containing the movement was through not informing members about what was going on at UCSC, through a temporary communication blackout about the wildcat strike when discussing the idea of a Cost of Living Adjustment, despite the COLA wildcat being the entire reason anyone was talking about a COLA at all. When the wildcat was eventually brought up to the membership it was in warnings to the members not to join the unsanctioned strike, which is also another form of containment by discouraging participation. COLA wildcatters in some instances were also personally vilified as irresponsible and harming the union by the caucus in leadership, which stigmatized the strikers and acted as a form of disincentive to join the movement, which is a form of containment. Overall the union leadership worked to contain the strike by keeping potential recruits in the dark about it and then framing the participants and the action in a negative light to discourage non-participants from joining. The previously mentioned personal attacks and stigma double as both containment and demobilization. By increasing the personal cost of continued participation - the social, mental, and emotional toll - the caucus in leadership engaged in demobilization. The union leadership also engaged in direct counter-organizing, which I have broken down into

two categories, soft disruption and hard disruption. Soft disruption works by getting participants to internalize the values or perspectives of those in power. Through mass emails, flyering, and other communications the union tried to get wildcatters to stop striking by persuasion that it was too risky or harmful to the union. However, in some specific instances, hard disruption was also used. Hard disruption is a more direct and personal confrontation aimed at intimidating participants to stop striking. When union leaders and members of the leadership caucus crashed COLA meetings and activities and confronted COLA organizers at UCLA and Berkeley they were engaged in hard disruption. Finally, credit stealing is when the leadership tries to take credit for work done by others that it opposed, or when it asserts itself as the rightful leadership of the movement. The union leadership bought a web domain, COLA4all, which redirected to the official union website, despite the union official rejecting the movement and COLA4all emerging from grad student workers of color and undergraduates as a more radical demand within the COLA movement. When people searched the internet for information about the movement it was now more likely that they would get the official union's version of the story and it would appear that it was the union leadership who was fighting for a COLA. UAW 2865 leadership voted to organize for an Unfair Labor Practices (ULP) strike around contract violations the UC engaged in during its response to the COLA movement. Some COLA organizers took the leadership at its word and saw this as a way to potentially dramatically expand participation in the strike, so they refocused much of their time and energy on getting strike pledges for a ULP strike. When the threshold was reached the leadership moved the goalpost and said not enough pledges were obtained, so no ULP strike was declared. This move was both stealing credit by asserting itself as the "correct way" to fight for a COLA, and demobilization as it got some COLA organizers to shift their focus from the COLA work they had been doing into work that was ultimately not going to support the movement.

In Chapter 5 I offer a briefer examination of a parallel case, the boycott of a standardized test called the Measures of Academic Progress by some Seattle public school teachers in 2013.

Teachers at Garfield High School, a magnet school and an historically Black school, unanimously backed a test boycott in which the teachers would refuse to administer the test to their students, for a range of reasons related to effective pedagogy and racial justice. The boycott could be considered a wildcat partial strike, as the workers engaged in the boycott were refusing to do some of their work duties, and the partial strike was not sanctioned by the union leadership. They were joined by a student boycott and many parents supported by opting their child out of the test. Much like the COLA strike this boycott emerged at one site and movement leaders tried spreading it. Eventually, four other schools announced their support, but before they could all join in, the district announced that the MAP test wouldn't be administered at the high school level any longer.

Again, I find that union leadership responded in three ways: containment, demobilization, and credit stealing. The MAP test began at a single high school, but teachers at Garfield wanted to spread it to other schools. They asked the union leadership for the contact information of building union reps for the other schools in Seattle and were stonewalled. This slowed the spread of the movement, as teachers had to physically go to other schools and talk to teachers there and find out who their rep was and when their building meetings were, something that would have been much simpler and faster had they been given reps contact information by their union leadership. The MAP test is administered three times per year, and the boycott was announced between the first and second rounds of testing. After the teachers didn't back down from threats from the district management and the second round was successfully boycotted, there was a lot of pressure for the third round of testing to happen so that there could still be some "useful" data about learning gains. Approaching the third round of testing the union president declared the boycott a success because the district agreed to add the president to a citywide committee on education. This was not what the boycotters were demanding, so they refused to give in. This was an attempt at demobilization, by telling movement participants that they were successful and there was no point in continuing the boycott. The president's actions

here, combined with his going around telling members that he started the boycott, are attempts to steal credit from the movement. He tried to leverage the movement for his own personal gain instead of for the goals of the movement, and then he tried scoring political capital with members for claiming he started something he didn't even support.

In Chapter 6 I conclude that one of the major obstacles to revitalizing the US labor movement is the repression that rank-and-file activists and union reformers face from the union bureaucracy itself - union leaders and full-time staffers. I have identified three mechanisms of repression, containment, demobilization, and credit stealing. These mechanisms work to present the spread of and extinguish the flames of rank-and-file militancy. Rank-and-file activists should be well aware of these mechanisms in order to strategically work around or against them as best they can.

CHAPTER 2: THEORETICAL FRAMEWORK

"The philosophers have only interpreted the world, in various ways. The point, however, is to change it." - Karl Marx[6]

The US labor movement and organized labor have been in a steady decline for over 50 years in the United States and all the possible ways of measuring the relative strength of labor backs this up whether one looks at the number of workers who are members of formal labor unions[7], the numbers of strikes or workers on strike or numbers of days lost to strikes[8], or the outcomes of labor struggle such as increasing income and wealth inequality[9], to declining intergenerational social mobility[10]. In this chapter the various factors credited for this decline will be laid out so that we may then ask the key question of this dissertation: What can be done to revitalize the labor movement in the United States? I will briefly summarize the most common arguments for this decline: deindustrialization/post-industrialization, legal changes, and the rise of business unionism.

The Deindustrialization and Globalization Argument

There is a market-based argument that sees unions as an economic problem, creating inefficiencies through the "monopoly" of collective bargaining instead of individual workers dealing with their employer by themselves. They argue that unions raise the cost of labor higher

[6] Marx (1888) from https://www.marxists.org/archive/marx/works/1845/theses/theses.htm
[7] See for example Bureau of Labor Statistics (2023a) from https://www.bls.gov/news.release/union2.nr0.htm
[8] See for example Bureau of Labor Statistics (2023b) from https://www.bls.gov/web/wkstp/annual-listing.htm
[9] See for example Horowitz et al (2020) from https://www.pewresearch.org/social-trends/2020/01/09/trends-in-income-and-wealth-inequality/
[10] See for example Connor and Storper (2020) from https://doi.org/10.1073/pnas.2010222117

than it should be, creating an inefficiency in the market and putting supply and demand out of equilibrium. Management should be able to fire at will, and cut pay at will, and offer as low a wage as possible, and unions usually prevent that. Therefore, the argument for the decline in unions says that US workers drove the price of labor too high, so manufacturing moved to the Global South where labor was cheaper (Epstein 2020). In this argument the decline of union membership was a direct result of deindustrialization and globalization.

This argument was debunked by labor sociologist Ruth Milkman (2006) who tested the hypothesis by looking at “bounded industries” - industries where the work has to happen locally and can’t be moved overseas, such as trucking and janitorial work. What she found was “deunionization without deindustrialization”. In all of the industries she looked at, all had a significant decline in unionization, and as a result a decline in pay and benefits. These jobs were not exported elsewhere, and yet unions were not faring well in them either. What Milkman did find was the prevalence of union busting employment tactics - from misclassification of workers as independent contractors, to subcontracting out to non-unionized firms. By doing this employers were able to create a legal distance between themselves and their employees, which makes compelling the employer to collectively bargain harder. Bernhardt et al. (2008) referred to these as “evasion” strategies.

While these evasion strategies have been effective in bounded industries, they haven’t been applied to all industries. Furthermore, the Bureau of Labor statistics shows that there wasn’t significant growth in the percent of workers employed in alternative arrangements, which includes all “independent contractors, on call workers, temporary help agency workers, and workers provided by contract firms” (Bureau of Labor Statistics 2019) from 1995 to 2017, let alone enough growth in this category to explain the decline in union membership from roughly fifteen percent of all workers (Bureau of Labor Statistics 1996) to 10.7 percent of all workers (Bureau of Labor Statistics 2018) during that same period. Milkman’s study shows that deunionization was not the result of the pressure of global competition or else we wouldn’t

expect to see deunionization happening in bounded industries, but her conclusion isn't a strong enough factor to explain the level of deunionization in the economy broadly. Furthermore, neither the market based explanation nor Milkman's can truly explain why unions failed in the fight against deunionization in both globalized and bounded industries. The next hypothesis we need to examine is one that actually looks at something that impacts all of the private sector in the US, both industries that are facing pressure from global competition as well as bounded industries - changes in Federal Labor law.

Changes in the Legal Terrain of Labor

President Franklin D. Roosevelt passed a series of laws between 1933 and 1939 that are collectively referred to as The New Deal. The New Deal laws were an attempt to address social problems in housing, unemployment, banking and stock trading, and labor relations. These laws set up the American welfare state - what Esping-Andersen (1990) calls a liberal regime, based on market-reinforcing means testing and very little universal transfers. The National Recovery Act of 1933 and the Fair Labor Standards Act of 1938 were important pieces of legislation for workers, but it is the National Labor Relations Act (NLRA) of 1935, that is of most concern for this section as it regulated the relationship between not just employer and employee but the employer and the union. The NLRA was an attempt to even out the power imbalance between employers and unions by regulating what employers could and couldn't do, through giving workers certain rights as well as creating a legal category of actions that employers were not allowed to commit called Unfair Labor Practices. It set up the National Labor Relations Board to be the regulatory agency to uphold the rights and regulations of the NLRA. Central to all of this was the law's mandate that employers recognize unions as the legal body for representing workers if that union went through the official recognition process set out in the NLRA.

Previously, federal level labor policies and rulings were mostly anti-labor, such as the use of the Sherman Act to break railroad strikes, and Supreme Court decisions like *Lochner v. New York* (1905) which ruled limits to working time were a violation of the 14th Amendment. In rare instances when pro-labor legislation was passed it was often overruled by the Supreme Court, such as the Keating-Owen Act of 1916 preventing child labor which was followed by decisions like *Hammer v. Dagenhart* (1918) and *Adkins v. Children's Hospital* (1923). The New Deal was a big change from the state's previous role of being laissez-faire at best and anti-union at worst.

The years after the passage of the New Deal labor policies saw union membership in the US more than double, from under 15% to over 30% in less than a decade. Furthermore, unions were more represented in large industrial workplaces than in smaller workplaces, giving organized labor even more power over the most central parts of the economy. Some scholars point to the "threat effect" that this higher level of unionization in the industrial core had on other sectors of the economy, lifting the quality of life of nonunion workers more broadly (Freeman and Medoff 1984; Western and Rosenfeld 2011) or just for the lowest paid nonunion workers more broadly (Taschereau-Dumouchel 2020), though some measures suggest that the threat effect is uneven and negative for other workers broadly (Leicht 1989) while other research has pointed to possible null effects (Farber 2005). What is uncontested is that economic inequality was at its lowest in US history while union membership was at its highest.

The NLRA notably had some very big holes in it, excluding domestic and agricultural labor as well as all public sector workers. The agricultural and domestic exclusion was a product of white supremacist patriarchal compromise (Linder 1986; Sarkar 2020), as Workers of Color, especially Black workers, were disproportionately represented in these industries in the US South and West, and of course domestic work was largely done by Black women. Reed (2019) says the New Deal wasn't racist despite his own admittance that "It is certainly true that black Americans received less than whites on the average from many New Deal programs" to

which he has to add the qualifier, “but it’s not true that they didn’t receive benefits” as if not receiving anything at all is the sole marker of institutional racism. But the supposed universalism of the New Deal that Reed strongly approves of was notably *not* universal since whole categories of workers were left out- it was just the kind of racist “color blind” policy that Bonilla-Silva (2003) analyzes, that in this case targeted industries where Black workers and other Workers of Color were most concentrated.

Maybe a more universal set of policies could have been passed, but organized labor itself was still segregated in some unions and the “unskilled” or “low skilled” vs “skilled” debate about who should be allowed union membership was effectively a proxy for a debate about racial exclusion and immigrant exclusion (Lichtenstein 2002; Fletcher and Gapasin 2008), given that these workers on average were relegated to jobs that were considered less skilled. In fact, Roediger and Esche (2012) show that this wasn’t just an unconscious byproduct of American race relations, but an intentional industrial shop floor supervisory strategy of racial and ethnic management on par with Taylorism. As such, the labor movement was positioned to be less likely to fight for all workers and more likely to accept a flawed compromise.

The next major shift in capital-labor relations via the state was with the Labor Management Relations Act aka the Taft-Hartley Act of 1947. Taft-Hartley was basically a rollback of some of the strongest pro-union parts of the NLRA. The Act removed authorization of some of the more radical tactics allowed such as secondary boycotts and political strikes while also opening the door for states to pass right-to-work legislation, as well as added acts which unions could commit which would be classified as unfair labor acts, which the NLRA had previously only codified for employers, not unions. Taft-Hartley also gave the president power to break a strike for matters of national security, which would later be used by Reagan in a watershed moment for the labor movement when he broke the PATCO air traffic controllers strike. It is under this less hospitable legal framework that private sector unions have been operating under for the last seventy plus years.

Another notable legal change for labor has been the increased use of misclassification of workers as non-workers and subcontracting to bust unions and shift risk and cost onto workers (Bernhardt et al. 2008). Notably however this has largely been done within the existing Taft-Hartley framework, these practices aren't the product of new federal laws. The more recent Proposition 22 in California which enshrined the "independent contractor" or non-employee status of rideshare drivers may eventually be pushed through state legislatures, as Uber and Lyft are already trying to put it on the ballot in Massachusetts in 2022. However, it should be noted, Prop 22 didn't change how business was being run, rather it just confirmed a practice that had already been happening.

The legal framework of the NLRA and Taft-Hartley only applies to private sector workers; public sector workers at the state and local level don't have a single set of federal laws governing their relationship with management, instead each state has its own set of laws governing public sector labor. The lack of uniformity through a federal public sector law and the differences in party politics and strength of public sector unions between states has led to very uneven differences for public sector workers, with strong union rights and collective bargaining laws in some states, while in other states public sector workers don't have the right to collectively bargain and going on strike is unlawful. After Wisconsin recognized the right of public sector workers to collectively bargain, states across the US started passing their own laws to do the same.

Despite the piecemeal nature of public sector union laws in the country, the unionization rate of public sector employees has steadily been over thirty percent since the 1980s. These state level laws were all passed after Taft-Hartley and none of them provide the right to engage in the radical tactics that were stripped by the Taft-Hartley Act, namely political strikes and secondary boycotts. It is fair to say that the public sector union laws are closer to Taft-Hartley than to the NLRA.

If the argument for understanding the rise and decline of the labor movement, as measured by membership rates is that the pro-labor laws of the New Deal enabled the high membership rates of the golden era of organized labor, and that the passage of Taft-Hartley is responsible for the decline then we would expect to see similar phenomena of decline in the public sector. Public Sector unionization rates remained stable in the mid thirty percent range for three decades from the 80's to the 2010's, and has only seen a very slight slow decline in the last ten years with a bump up in 2019 and 2020, putting overall rates at over one third. In 2018 the US Supreme Court ruled in the *Janus v. AFSCME* case against agency fees. Agency fees are the money that non-members pay to the union for their cost of collective bargaining and contract enforcement that is less than the cost of membership dues. People paid agency fees instead of membership dues if they were in a job covered by a union contract but refused to become a member of the union - so either you paid membership dues or agency fees. In a closed shop everyone is compelled to join the union, but in an agency shop workers have the choice of joining and paying membership dues or not joining and instead paying the lower "agency fee" to the union to cover its costs of contract negotiation and enforcement. In an open shop workers have the choice between joining the union and paying membership dues or not joining the union and paying nothing. Therefore the *Janus v. AFSCME* decision made the entire public sector open shop - the same as the so-called "right to work" states private sectors. The small rise in public sector union membership in 2019 and 2020 should come as a shock to the many labor leaders, pundits, and others who claimed that the Janus decision would be the end of public sector unionism. Years later pundits are still trying to explain why public sector unions haven't seen the kind of massive decline they were predicting.

Similarly, but from an opposite direction, the same type of argument about the simple and direct relationship between law and union density has been made coming from many advocates of the Protecting the Right to Organize (PRO) Act which treat it like a panacea. The PRO Act is a piece of legislation that is being hailed by most of the labor movement from the

mainstream union leaders in the AFL-CIO[11] to large sections of the socialist left[12]. The argument behind the PRO Act is that many people want to join a union but haven't been able to because restrictive labor laws have made organizing too difficult, and the PRO Act would make the process fairer by reducing misclassification of workers as independent contractors who are not recognized as having the right to unionize as well as make the unionization process fairer through "card check" instead of union elections. Currently union organizers must get certain percent of workers to sign cards stating their intent to unionize, then file those cards through the National Labor Relations Board (NLRB) which then sets a date and time for an election in which the majority of workers voting in the election must vote to unionize. However, employers have been engaging in captive audience meetings and spreading lies about the unionization process and about union in general as well as making threats (lawful and unlawful) all of which makes the election process harder to win. Card check would get rid of the election in place of just getting a majority of workers to sign union cards. The PRO Act would also bolster union resources by eroding "right-to-work" legislation by allowing individual union contracts to overrule state open shop laws turning their union into an agency shop where non-members pay an agency fee to the union which is lower than membership dues, but greater than the nothing that they pay in open shops. Through these reforms of labor law the process of forming a new union would become fairer and unions in "right-to-work" states could potentially have more resources available to them. None of these reforms would have impacted the decline in membership in already established unions that we saw throughout the 1980s. So while organizing new unions would likely become easier if the PRO Act were passed, it doesn't really address the decline

[11] See for example: AFL-CIO (2023) https://aflcio.org/pro-act

[12] See for example: Hasan and Larock (2021) https://jacobin.com/2021/04/pro-act-unions-academic-workers-universities, or Mellins (2021) https://jacobin.com/2021/04/dsa-pro-act-unions-organizing or DSA (2021) https://pro-act.dsausa.org/, or Rooke (2021) https://www.socialistalternative.org/2021/04/30/mobilize-to-win-the-pro-act/.

that we saw, which saw existing unions capitulate to two-tiered contracts, deindustrailization, and more.

The public sector has essentially moved from a legal framework pre-Janus that was comparable to states that weren't right-to-work to a post-Janus legal framework that is like the right-to-work states. Four years after the Janus decision that was supposed to destroy public sector unions the unionization rate among these workers is approximately the same as the peak of private sector workers before Taft-Hartley was passed. This strongly suggests that labor law isn't sufficient in and of itself of an explanation for the decline of union membership. If the legal framework isn't sufficient for its decline then one might also say that positive changes in the legal framework may not be enough to revitalize the labor movement, as the PRO Act preachers were suggesting - especially if we question the way in which unionization rates are used as a substitute for labor movement power. That leaves us with one other argument to consider: Is labor itself different in some way, has it changed, is it doing things differently?

Bureaucratization and Institutionalization

Before the New Deal and the NLRA workers were basically at the whim of their employer to deal with any concerns about pay, benefits, or working conditions. An individual worker could quit and hope to find better pay or working conditions elsewhere, or maybe try to get on the good side of their employer or management and hope to become a favorite and be treated a little better than the other workers. Neither of these did anything to improve the general pay or working conditions of workers at that job though. The only other recourse workers had was to band together and engage in collective action. Strikes, slowdowns, sabotage, and more were tactics used to force employers to give in to workers' demands. The common factor among all the various tactics used was that they were all extra-institutional - in other words they were not formal processes guided by legal or institutional norms of how to do

them, and in some cases these tactics were even illegal. The only institutional tactic that was really available to the early labor movement was voting. Electoral politics were certainly embraced by most of the early labor movement, but when it came to the resolution of problems on the shop floor collective action was a much more immediate route.

Early industrial class conflict often broke out into bloody conflicts between workers and various repressive forces - the police, the national guard, and/or management and their hired goons like Pinkertons. Workers, and sometimes their supporters and families, were routinely beaten, shot, and killed and even outright massacred like in Ludlow Colorado in 1914, all for demanding a better workplace (i.e. pay, benefits, working conditions, etc.), or most dangerously, a better society. Decades of violent labor unrest combined with the chaos of unpredictable capitalist crises like the Great Depression led to the passage of the New Deal legislation. The New Deal needs to be understood within this context as both concessions won by the militancy of the labor movement and attempts to pacify the movement while smoothing out the chaos of the industrial economy.

Even at the more local level the development of labor relations and uniform policies of employment and hiring need to be seen as the product of concessions won by workers as Jacoby (1985) argues. The perspective that these major changes are the product of class struggle means that we need to analyze the process of the struggle itself not just its outcome as the hypotheses explored previously did by looking at deindustrialization, deunionization, and legal changes.

While the New Deal legislation was a major victory, however incomplete and unevenly applied along lines of race and gender and immigration status, and the development of standardized hiring and employment policies ended the cruel and arbitrary rule of the drive system, this section will view these as double edged swords - for these institutional reforms that labor won ended up also creating new regimes of discipline and regulation. As Lichtenstein argues,

> *As it was codified into the New Deal labor law… industrial democracy was also a procedure for dispute resolution, for generating consensual order and long-term stability within an industrial realm wracked by violence and conflict for nearly a century… In this context the New Deal effort to encourage collective bargaining represented a psychologically sophisticated technique for the social integration of employees and their enterprise. Industrial democracy would engender that most precious commodity of the workday world: informed and willing consent.* (Lichtenstein 2013: 35)

The process through which this disciplinary regime was developed has been elaborated by numerous scholars (Brenner 2010; Fantasia and Voss 2004; Moody 2010), and why this theory differs from the labor law theory of why US labor is so weak, is that rather than seeing the decline of labor as starting with Taft-Hartley's rescinding of the strongest pro-labor elements of the NLRA while giving management more power it looks to the struggles over bureaucratization and control over unions that the New Deal itself provided the material and institutional basis for. Instead of the good labor law/bad labor law dichotomous explanation, this theory shows how the institutionalization of the labor-management relationship through the New Deal itself planted the seeds of labor's decline. The result wasn't inevitable though, the outcome was the product of a struggle fought by rank-and-file workers against union bureaucrats, bosses, and politicians, a struggle that they lost.

It was the successes of the New Deal that provided a legal and material basis for the development of the labor bureaucracy. To be fair, it didn't create the bureaucracy from scratch, the labor movement already had its share of sellouts and class collaborationist leaders who were anti-socialist and often promoted the exclusion of Black people, women, immigrants, and so called "low skilled" workers. All social movements contain contradictions, have groups with different or even opposing interests uniting around a particular demand or issue, and labor has been no exception. The New Deal just reinforced and supported the development of a "distinct social layer" (Post 1997) within the labor movement through the creation of institutional channels of conflict resolution and negotiation, and through the legal identification of the union as the official organizational structure instead of the collectivity of the members themselves. But we must not just look at the structural, we must look at the process of struggle and its outcomes.

On the structural side, collective bargaining based on creating legal contracts based on labor law and judicial precedents creates the need for a group of “experts” educated on these issues. Both contract negotiation and enforcement get turned into bureaucratic procedures that mirror the courtroom, where one must be able to both decipher the legal text and draw upon a reserve of knowledge of legal precedents to be able to craft an argument that would be supported by the NLRB or other independent arbitrator if the parties can’t agree. The grievance procedure is another bureaucratic method of conflict resolution that ultimately just displaces conflict that would be happening on the figurative “shop floor” (whatever your workplace) into some other space to be handled at some other time. Similarly, the grievance process requires knowledge of the contract and labor law and legal precedents and the history of grievances at the work site, all of which are much more effectively done with a centralized bureaucracy of experts. Finally, the legal organization is recognized as the union, and certain individuals are legally its representatives, so the capitalist state provides legitimacy to only certain aspects of the labor organization. This legal organization has a budget and it can go bankrupt or be held legally responsible for certain actions. In this way, it is the very nature of the union post New Deal, after its bureaucratization and institutionalization, that it can be “third party-ed” - portrayed as a separate and extra party to the two existing parties, the boss and the workers. This is possible because, like any representative body, the union bureaucracy can potentially be made up of from little to no actual employees that the union is alleged to represent, and the official structure of the union can take positions that are not representative of the workers they are supposed to represent, depending on its own internal democracy and rules for office and for hire. If the legal organization, its financial assets, and leaders, are all legitimized as “the union” by the capitalist state and its legal system, and if the leaders come to see the duration of this legal fiction as more important than the actual collective action of the workers than the leadership can find itself in bitter opposition to rank-and-file activity, as has been the case countless times in US labor history.

The failure of the New Deal, compared to social democratic welfare states with industry wide bargaining, also created structural conditions to support the development of the union bureaucracy. The New Deal, through the NLRA, set up a privatized and decentralized welfare regime for most that was based on their employment relation. Burns argues that,

> *The fundamental problem with the NLRA is in its underlying philosophy, which treats the decision to unionize as a choice involving only the employees of an individual employer. In contrast, trade unionism prior to the NLRA was geared towards establishing common standards in an industry… Gone is the historical role of the union as a protector of minimum standards, and what is left in its wake is a legal definition of the union as the agent of workers, just like an insurance agent or lawyer.(Burns 2011: 47-49)*

In other words, the NLRA set up an opt-in decentralized firm-centered model of unionism. Lichtenstein (2002: 100) even called this system of collective bargaining a "defeat" for the labor movement, compared to the industry-wide bargaining of other countries. Burns argues that at first labor overcame this attempt at division through pattern bargaining, by using the gains made in one contract with one employer as a template for other employers in that industry, so that all workers in that industry had similar contracts.

An unforeseen and negative consequence for labor about this opt-in decentralized firm-centered model of unionism - the fate of a specific employer (profit, loss, bankruptcy) became associated with that of the union representing the workers employed there. For example, the "Buy Union" tactic so popular among many in the labor movement put the employer and the union in the same basket - for example GM might own the plant and UAW labor made the car so buy a GM branded car because then you're "supporting" labor. Even worse than the consumer spin on this, is the fact that union leaders saw the fate of their union tied to the success of the company. Win-win negotiating, otherwise known as interest based bargaining (Goodwin 1993), took this perspective to the bargaining room. The idea behind win-win negotiations is that both labor and management could identify their priorities/interests and work together to come to a solution that fulfilled both parties' interests. So called "Reutherism"was another approach to this, by envisioning the end goal of a labor movement not being the

liberation of the working class and the expropriation of capital, but of the integration of labor and capital's long term interests through profit-sharing (Lichtenstein 1995). Walter Reuther, former president of the United Auto Workers and the founder of the so called Administration Caucus which has run the UAW since the late 1940s (though with the success of direct elections aka "One Member One Vote" that may not last much longer), was a staunch anti-Marxist who envisioned the integration of the union leadership and firm management through collaboration instead of antagonism and class struggle, and he envisioned a capitalism where profits were made but also shared instead of seeing profit and exploitation as intrinsically linked.

By the 1980's however, management was able to use this very perspective to undermine the union's ability to fight. Labor leaders could have argued that their fates aren't tied, but decades of Reutherism had disciplined much of the rank-and-file, and those who rebelled were met with repression. Threats to close the factory and or relocate somewhere without a unionized workforce left the UAW accepting concessionary contracts just to keep the factories open so that the company could continue making a profit. This wasn't their only option though, as Seattle city council member and socialist Kharma Sawant told unionized Boeing workers after the company threatened to shut down production and move it elsewhere that if the company did that they should take over the plant and "retool" the machines to make products that served the public.[13]

But again, our focus has only been on the structures that the New Deal helped enable, not the struggles that produce those structures. As Moody explains,

> *The unions that sustained the employers' heightening attacks from the 1950's on were hardly the same organizations that took shape in the 1930s labor upsurge… the dynamic, often highly democratic, internal life that had characterized many of these unions had been suppressed, if not entirely eliminated, as authority was centralized, the Communists expelled from the CIO, McCarthy and Cold War ideology imported into union culture, and the internal labor press turned into self-congratulatory propaganda for the leadership.(Moody 2010: 107)*

[13] See her comments in Horcher (2013) https://www.kiro7.com/news/seattle-city-councilmember-elect-shares-radical-id/246045525/

So we will briefly look at the history of how the union bureaucracy has temporarily won its battle against the rank-and-file, starting with World War II and the AFL and CIO agreements to no strikes during the war.

The years immediately after the NLRA saw unprecedented growth in union membership, as well as the continuation of the high number of strikes, which had picked back up in the 1930s after the relative lull of the 1920s (relative to that time, but objectively much higher than any period after 1942). Rather than curb militancy the New Deal just gave the labor movement a boost, as winning concessions can often convince people of their power and get them fighting for more. However, the breakout of World War II provided an opportunity to break labor militancy. The US government joined World War II in December of 1941 and the War Labor Board was established in January of 1942 with the central purpose of keeping industrial production going continuously without any stoppages which might undermine US war efforts. Just as earlier conservative labor leaders fully backed the US war effort in World War I the new union bureaucracy joined the effort and was a happy and willing partner on the board and the leaders of both the AFL and the CIO gave a No Strikes Pledge. With The Soviet Union already in the War, many Communists (especially Stalinists) were even supportive of labor leadership backing the war effort to stop the fascists. Operating under the premise that production couldn't be stopped meant that labor's greatest weapon, the strike, was effectively prohibited. Instead workers were left with only the bureaucratic system of grievance and arbitration.

Official strikes declined in number during this period, but there was a surge of short "quicky" wildcat strikes, particularly in the automotive industry, which had a strike wave in 1943 that averaged one wildcat every other day (Jennings 1975). Brecher says that "the number of such strikes began to rise in the summer of 1942, and by 1944- the last full year of the war- there were more strikes than in any previous year in American history" (1972: 223-224). Wildcat organizers were often fired and blacklisted, and the firing had the backing of the employer, the union leadership, and the state. By disciplining their own members, and siding with capital and

the state the new union bureaucracy showed its allegiance and for their cooperation union leaders in industry were provided with state supported security, through things like "maintenance of membership" arrangements where workers couldn't rescind their union membership during the life of a contract (Manoff 1943). While this was less than the ideal of a closed shop in industry it still helped provide the bureaucracy with a baseline of financial resources, as such union membership spiked during this period, and union membership as a percentage was just under its later all-time historic highest point ever.

Not all wildcats were militant acts of solidarity though, as there was a wave of "hate strikes" during this period where white workers engaged in wildcat strikes against management's use of or promotion of Black workers or white women workers. These strikes occurred in numerous industries across the country, but were often short in duration, so many weren't counted in official tallies of strikes (Wolfinger 2009).

The most notable exception of a union breaking the No Strikes pledge was by the United Mine Workers of America in 1943 who went on strike for $2/day pay, which prompted the passage of the Smith-Connally Act of 1943 (Preis 1972) which allowed the Federal government to take control over industries under labor unrest, which Roosevelt used to seize the mines, over 500 railroads, and dozens of companies (Vietheer 1946). That the state both worked to end strikes during the war, and went so far as to authorize complete takeover of business under labor unrest during this time reveals the inadequacy of the framing of the state during the New Deal era before Taft-Hartley as "pro-labor".

From union leaders taking a no strikes pledge, to businesses firing and blacklisting wildcat organizers, to government takeover of dozens of businesses and hundreds of railroads that were under strike, there was during World War II a concerted attack on the strike tactic and labor militancy. This amounts to an attack on worker self-organization and self-determination. Workers were being disciplined to not take collective action, but instead to wait while the new

institutional machinery of business reps filing grievances and waiting for ruling from the War Labor Board took their course.

By creating a process of legitimization through the state the New Deal ended up creating a bifurcated system of strikes - legitimate strikes that were approved by the state and the union leadership vs illegitimate wildcat strikes undertaken by the rank-and-file without approval from leadership. This bifurcation of legitimacy also extends to the leadership and bureaucracy itself vs the membership. There's the official union activity which is carried out by a group of people legitimized through a process approved by the state, and then there can be unofficial union activity like wildcat strikes, which are undertaken by rank-and-file members without leadership approval, making rank-and-file self-organization illegitimate through the law. And the role of the legitimate body is to police the illegitimate body so it can maintain its special status.

World War II provided cover for the assault on labor, but even in the face of drastic repression worker militancy and self-organization couldn't be squashed, as illustrated by the rise of wildcats during the war, as well as the postwar wave of official strikes. Immediately following the war there was the largest concentration of strikes at that point in US history, but once again, the state intervened trying to channel worker energy into bureaucratic processes such as fact-finding boards and when that failed it once again used the tactic of factory seizures (Brecher 1972: 228). Management, the state, and union leaders worked to develop the system of grievance and arbitration which dominated official labor relations during wartime.

Union leaders took it to themselves to radically transform the organization of the union during this time through the centralization of power in the Internationals, taking power away from locals and from the shopfloor, and the building up of an army of full time paid unelected staff. Moody explains,

> *Bureaucratization requires the building up of organization that is increasingly insulated from "outside"--i.e., rank-and-file–influence. So the growth in the number of full-timers appointed by top officials in the unions' various headquarters, departments, and so on was key… As hired guns for the leadership, these "reps" no longer spoke for internal factions, much less the rank and file… In the UAW, for example, not including office and maintenance employees or those employed by*

> *local unions, the full-time staff grew from 407 in 1949… to 780 in 1958. By 1964, U.S. unions employed 13,000 people in their national headquarters alone. (2010: 113)*

This view of bureaucracy is what Camfield (2013) calls the "officialdom" which he argues should be separate from our concept of the bureaucracy, which to him is best understood as an internal relation. While Camfield offers an important insight into the nature of bureaucracy, it is also true that his account is a typology that looks backwards from today, it isn't a historical account of the development of the bureaucracy in the first place, which is what Moody is trying to do here. Camfield is useful for union reformers who want to avoid recreating the very thing that they were initially mobilizing against, and that piece may help in understanding why currently many locals with small "officialdoms" can be just as bureaucratic as ones with large ones.

As union resources grew and the grievance and arbitration system was increasingly normalized for dealing with worker problems union leaders were able to build up an organizational structure wherein the union became more like a professional service on your behalf instead of the collective action of the workers themselves. Knowledge of the contract, labor law, and precedent were monopolized by bureaucracy, making the rank-and-file dependent on them - but only if the rank-and-file chose to follow the legitimate institutionalized routes for dealing with issues. Starting with the War Labor Board contracts in many industries were negotiated at the International level and not the local level, which further eroded the power of workers to directly influence their own workplace. Moody points to automatic dues check off and full time committeemen as organizational changes that helped grow the bureaucracy. Auto dues check off ended up being not just a secure source of revenue for the union, but laid the groundwork for the "push-button unionism" of later decades (Fantasia and Voss 2004: 55), where reps could be absentee, rarely interacting with members, and spending their time just signing up new members.

In response to the wave of official strikes following the wildcat strikes during the war congress passed the Taft-Hartley Act in 1947, which amended the NLRA in ways that were only

beneficial to employers. Strikes were greatly undermined - as secondary strikes and boycotts were outlawed and union officials were now legally responsible for trying to stop wildcats, which just furthered the divide between the rank-and-file and the officialdom and clarified their structural role as the loyal opposition to management. Furthermore, decertification procedures were formalized under the law and states were given the right to pass open shop legislation, both of which signaled that not only would militancy not be tolerated, but that a line in the sand was drawn for organizing the south and that union officials who didn't keep their rank-and-file in check might end up seeing their union undergo decertification.

Lastly, the alliance between labor liberals and the Stalinists was broken as Cold War politics were the new norm. It would seem that the wartime politics was useful for undermining labor, and so the extension of the war into an endless war between a rival superpower would provide the ideological cover for the near future. Taft-Hartley required union leaders to sign pledges that they weren't Communists, and over the next few years Communists were purged from leadership of many unions across the country.

The political power of liberal union leaders was mostly cemented by the 1950's thanks to the consolidation of power and communications, the building up of full time reps who were only responsible to the highest levels of leadership, and the purging of Communists. But still the rank-and-file pushed back, as changing demographics brought new life to the labor movement.

White women and Black workers as groups had at best only received marginal benefits from the New Deal compared to white men, and the very structure of production was dependent on divisions of gender (Milkman 1987) and race/ethnicity (Roediger and Esch 2012) that both divided solidarity in the labor movement and allowed for the super-exploitation of these workers. These divisions also had major significance for production outside of the factory, as women were expected to engage in unpaid reproductive labor at home (Vogel 2013; Mies 2014; Fraser 2017). Black workers make up the "Black domestic periphery" as Marable (1983) called it; aside from their marginalization into "super-exploited" low paying dangerous jobs they also experience

higher levels of unemployment and historically face higher costs of social reproduction through their proximity to “petty-capitalist” producers who can’t produce as cheaply as large capitalist firms (Harris 1978).

While the 1940’s and 1950’s saw the consolidation of power by the more conservative elements of the labor movement through repression of rank-and-file dissidents and the breaking of rank-and-file self organization, the 60’s and 70’s saw a reemergence of dissident caucuses, particularly organized along lines of gender and race. Union leadership was often not representative of its membership, skewing older, whiter, and maler, and the issues it took seriously reflected this. The union bureaucracy was often inept at fighting gendered and raced issues such as harassment and discrimination that the white male officialdom often ignored in their focus on “bread and butter” issues, and at worst the union bureaucracy actively worked to undermine these struggles.

Take for example the Revolutionary Union Movement (RUM) and the League of Revolutionary Black Workers within the auto industry, made up of Black radicals and revolutionary Marxists. RUM members fought for better pay and working conditions, but also to reform the UAW, fighting against white Supremacy and anti-Blackness within the union, and for greater union militancy and democracy. The repression they faced by the admin caucus, which led the UAW, explains why the rank-and-file were so disorganized and beaten down by the 1980s. The admin caucus routinely ignored problems brought up by Black workers, including unsafe working conditions, and would often not defend Black workers who were unfairly disciplined or dismissed (Silvers 2014). The admin caucus ran the union like a one party state and tried to keep RUM members from being elected into official union positions (Georgakas and Surkin 2012). The relationship between Black radicals and the union bureaucracy was made very clear when the officialdom broke a wildcat strike like Pinkertons or cops, beating the Black workers with baseball bats,

> *When members of UAW Local 212 walked out of the Mack Stamping plant in 1973, the international UAW and management joined forces to suppress the strikers. After workers defied the UAW's order to return to work, several hundred UAW officials armed with baseball bats attacked the picketers—ending the strike. None of the safety concerns that triggered the walkout were resolved, and only half of the 75 workers who were fired were reinstated. (Adams 2019)*

While this level of physical violence may not have been the norm, it wasn't the worst that rank-and-file dissidents faced either. In one of the most notorious incidents in labor history Joseph Yablonski a member of United Mine Workers of America (UMWA) and a union reformer who had previously led a wildcat strike and challenged the results of the election he ran in to oust Tony Boyle from Presidency was gunned down by gunmen hired by Boyle, killing his wife and daughter too (Guerreri 2019).

The rank-and-file rebellion during this period can be characterized by 1. A significant uptick of contract rejections, virtually unheard of before the 1960's, had climbed up to over 14% of contracts by 1967; 2. The rise of dissident caucuses and contested elections, which revealed a deep dissatisfaction from the rank-and-file; and 3. A wave of wildcat strikes across numerous industries, counting up to roughly a quarter of the strikes that took place from 1972-1976 (Moody 2010). Despite this rank-and-file rebellion, Moody notes that only Miners for a Democratic Union were able to take control of their union (and that was after the murder of Yablonsky by Boyle).

The extreme repression of rank-and-file self activity by bosses, the state, and the union officialdom and the inability of many rank-and-file workers to overcome their own racism and sexism to be in solidarity with their coworkers led to a defeat of the labor movement that has lasted decades. It was this destruction of rank-and-file organization and the taming of rank-and-file militancy that led to unions being unable to really fight back against the capital in the period of neoliberalism.

Organized Labor vs the Labor Movement

In the previous section I summarized the history of the development of the union bureaucracy which was enabled by the enshrining in law of a formally recognized organization legitimized through a state approved process which is called “the union”. We explored how the personnel of the bureaucracy, the officialdom, consolidated its power through a struggle against the self-organizing rank-and-file while striving for class peace with capital and the state. In this section I will argue that “Organized Labor” is not the same thing as “The Labor Movement”.

If the labor movement is a class-based social movement then what exactly is a social movement? Diani reviewed the movements literature to try to develop a common conceptualization of what social movements are and found that they are characterized by “a) networks of informal interaction; b) shared beliefs and solidarity; c) collective action on conflictual issues; d) action which displays largely outside the institutional sphere and the routine procedures of social life” (1992: 7). A through C are easy enough to understand; it is D that will be focused on here - the extra-institutional nature of a social movement. Diani then goes on to argue that the extra-institutional aspect isn’t necessary and drops it for the preferred explanation “A social movement is a network of informal interactions between a plurality of individuals, groups and/or organizations, engaged in a political or cultural conflict, on the basis of a shared collective identity” (1992: 13).

The problem with this conceptualization is that while it allows for the broadest possible definition of a social movement there is something that is lost. Take for example the 2020 Bernie Sanders campaign, many labor activists and leaders were heavily involved in building this campaign, and they called it a “movement”, but was this activity really the same type of activity as, for example, the 2009-10 building occupations at the University of California, or the #RedForEd wildcat strikes of 2018? The focus of the former on institutionalized channels of creating social change, electoral politics and intra-party power struggles, kept it all within the bounds prescribed by formal organizations - election law and party bylaws. Whereas the student

occupations and the #RedForEd wildcat were actions that took place outside of institutional channels, and their direction was determined by those who participated as they participated. The outcome of the former was determined by formal procedures, vote counting, whereas the outcomes of the former were determined by a complex set of variables having to do with the perception and calculations of the threat posed by these actions by those in power, the University of California administration and the various school boards, superintendents and state legislatures, and how much support these actions had from the public and how likely more would join them or support them in other ways given the various types of responses made by those in power. The former has legitimate actions that one is prescribed to take, and if you go out of the bounds of these prescribed actions then these actions, and possibly your entire side can be ruled illegitimate and disqualified. If the Sanders campaign took any number of actions his campaign could have been disqualified and removed from the ballot or worse. In the latter cases there were no legitimate or illegitimate actions, just legal vs illegal. Public perception could absolutely turn on a movement and view its actions as morally repulsive or excessive etc., but that is not the same as illegitimate. There is an old saying in the labor movement that I don't know who to attribute to that goes, "There is no such thing as an illegal strike, just an unsuccessful one." and (Reddy 2021) argues that this speaks to the fact that strikes are both "material pressure" and a political struggle of moral/symbolic claims making[14] and that a successful strike can not only determined by whether or not demands are met, but also in how successful it is in a symbolic victory of redefining normative claims about social and employment relations, similarly to how Chun (2009) shows how symbolic struggles can be waged through public dramas in order to win economic demands. A social movement in my view then is about power and persuasion outside of institutional channels, so expanding the definition to

[14] Ironically Reddy's paper which uses the first part of this slogan in the title also thanks in its acknowledgment section one of the leaders of UAW 2865 who tried to stop the 2019-2020 COLA wildcat strike (which is a focus of this dissertation later on) because of its alleged illegal nature.

marginalize the extra-institutional aspect of the struggle leaves out the important distinction between these two types of struggles.

To be fair to Diani, this isn't a binary topic and there is a lot of nuance that the author was trying to be inclusive of. In reality these things operate more on a spectrum, where formal organizations try to create, boost, or lead social movements all while also trying to operate within institutional channels to create social change. However, this ambiguity was introduced by laws that allowed for the creation of "legitimate" nonprofit and social change organizations themselves. Many movement participants and supporters even see the formalization and institutionalization of aspects of the movement as the desired outcome, take for example the Occupy Wall Street movement which many participants and supporters viewed as the first step to something more institutional[15].

This however is only the case in democratic capitalist states, we wouldn't get this ambiguity in totalitarian societies because these social change organizations wouldn't exist there. Therefore, we shouldn't see this ambiguity as part of the nature of social movements themselves but instead we should see it as part of the terrain that social movements are fighting on. Skocpol (2003) examines the decline of cross-class national, federated, chapter-based voluntary organizations and highlights the shift from member-based organization to expert led advocacy organization. While the type of organization she examines is quite different - unions aren't open to management or business owners for example, and historically in some closed shops membership wasn't voluntary. Furthermore, while Skocpol points out that it was elites that abandoned membership in these mass membership organizations first, labor unions went in the opposite direction, from existing in their purest form before they were enshrined in law as the mere collective body of the workers to the formal institutionalized organizations we have

[15] Examples include Hunter (2011) https://www.forbes.com/sites/lawrencehunter/2011/10/10/occupy-wall-street-america-needs-an-occuparty/?sh=3732be6a7e93; or Naidu's (2021) response in this https://www.thenation.com/article/activism/occupy-bernie-99-percent/

today that are run by professional staffers and are headed by leaders at the national or International level whose level of wealth put them solidly outside the working class. While Skocpol views the decline of these organizations as indicative of the decline of democracy or civil society, later critics of the “non-profit industrial complex” view the role that these social change organizations play as part of the policing of social movements instead of being essential cornerstones of the movements, they argue that these organizations,

> monitor and control social justice movements;
> divert public monies into private hands through foundations;
> manage and control dissent in order to make the world safe for capitalism;
> redirect activist energies into career-based modes of organizing instead of mass-based organizing capable of actually transforming society;
> allow corporations to mask their exploitative and colonial work practices through "philanthropic" work;
> encourage social movements to model themselves after capitalist structures rather than to challenge them (Smith 2007: 3)

My point here to distinguish between the social movements and the regime of juridical and formal organizational control that has been set up to undermine them (this is a structural/relational argument, not a claim about the intentions of anyone working in or through formal social change organizations), while acknowledging the reality that the boundaries are blurred but also acknowledging that that very blurring is why these regimes function so well at policing social movements - because they obfuscate power and redirect movements, so hopefully our analysis won’t fall prey to this same obfuscation.

While it can be easy to think of “Organized Labor” (which I’m capitalizing here to denote the totality of formal organizations including unions, workers centers, and more that have established themselves as legitimate legal organizations and often operate within institutional channels) and “the labor movement” as the same thing, in reality it's more like a Venn Diagram, where the labor movement overlaps with Organized Labor, as many participants in the labor movement are union members and organized labor can be part of the labor movement, but also that Organized Labor is also made up of people that not only aren’t part of the labor movement, they work to undermine it, and the formal organizations themselves do lots of things that

wouldn't be considered part of the labor movement, and that many people participating in the labor movement aren't part of Organized Labor - including workers whose workplace isn't unionized, and even those who may not even be employed themselves, but they are participating in the movement, for an historical example just look at the important role played by Women's Auxiliaries (Cobble 2004; Quinlan and Quinlan 2015).

This distinction has important implications: 1. As already stated, not all members of organized labor are part of the labor movement, or do not have the labor movement's interests - this is true for not just for some members of the officialdom like the IUAW leaders found guilty of corruption[16], but also for rank-and-file members in unions whose work is diametrically opposed to the goals of a liberated working class, such as police unions[17]; 2. Strategies intended to grow organized labor don't necessarily grow the labor movement (it might, it might not, it might even impede the growth of the labor movement) depending on how it is done; 3. Trying to analyze the power of workers in any given situation by equating it with shallow measurements of their union can mislead one to think the workers are weaker (or stronger) than they actually are at any given point.

First, this chapter has summarized the historical emergence of the union bureaucracy, whose existence ultimately depended upon the disorganization and disciplining of the rank-and-file, so I won't repeat any of that. The processes through which the Organized Labor determines its boundaries, who belongs and who doesn't are important for the political growth of the labor movement. The presence of police unions in the AFL-CIO, and the presence of police in

[16] For more: Snell (2021) https://www.detroitnews.com/story/business/autos/2021/11/10/uaw-corruption-scandal-tim-edmunds/6368075001/

[17] For arguments against police unions in the labor movement see: Kelly (2020) https://www.teenvogue.com/story/what-to-know-police-unions-labor-movement, Nolan (2020) https://www.theguardian.com/commentisfree/2020/jun/13/police-unions-afl-cio-labor-movement Cunninghham-Cook (2020) https://theintercept.com/2020/06/18/afl-cio-police-labor-union/ or the statement that I helped co-write and was endorsed by my local, United Auto Workers Local 2865 (2015) https://newpol.org/uaw-local-calls-afl-cio-end-ties-police-unions

individual unions (like my brother's union local that covers janitors, secretaries, and police at a university) is a sign that Organized Labor doesn't understand the role of police and its relationship to the working class, and that issues of race,immigration status, property, and strategic violence and law breaking will need to be worked out or will ultimately become a roadblock to solidarity, militant struggle, and liberation.

Second, strategies intended to grow Organized Labor may not grow the labor movement. Beginning in the 1980's some unions which had become critiqued for their push-button unionism tried to shake things up and revitalize the labor movement through what's referred to as the Organizing model and a strategy of increasing union density. After a couple decades of declining membership and concessionary contracts across much of Organized Labor it was obvious that unions were in crisis. Some unions opted to try to change, and hopefully build back Organized Labor's power. Many problems were raised, but in the end this top-down push for change ended up only adopting those reforms that kept the structure of unions in place. The bureaucracy, with its highly paid officials and its "army of reps", wasn't reformed, though in some cases individual regimes may have been ousted, like when SEIU International took over some locals and put them into trusteeship[18], the structure itself remained intact. The Organizing model's focus was organizing unrepresented workers into new unions, including workers in industries that the union hasn't historically represented - this is how many graduate student workers like myself ended up being members of the United Auto Workers (UAW).

Fletcher and Gapasin call the "ideologizing of organizing" the tendency of this discourse to "ignore the character of the union of unionism and [proceed] with the conviction that things will work out in the end" (2008: 128). In an odd kind of way, the organizations of labor ended up adopting an ideology that mirrored that of their capitalist bosses - growth for its own sake was

[18] For the example of SEIU local 399 example see Fletcher and Gapasin (2009) pgs 63-66.

what ended up being pursued. The primary objective of the union bureaucracy, like any bureaucracy, is its own reproduction, so the growth model was an attempt to secure its future through both increased membership dues through increased membership and creating an alternative vision/project that kept the bureaucratic model intact through centering organizers, and planned top-down campaigns. Growth through organizing the unorganized didn't erase the problems rank-and-file members faced, and many new members quickly found themselves feeling similarly towards their new union, with workers in new locals feeling supported during the certification process and then abandoned after their first contract. A few negative byproducts of this model are: 1.This abandonment and push-button unionism can end up turning some workers against the idea of unions altogether in the most egregious cases; 2. In less egregious cases where there is a focus on mobilizing members, members are still just seen as objects to be switched on and used in predetermined ways, this "pseudo democracy" can be alienating and may even turn workers off of unions (Lopez 2004); 3. Current members who are marginalized by the top-down decision making process and feel unsupported can come to resent external organizing and can end up seeing a campaign against external organizing as a potential means to try to regain support from above, as in the case of UFCW workers who supported withdrawing funds from the campaign in hopes of more internal support.[19] The Organizing Model wasn't a break from business unionism, it was business unionism adapting to the reality of declining membership and/or declining wages which was reducing its resource base. It wasn't a break, it was a desperate attempt to stay alive. Of course, those unions that pursued the Organizing Model certainly looked much better than those that simply stagnated, but the limits of the Organizing Model are being made clearer as decades on there is still

[19] OUR Walmart had many limitations and was a prime example of the bureaucratic and top-down nature of the Organizing Model in practice, and from internal testimony I was told personally there seemed to be a resentment towards the money going to this campaign from many rank and file members, but I think transforming and democratizing the campaign was the way forward, not just abandoning it.

declining union membership, growing inequality, and union leaders are making more and more money and are still endorsing pro-corporate Democratic politicians.

The Organizing Model in conjunction with a strategy of increasing union density in a certain industry was seen as the way to regain leverage for labor. The argument is that with union density so low in most industries workers in an industry cannot have enough of a threat effect to have an impact on the industry as a whole, so organizing the unorganized was the way to counter this. The problem here is that as stated above this "ideology of organizing" ignores the question of what kind of union is being built, as well as ignoring the question of why kind of unionism it will take to fight back successfully, and if, as argued above, labor's decline in power is in part because of the type of unionism that was dominant. Bureaucratic business unionism was unable to prevent this situation, it is naive to think that it can get us out of it. I'll return to this in my discussion of McAlevey and the rebranding of the Organizing Model. The union density strategy even has some unions abandoning the organizing model for an even more top-down approach - for example SEIU trying to get laws passed that would create county-level councils that work through county government to regulate the fast food industry, with SEIU being the sole representative for these workers. SEIU's fast food worker organizing has been going on for years now, and an attempt like this seems like an admission that their current strategy has been mostly a failure.

Lastly, I want to briefly discuss the role of metrics, as Fletcher and Gapasin, looking at SEIU's execution of the Organizing Model,

> *The emphasis of the program, which became clear after the change in the SEIU;s leadership in April 1996, was on quantitative results and measurements. Leadership development programs and other educational mechanisms that did not have a quantitative outcome where deemphasized, if not simply ignored and deconstructed.(2008: 63)*

While the use of metrics and goals are not inherently bad, they can be applied in ways that undermine the stated goals of an organization, "metric fixation" consists of such practices as promoting short-termism, incentivizing gaming or cheating, degrading the quality of data through

standardized measurements and only measuring that which is easiest to measure, and more (Muller 2018). Furthermore, Gendered Organizations Theory argues that organizations operate around “common sense” logics that create a universal organization member that defaults to the dominant identities (eg: white straight men) (Acker 1990; Britton and Logan 2008). Springer (2019) observed how these logics led to the overuse of quantitative data and metrics by women within an organization who actually preferred more qualitative data, but felt that the use of quantitative data would provide them with more leverage to get more support. Using standpoint theory (Smith 1990) we can imagine an organization of a bureaucratic labor union with an officialdom that is disconnected from the experience of the rank-and-file members and workers and/or as members and uses metrics as a form of information gathering about the organization, and uses that information to make assessments about the organization, and then uses metrics to guide the professional staffers that the union has hired to do organizing work on behalf of the union. Furthermore, there can be an ideological side of the use of metrics in unions, where the use of metrics ends up depoliticizing topics and reducing them down to the simplicity of the metrics being used to discuss them, creating a top-down technocratic style of running the organization, as opposed to a heavily political and democratic organization where topics are discussed and argued in more complex and nuanced ways. As I’ll show in a later chapter, the use of metrics would also facilitate the rebureaucratization of my union, UAW 2865, through a flattened and depoliticized analysis of power, and use of “the majority” was used to reorient the union towards whiteness and sideline radical social justice work.

This picture more or less fits much of Organized Labor today. Take for example the OUR Walmart campaign run by UFCW. In 2014 I was recruited by a friend working for the campaign to partake in the Black Friday strike and civil disobedience action planned as part of that event. The organizers were given goals of how many people they could recruit to come get arrested with/for OUR Walmart workers, though I should emphasize that the vast majority of the people arrested were not Walmart workers. These numbers were part of a series of metrics, such as

workers who participated in the strike and workers who got arrested with us, used to gauge the success of that year's Black Friday event, compared to other years. When I tell people, particularly my students, that I have been arrested for civil disobedience for "blocking a street" entrance to a Walmart, most react by comment on how "radical" that action must have been. But then I have to explain that actually it was one of the least radical things I've been a part of. The whole thing was scripted from beginning to end. OUR Walmart had been in contact with the police for weeks negotiating terms to which the event could happen. The street that we "blocked" was actually already blocked on either end by the police already, our "disruption" was purely symbolic. There was no confrontation with the police, no strategizing on the ground about what to do, we simply sat down in the blocked off road for long enough to get pictures for the local papers to run about the Black Friday Strike end then the police came and orderly took us one by one to a place where we were briefly held and cited and then released. We all had to attend a "good citizenship" class and then we had the arrest expunged from our records. This wasn't the civil disobedience of the Civil Rights Movement, it was a Public Relations campaign with no risk, disruption, or confrontation, all to get images and numbers for the media to show to help build the image of a campaign that was fighting back against Walmart.

Contrast this to the many building occupations I participated in as a student at UC Davis, where there absolutely was risk and disruption and certainly there was no working with police and administrators to figure out the best way to do this. In this latter example it was always about power - our own power of numbers and the power of public supporters. The more powerful we were the more we could take (For example, Occupy UC Davis occupied the Quad, Mrak Hall, Dutton Hall, and an empty building which was formerly the Cross Cultural Center) and/or the longer we could stay. Before I arrived at UC Davis, in 2009-2010 there was an Occupation of Mrak Hall, the administration building, that ended in the arrest of 52 people. The OUR Walmart arrest took the form it did because of the decisions made by those at the top of the organization who used metrics to gauge the campaign's success and power. If higher

numbers of participation and arrests showed a stronger campaign that was gaining steam year to year then the safer and more predictable the civil disobedience action could be then the higher those numbers could get. Simple metrics could never speak to the differences between the arrests of the Mrak 52 vs those of us arrested on that Black Friday. Finally, one has to ask who the OUR Walmart campaign was really centering, who did they see as the real change makers? Was it Walmart workers they saw as making the real change, or were they centering public sentiment in order to try to force Walmart to make concessions, or spur lawmakers into action? Olney (2015) argues that this wasn't the "militant minority" strategy that some claimed it to be, but rather it was a public relations strategy.

Which way forward?

I argued above that it wasn't changes in the economy, technology and globalization, nor was it changes in labor law, Taft-Hartley and right-to-work, that are the major explainers of the decline of the power of labor, but instead it was that unions themselves changed. The changes that unions went through were a process of institutionalization through labor law that allowed for the development of a union bureaucracy (or officialdom) that had its own material interests (the reproduction of the organization) and was oriented toward the recently developed institutionalized channels for handling the relationship between labor and management. This union bureaucracy was only able to fully gain control over the organizations after decades of fighting against rank-and-file challenges to its power and siding with capital and the state against the very workers it was supposed to represent. Due to this, it is possible to talk separately of the labor movement and of Organized Labor. Organized Labor is the collection of labor organizations such as unions, Central Labor Councils, and the AFL-CIO, and possibly worker's centers and other advocacy and non-profit organizations that concern themselves with supporting or advocating for workers, depending on how broadly or narrowly you want to define

it. The labor movement on the other hand is a class based social movement that may include Organized Labor but is not limited to only Organized Labor, and in fact as the history of wildcat strikes and union reform movements shows, may at times even be opposed by Organized Labor.

It is in this vein that scholars and others have tried to define types of unionism, so as to contrast different types of organizations and practices/strategies of organizations. Particularly as many involved in the labor movement have tried to experiment with reforming unions and develop new ways of organizing new typologies were developed, many with some overlap. For example: Fletcher and Gapasin (2008) talk about the traditional unionism of Gompers, the lefist unionism of Debs, and the pragmatic unionism of Reuther, business unionism, as well as social justice unionism, which they argue is the way forward; Fantasia and Voss (2004) talk about business unionism and social movement unionism; Burns (2022) advocates for class struggle unionism; and the list goes on.

In general it seems like there is some agreement that business unionism, whatever that means, is something that is holding back the labor movement. However, there is no consensus on definitions, particularly when it comes to really applying these labels to real life examples. For me, I wouldn't call the Organizing model an example of social movement unionism, as all I see is business unionism that has adapted to the circumstances of the last few decades and is trying to grow in order to survive, but the questions of democracy and bureaucracy haven't really been addressed in the Organizing model, and as McAlevey (2016) argues, this "Alinskyist" model of mobilization is still top down and staff driven. However, others point to notoriously undemocratic unions like the UAW and top-down unions like SEIU, and unions with known abusive practices like "pink sheeting" - a practice commonly considered to be emotionally abusive that includes collecting and using personal information, often traumatic experiences, and making workers relive those traumatic experiences and using them to "push" workers into saying or doing something that union higher-ups wanted them to say or do - like

UNITE-HERE[20] and celebrate them for their transformations and successes (Bronfrenbrenner and Hickey 2004; Milkman and Voss 2004).[21] And while some like Moody (2000) and McAlevey (2016) argue that bottom-up organizing is the way forward, others like Voss and Sherman (2000) argue that union revitalization will require both bottom-up and top-down efforts supported by the leadership from the International union, while at other times Voss argues that financialization is the key problem unions face not "flawed leaders or deficient politics" (Voss 2022). To add to the confusion, what most people call the Organizing model is called mobilization by McAlevey (2016) who contrasts it to what she calls organizing. So it isn't just an issue of a disconnect between theory and practice, which certainly may be an issue with people thinking that they are pursuing a particular type of model when in fact they are actually doing something very different, but it is also an issue of there not being a standardized way of defining and discussing the very subject itself.

The burden of defining my concepts then falls on me, given the lack of a standard definition, so that the reader will clearly understand just how I am thinking about the topic. For the sake of this study, *business unionism* will be defined as a bureaucratic top-down form of organization that emphasizes formalism and representative democracy in its decision making and its relationship to the rank-and-file operates on a spectrum from servicing members on their behalf without their participation to mobilizing them as passive objects into pre-scripted actions; whereas *social movement unionism* will be defined as a participatory democratic social justice oriented form of unionism that centers extra-institutional activity. Each one of these elements is

[20] For more on the pink sheeting controversy see: Resnikoff (2013) https://jacobinmag.com/2013/04/when-the-unions-the-boss; Jones and Hoffman (2010) https://labornotes.org/2010/01/viewpoint-pink-sheeting-and-harmful-organizing-methods-unite-here#:~:text=That%20debate%20over%20the%20union's,and%20workers%20in%20organizing%20drives.; Hendricks (2010) https://labornotes.org/2010/01/viewpoint-pink-sheeting-debate-only-pretext-attack; Greenhouse (2009) https://www.nytimes.com/2009/11/19/business/19labor.html; Garver (2009) https://inthesetimes.com/article/do-unions-sometimes-behave-like-cults; and FOUR Stewards (2009) https://www.indybay.org/newsitems/2009/11/19/18629308.php?show_comments=1

[21] I do not mean to imply that these authors would approve of undemocratic or abusive practices, but rather I am trying to illustrate that the bar for what constitutes transformation or breaking from the old model is lower or higher from author to author.

important. *Participatory democracy* as opposed to formalistic and representative democracy - meaning the people involved need to be the ones making the decisions about how to do it. Formalistic representative democracy may appear democratic because there is voting, but often these types of structures end up being gamed to uphold the bureaucracy and to gate-keep members from having a real say in the inner workings of their union. *Social justice oriented* because unions that only view class issues as bread and butter issues are ignoring that workers have multiple identities and that the working class isn't only straight white cis abled men and that an intersectional analysis of the power structures is important if unions are to play a role in abolishing capitalist social relations. Narrow understandings of class as only concerned with wages and benefits may still mobilize workers to win economic gains, but will just help maintain stratification of the global working class. *Centering extra-institutional activity* is important for the reasons I spelled out in this chapter, the formal channels of contention were created in such a way as to maintain the very system itself as a disciplining mechanism and a way to displace the agency of workers' collective action into a bureaucratic terrain. I will also refer to the terrain of extra-institutional contention as "on-the-ground" as opposed to inside the institution. I would argue that *this combination of traits means it must be bottom-up* and not top-down, as top-down implies modes of advocacy or mobilization that either don't feature participatory democracy or aren't extra-institutional.

If we agree that unions have transformed since the pre-New Deal era and that this transformation is the biggest thing holding us back from successfully fighting back then the next question we must ask is how to go about transforming our unions into something different? This is where I see there being two schools of thought, one around Jane McAlevey which centers a simple change in organizing approach, and the other around Labor Notes - an organization and network of radical labor movement activists committed to bottom-up change through rank-and-file democracy and empowerment founded by Kim Moody in 1979, which publishes the Labor

Notes magazine and hosts the Labor Notes conference- that centers confrontation with the labor bureaucracy as essential in the process of transforming our unions.

First, McAlevey (2016) sees the problem as one of strategy and tactics deployed by unions who predominantly engage in advocacy or mobilization, but need to follow what she calls the CIO model of William Foster, which centers organizing (remember not to confuse this with the so-called Organizing model). Her work is dedicated to illustrating, through case studies, how a model of organizing can revitalize the labor movement. McAlevey's model is essentially a social network analysis that privileges workers with high centrality as "organic leaders", and importantly states that they are often anti-union and favored by the boss, but if won over can mobilize large support. McAlevey also denounces the "activists" who take the initiative to get involved in the union and often have histories of being confrontational with the boss because she argues they have less influence. In the MacAlevey model you can't train people to be "organic leaders", so the union must instead focus on winning these workers over so that others will follow.

Swerdlow (2021) argues that McAlevey wrongly understands the CIO method and how it was historically used and that despite McAlevey's insistence on bottom-up strategies that the very model of "organic leaders" vs "activists" is itself a top-down model and furthermore that some of the cases McAlevey holds up as the best examples of the model were not successful in the long run. Furthermore, Wear (2021) argues that even the CIO method used by Foster that McAlevey allegedly misunderstands was itself a flawed model with contradictions. Primary to the McAlevey model is the focus on majority or even supermajority strikes - that is strikes that involve a majority or supermajority of workers. When more workers join a strike that is a good thing. But the model McAlevey advocates really doesn't take minority strikes, strike by a minority of workers, seriously as something that can be successful or build the union. McAlevey's preoccupation with majority strikes ignores the research that strike frequency is more important than strike success (Cohn 2007), and the historical role played in revitalizing unions by the so

called “militant minority” (Uetricht and Eidlin 2019) and that only acting under “ideal conditions” of a super majority strike can be used as a cudgel against joining in solidarity with a minority strike or wildcat as Ellen David Freidman pointed out (David Friedman 2020). With the increasingly precarious position of workers (Standing 2011) and employment models such as Amazon’s which are based on high turnover it can be more difficult to organize a majority of workers than it was during the so called Golden Age of labor, so a real assessment of the possibility of using minority strikes would seem to be an important part of any theory for the future of labor.

Swerdlow (2020) also argues that “the limit of [McAlevey’s] explanation is political, not intellectual: she needs to avoid any critique of the labor bureaucracy whose patronage she seeks.” This brings us to the other school of thought, that of Labor Notes and Kim Moody’s Rank and File Strategy (2000) which stresses the need for confrontation with the union bureaucracy and reform movements to democratize unions.

One of the cases McAlevey discusses in No Shortcuts (2016) is that of the Chicago Teachers Union (CTU). While McAlevey mentions that CTU was only reinvigorated after the CORE caucus took power, and after they took power they cut the pay of paid staff organizers to equal that of their members, McAlevey’s discussion still centers on the alleged CIO model and not the necessity for reform movements to take leadership and reign in/break-up the bureaucracy. Counter to McAlevey’s model which claims that the ideologically committed “activists” are not as important as the “organic leaders” who tend to be anti-union initially, the chapter hails the CORE leadership of Karen Lewis and Jesse Sharkey, but Sharkey has long been a committed socialist and was a member of a socialist organization with connections to the same tradition that spawned Labor Notes.[22]

[22] The International Socialist Tendency, which split into two groups: the International Socialist Organization and Solidarity.

Critiques of McAlevey's model aside, for critical labor scholars and proponents of the Rank-and-File Strategy, the central question facing the labor movement right now is that of the bureaucracy and the political struggle against it, which is a question that McAlevey generally avoids. The history of the development of the bureaucracy, with its ascendence occurring at the expense of rank-and-file power and militancy and the expelling of radicals, is not just the past, but is an ongoing struggle, and to rebuild militant rank-and-file democracy ultimately means engaging in struggle against this bureaucracy.

Mechanisms of Repression

Building new structures of rank-and-file democracy and changing union culture into a more militant class struggle and anti-oppression is a massive undertaking on its own, however, the conditions upon which this organizing has to happen are unfortunately yet another obstacle. The bureaucratic leadership of today's business unions are just as likely to engage in repression of autonomous/dissident rank-and-file organizing as past leaders. While this repression has been documented by scholars, it hasn't been systematically studied. By studying the forms of repression that rank-and-file dissidents have faced we can better understand the outcomes of labor struggles, the dynamics of intra-union conflict, and potentially how to counter this repression so as to be more successful.

The purpose of this dissertation is to identify and explain what I am calling *mechanisms of repression*. In the social sciences the mechanisms approach is used to explain the how- the processes, actions, and structures that connect causal factors and outcomes (Hedstrom and Ylikoski 2010; Maurer 2016). Statistical analysis can explain to what degree an independent variable correlates with a dependent variable, and these relationships can be interpreted as causal. However, statistical analysis cannot on its own explain why that relationship occurs, i.e "why does an increase in x cause an increase or decrease in y?". Comparative sociology, which

attempts to also make causal arguments, but without the large sample sizes and statistical analysis, has more recently turned toward the identification of mechanisms to help explain causal relationships and processes. Through an in depth examination of the steps undertaken or the processes unfolding, comparative sociologists are able to develop or test theories that explain the direct links between cause and effect.

Critical labor scholars argue that business unionism has been incapable of fostering resistance to capital and that when resistance does emerge from the rank-and-file it often faces repression from its own leadership. But, how does this repression occur, what are the mechanisms through which autonomous/dissident rank-and-file organizing are countered? While critical labor scholars cite examples of repression in cases they study, there has not been a systematic study of these mechanisms to identify them. In the chapters that follow I identify three mechanisms of repression used against rank-and-file dissidents by union leaderships: *containment*, *demobilization*, and *credit stealing*.

Containment is akin to a firewall, it is a preventative measure used to keep dissidents from influencing other rank-and-file members. Any action that works to stop the growth or spread of a movement is containment. Examples of types of actions that can be considered containment are cutting off communication between dissidents and other members, “inoculation” through counter messaging, and refusal to perform official duties because they might help the movement grow or spread.

Demobilization is akin to a fire extinguisher, it works directly against those engaged in undesired actions to get them to stop performing those actions. Examples of the types of actions that can be considered demobilization are communications that order participants to cease, threaten them if they continue, or discourage further participation for any number of reasons, as well as personal attacks or stigmatization of the dissidents or the undesired behavior. Another type of action that should be considered demobilization would be unilateral

declarations of victory by union leaders who haven't been supportive of a movement and when its goals haven't been met but possibly alternative offers have been made.

Finally credit stealing can be thought of in two ways: trying to take credit for other's successes, or trying to assert oneself as the legitimate leader of a movement that one wasn't supportive of. In both cases the credit doesn't go to the people who did the real work, and those stealing credit are trying to gain political capital off of their work. This can be done to preempt political challengers within the union, or to use the work of others within the union to leverage gains outside the union.

I should also add that these mechanisms can and do work together, and some actions might be considered to function as multiple mechanisms at once. For example publicly denouncing dissidents might function to demobilize them by raising the emotional cost of being a dissident, and it may discourage others to join them - though it can also work the other way, that denouncing dissidents can raise their profile and make others join them which is why the FBI's COINTEL PRO tried to silence media discussion of the Black Panthers.

By identifying these mechanisms I am showing the various ways in which rank-and-file movements get extinguished by their own union leaders. Any theory for labor movement revitalization that ignores the question of the union bureaucracy also ignores the challenges that rank-and-file dissidents face, that they must not only organize against repression from the boss and sometimes from the state, but also from their own union leaders, and therefore either underestimates the effort required or provides an incomplete set of strategies, as dissidents will need to develop strategies to counter these mechanisms of repression.

CHAPTER 3: THE STRUGGLE OVER UAW 2865

"We make collective bargaining agreements, not revolutions." -Walter Reuther[23]

The history of UAW 2865 can be broken down into three periods, which can be found in Table 1: Three Periods of UAW 2865 History. First is the era before the union was officially recognized by the University, through the ratification of the first contract, and up until 2011 when dissident reformers took power. This is the era of bureaucratization, when the IUAW Admin Caucus (AC) struggles to take control over a militant rank-and-file and sets up structures of centralized top down control statewide. Second is the era of union reform and democratization under the leadership of the reform slate Academic Workers for a Democratic Union (AWDU) which was elected to leadership in 2011. Under AWDU experiments in building a more democratic and militant unionism that centered issues of oppression were built at most campuses, except those still under AC control, and the relationship of the statewide union governing structures were reoriented to supporting local campus organizing instead of dictating what each campus could and could not do. The third era is that of the rebureaucratization that happened under a new leadership caucus Organizing for Student Worker Power (OSWP), later rebranded Union for All (UfA). Like the mainstream of organized labor, OSWP claimed that the threat of the impending Janus v AFSCME Supreme Court decision was too big to ignore and required serious reform, re-centralizing power and hiring full time professional union organizers, essentially building up a new bureaucracy.

The history of UAW 2865 is rife with internal political struggles over the direction of the union apparatus and the cultural practices of organizing endorsed by the union. Even before the ratification of their first contract many UAW members were unhappy in their relationship with the IUAW, finding its field agents too controlling and stifling of grassroots energy and democracy.

[23] As quoted Georgakis and Surkin (2012) pg. 26.

After ratification the local quickly bureaucratized, despite resistance from some members. The Admin Caucus firmly controlled UAW 2865 until dissenters ousted them in 2011, after dissidents with experience in the UC student movement felt their leadership was selling them out during bargaining and not doing what it could to organize a real confrontation with UC management's austerity politics.

Table 1: Three Periods of UAW 2865 History

	Period 1: 1990's-2011	Period 2: 2011-2017	Period 3: 2017-2019
Caucus in Power	Administration Caucus (AC) [went by USEJ in 2011 elections]	Academic Workers for a Democratic Union (AWDU)	Organizing for Student Worker Power (OSWP)
Union Transformation	Bureaucratization	Democratization	Rebureaucratization
Mechanism of Repression - Containment	Present	Not Present	Present
Mechanism of Repression - Demobilization	Present	Not Present	Present

Dissenters, through the Academic Workers for a Democratic Union (AWDU) caucus, took control of the union and began an experiment in building another model of unionism based on militancy, democracy, solidarity, and a commitment to social justice. Formal reforms to decentralize power and empower campus organizers were accompanied by cultural changes in organizing culture. The decentralized nature of the dissenters approach meant that campuses took different approaches, and that there wasn't much of what could be called a "statewide AWDU approach" with the exception being the 2013-14 contract negotiations which contrasted sharply with the AC approach to bargaining, but even within that there was differences in approach, as some campuses focused more on building the Contract Action Teams (CATs)

while others focused more on building the committees around specific contract demands such as childcare, healthcare, or gender neutral bathrooms. By 2017 with the total dissolution of the AC within the local, splits within AWDU, and the decentralized orientation of the caucus, AWDU hadn't been a functioning statewide caucus for a while.

The Janus v AFSCME ruling was expected to rule against unions under the conservative dominated Supreme Court and some in organized labor were sounding the alarm that this was an existential threat to unions, because of the significant impact it would have on the money coming into the union through agency fees that non-members pay the union because they work in the bargaining unit. A new generation of union reps took office, mostly unaware of the history of political struggle in the local, and a new leadership under the caucus Organizing for Student-Worker Power (OSWP) took to reforming the union through a project of "professionalization" - hiring outside professional organizers who could teach organizing skills as technical skills grounded in the common organizing practices of US unions. Power in the union was re-centralized along with communications and the political culture in the union shifted to a near singular focus on signing up new members. Dissenters were marginalized and dissent was stigmatized as "anti-union", and this strategy worked at first to contain dissent, but after a contract was settled at the end of summer through a process that many argue was illegitimate, due to violations of the UAW constitution and local bylaws and bargaining team agreements, and without any building of a credible strike threat many members who were once supportive of the new leadership were quite upset but found themselves at the end of the dissent squashing culture they had helped build. The contract ratification was appealed, but the union leadership found itself free of wrongdoing. These are the conditions that UAW 2865 members found themselves in in 2019, locked into a contract that they felt wasn't insufficient for their financial well being, and no avenues within the formal structures of the union and labor law to alleviate the situation. This is the background context for the 2019-2020 wildcat that erupted at UC Santa Cruz that will be taken up in the next chapter.

The three eras provide three case studies of repression. When the union bureaucratizes it coincides with repression of the rank-and-file. In the case of AWDU and the democratization of the union, we have a negative case of repression, where repression is absent. Containment and demobilization are found in both the AC and OSWP eras of the union, with the majority of repression focused on communications and stigmatizing criticism of the union leadership.

Period 1: 1990's - 2011 Establishment and Bureaucratization

The reason why graduate student academic workers at the University of California are represented by the auto workers union has to do with the particular history of the failure of the UAW International to fight against job losses and deindustrialization in the auto industry. As briefly laid out in Chapter 2, the once militant UAW, which was founded by sit down strikes in automobile factories, had, like other unions across the country, bureaucratized through a gradual and contested process. In the 1970's with the influx of Black members this power struggle took on a racialized dimension, with union democracy and the struggle for Black power and liberation bound together. By attacking Black rank-and-file members and their supporters, their most militant members, the union leadership had weakened the union to the point where it was incapable of organizing a real opposition to the factory closures of the 1980's.

UAW membership peaked in 1979, with 1.5 million members, and would begin a steep decline in the next decade, counting less than a million members before the decade was over,

and further deteriorating to under 400,000 members by 2010.[24][25] This decline cannot be blamed on loss of jobs, as the number of auto industry jobs has actually increased since the 1980s, but UAW membership is a fraction of what it used to be.[26] In response to this decline and the declining resources it meant for the union, the UAW expanded into new industries, one of those being academic labor.[27] Thus a key impetus of UAW external organizing was the practical necessity of growth in the face of declining resources - as key concern of any bureaucracy is its own reproduction.

In 1979 California passed the Higher Education Employer-Employee Relations Act (HEERA), recognizing the right of all employees in public higher education in the state to unionize. Graduate student academic workers had tried unionizing at the UC prior to HEERA, but without success. The passage of HEERA sparked another wave of unionization attempts and in 1983 a majority of graduate TAs at Berkeley signed union cards and formed the Association of Graduate Student Employees (AGSE). UC management challenged their unionization, claiming that TAs were apprentices not employees beginning a legal struggle over classification that would last nearly 17 years. It was during this long drawn-out classification struggle that graduate student workers decided to seek assistance from an established union, voting to affiliate with District 65/UAW in 1987. District 65 was a small independent union that had a reputation as being progressive but was having financial problems and so had affiliated with the UAW in 1979, and was later fully absorbed into the UAW in 1994 (Sullivan 2003). The Public Employee Relations Board (PERB) made a decision in December of 1998 that some

[24] Naughton, Keith. 2011. “UAW Membership Posts First Gain in Six Years on Auto Rebound.” Retrieved Aug. 17, 2023 (https://www.bloomberg.com/news/articles/2011-03-31/uaw-membership-posts-first-gain-in-six-years-on-auto-rebound-1-).
[25] Niedermeyer, Edward. 2023. “UAW Membership Increases!” Retrieved Aug. 17 2023 (https://www.thetruthaboutcars.com/2011/04/uaw-membership-increases/).
[26] Eidlin, Barry (@eidlin). 2022. “You might think this is due to globalization/offshoring, but as we wrote, "employment in auto was actually higher (1,333,916) in 2021 than in 1983 (996,452), but total union membership in the sector declined from 586,319 to 157,334" (source: http://unionstats.com) 2/.“ Twitter, Oct 25. https://twitter.com/eidlin/status/1585023486892077057
[27] As of 2022, the UAW represents around 80,000 academic workers across the US.

academic workers fit the criteria of HEERA, notably teaching assistants, instructors, readers, and tutors, but that others, like research assistants, did not.[28] Unionists claim the positive PERB ruling resulted from the pressure from a finals week strike across the eight campuses (UC Merced didn't exist yet).

The tensions between rank-and-file control and the top-down control of the local from the UAW International (IUAW) and its agents on the ground flared up numerous times during this period- the relationship described as "micro-management" and "selective exclusion" of radicals in one account.[29] The International hired three staffers in 1997 purportedly to help coordinate things across the state, but dissidents from UCSB claim that the International provided little to no help in term of "UAW staff, lawyers or money" organizing their strike in 1997 (Scheper 2005). Dissidents claimed the IUAW was being autocratic and controlling, and that their approach was discouraging rank-and-file involvement, as planning wasn't democratic, transparent, or in some cases plans weren't even communicated to members, they were just expected to blindly follow the IUAW's hired organizers.[30]

The IUAW centralized communication, taking it not just out of local campus hands, but out of rank-and-file hands altogether. During this period the IUAW stopped financially supporting local campus newsletters written by local members and switched to a centralized newsletter. The IUAW also said that all communication between organizers and rank-and-file members had to be approved by IUAW staff.

Dissenters claimed that the IUAW would at times exclude them from organizing spaces. Switching meeting times but not announcing the change was allegedly a tactic used to remove

[28] Public Employment Relations Board, State of California. 1998. Case No. SF-RR-813-H (UC Los Angeles). PERB Decision No. 1301-H. Dec. 11. https://perb.ca.gov/wp-content/uploads/decisionbank/1301H.pdf
[29] Living History Project. 2014. "Labor Organizing at UCSB." Retrieved Aug. 17, 2023 (https://scalar.usc.edu/works/livinghistoryproject/timeline-of-labor-organizing-at-ucsb).
[30] UAW 2865 History & Analysis. Unknown Year. "1983-2000: Organizing Timeline and the Beginnings of Bureaucracy." Retrieved Aug. 17, 2023 (https://uaw2865history.wordpress.com/2000/03/01/organizing-timeline-beginnings-of-bureaucracy/).

the presence of radicals from union spaces. Other times dissenters are kicked out of meetings explicitly. The IUAW went a step further and actually confiscated and destroyed the contact database that rank-and-file organizers had developed.

> *Just weeks before the strike, UAW staffers waiving bogus legal documents raided Jay and Ted's house, where our regular weekly meetings were held. They accused UCSB grads of "counter organizing" and confiscated all organizing documents including our union's phone list. They erased the entire membership database from the Jay and Ted's computers. This crippled ongoing strike organization efforts and seriously demoralized student activists.*[31]

These efforts taken to stop the dissenters from growing a base undermined the strike organizing, showing very directly just how connected union democracy and union militancy are.

The top-down campaign and tightly controlled communication undermined organizing efforts in other ways too. In May of 1998 there was a strike authorization vote, followed by a strike in December of that year. However, the IUAW called off the strike and agreed to a 45 day cool down, which dissenters argue that many rank-and-file members felt betrayed when leadership agreed to a 45 day cool-down period just days after the strike began without consultation vote by the membership at large nor the elected strike committee.[32] Months later in June of 1999 there was an affiliation vote to formally affiliate with the UAW, and at UCSB where dissenters and militants were in formal leadership and kept bumping heads with the IUAW staff there was a significant drop in the number of people voting. At UCSB the turnout for the June 1999 affiliation vote (to formally affiliate with the UAW) turnout was only 314 out of 1088, and of those 314 who did vote 130 voted against making the UAW their exclusive bargaining rep. Compare this to the strike vote from May of the previous year, which had a turnout of 609 voters, 82% in favor. That means that in the course of one year there was a drop in voting participation from 609 to roughly half of that to 314.[33] A strike authorization vote and a union

[31] Living History Project. 2014. "Labor Organizing at UCSB." Retrieved Aug. 17, 2023 (https://scalar.usc.edu/works/livinghistoryproject/timeline-of-labor-organizing-at-ucsb).
[32] Ibid.
[33] UAW 2865 History & Analysis. Unknown Year. "1983-2000: Organizing Timeline and the Beginnings of Bureaucracy." Retrieved Aug. 17, 2023 (https://uaw2865history.wordpress.com/2000/03/01/organizing-timeline-beginnings-of-bureaucracy/).

recognition vote are two different types of votes, but Sullivan (2003: 93) describes the "mood in the local" as "somber" noting that, "Missing were the energy and commitment… [n]early all of the activists who had worked so hard to build the union… had disengaged entirely." After their experience with the UAW many ASEs at Santa BArbara were saying that they wanted a union, but not the UAW.

The desire for a union that isn't the UAW led some members from UCSB to organize independently and "dual card", like some workers today do with the IWW, forming their own independent union organization called United Student Labor (USL) in April of 1999. While dual carding is a different strategy from forming a dissident caucus within a union, USL should be thought of as the first formal dissident group of workers represented by UAW 2865.

In October of 1999 all bargaining team members from UCSB resigned over the IUAWs willingness to allow a No Strike clause in the contract. Instead of holding an election for replacement members, the IUAW appoints new members to the bargaining team and bars all rank-and-file members from observing contract negotiations at their campus.[34] The bargaining team drops their demand for grievance and arbitration protection from discrimination, upsetting many dissidents including Frank Wilderson, an elected rep from Berkeley and the only Black member of the bargaining team. Wilderson is notified he has been removed from the bargaining team and is not allowed at any more bargaining sessions. Wilderson attends another bargaining session after a vote of confidence from Berkeley members but is told he must leave; he refuses and the IUAW reps call the police, who take him out of the room in handcuffs. Months later Wilderson is again refused access to the bargaining room despite being the elected bargaining team representative for his campus.[35]

[34] United Student Labor. 2000. "No Strike Without Representation." Retrieved Aug. 17, 2023 (https://web.archive.org/web/20050207111024/http://www.angelfire.com/ca4/usl/petition3-9-00.htm).
[35] Living History Project. 2014. "Labor Organizing at UCSB." Retrieved Aug. 17, 2023 (https://scalar.usc.edu/works/livinghistoryproject/timeline-of-labor-organizing-at-ucsb).

UAW 2865 and the UC finally agreed to a first contract, which would cover June 2000 through September 2003. A once very vibrant and bottom-up culture of organizing that existed throughout the 90s had within just a few years formalized into an IUAW controlled bureaucracy in what Sullivan (2003) calls a “pyrrhic victory”.

From 2000-2011 the union was under control of the IUAW Administration Caucus until the leadership was successfully challenged and replaced by reformers in 2011. This period shows the limitations of the business union model in UAW 2865 and how those limits inspired attempts by reformers to build a different kind of unionism.

UAW Members for Quality Education and Democracy (UAW-QUAD) formed in 2004 at UC Santa Cruz. UAW-QUAD was a reform caucus that emerged from graduate students involved with labor solidarity work - organizing turnout and other forms of support for other campus unions - with a UCSC group called the Graduate Student Solidarity Network (GSSN). UAW-QUAD had many grievances with the union leadership, and the very structure of the union itself. They felt the union was undemocratic, centralized, and neglected issues like social justice, quality of education, and class size issues and repeatedly brushed them off in their suggestions to take up this issue. UAW-QUAD ran members for union leadership positions at the campus level and won. They worked alongside reform-minded dissidents from Davis and Riverside on the bargaining team “to prioritize bargaining issues around workload (especially classroom size), healthcare (especially dependent care, domestic partner care, and trans-inclusive healthcare), family-friendly leave policies, and non-resident tuition remissions.”[36]

One complaint from union reformers of this era was that local union reps were so singularly focused on getting membership cards signed to the detriment of quality organizing and quality relationships with members. They complained that union reps would often be pushy, manipulative, and even lie to student workers just to get them to sign a membership card. One

[36] UAW 2865 History and Analysis. Unknown Year.”2004-2008: UAW-QUAD.” Retrieved Aug. 17, 2023 (https://uaw2865history.wordpress.com/2008/05/01/2004-08-uaw-quad/).

example of just how top-down and centralized the union was during this period is the example of a UCSC elected rep requesting colored paper from 2865 leadership for UCSC to be able to print on in 2008[37]. This elected rep asked for colored paper and was told by a member of the local Executive Board[38] that she would only receive colored paper if she promised that the paper "would not be used to violate the practices/policies of the local (eg. flyers, petitions that have not been vetted in accordance with those who advise you on contract enforcement etc.)". The UCSC rep refused to do this, as she saw it as insultingly petty and micromanaging, and felt that campus units should be able to engage with other local campus organizing projects with a level of autonomy. This continues back and forth with the e-board member insisting that all flyers and communications must be vetted first. This example highlights the banality of the top-down bureaucratic model, something as simple as getting paper to print on becomes an ideological struggle over the use of union resources and how to organize. It also shows the level of petty micromanaging that dissidents had to deal with - which effectively is a form of discouraging their participation altogether, by requiring absolute discipline to a central authority in order to receive any support.

As the anti-austerity anti-tuition hikes student movement erupted during 2009-2010 the UAW stood on the sidelines, not getting involved in the movement in any formal capacity, despite countless graduate students who were UAW 2865 members being involved. This movement famously involved building occupations, massive protests, and shutting down the bi-monthly meetings of the UC Regents. The movement was an inspiration to the organizers of the Occupy Wall Street movement of 2011, both in tactics and in its focus on the negative social

[37] This email exchange was provided to me in full and I regularly use it in teach-ins about this history, but given that I never tried to get consent from the other party I am not copying it here, instead I am just summarizing the contents of the exchange. However the story is referenced in an interview with AWDU and QUAD member Brian Malone, see: Living History Project. 2020a. "Brian Malone." Retrieved Aug. 17, 2023 (https://livinghistory.as.ucsb.edu/2020/07/20/brian-malone/).

[38] Living History Project. 2020a. "Brian Malone." Retrieved Aug. 17, 2023 (https://livinghistory.as.ucsb.edu/2020/07/20/brian-malone/).

impacts of finance capitalism. The UC's investments lost money in 2008 and 2009[39] and increased its debt through bonds which it backed with student tuition[40] all the while UC executive salaries were skyrocketing. Meanwhile the political response to the post-2008 financial crisis was to push austerity by cutting the level of state funding for the UC. The administration reacted to state funding cuts with large tuition increases, in defiance of the California Master Plan vision of free public higher education for California residents.

During contract negotiations in 2010, rank-and-file members complained that the union parroted the neoliberal discourse of "shared sacrifice", not just failing to challenge neoliberal reforms, but becoming a junior partner in helping these reforms get through by legitimizing them to the membership and therefore discouraging any rank-and-file resistance. In an interview with WorkWeekRadio, Mandy Cohen, a graduate student and head steward at Berkeley running for statewide recording secretary at this time, explains how graduate student involvement in the movement in defense of public education spilled into a union reform effort,

> *I've been organizing with the union since January of 2010 so in my second year here at Berkeley was when the budget cuts crisis really started, fall of 2009, and I spent that semester organizing with grad students outside of the union because the union was really inactive at that point… we had two elected officials here at Berkeley campus whereas our bylaws stipulate we could have fifteen. So there just was nobody to do union work even though there were grad students really ready to organize to try to defend public education.*[41]

The model of unionism practiced by the Admin Caucus seems to have relied on a small number of leaders who administer the union for numerous terms. This type of practice solidifies a bureaucracy by creating a group of leaders who have a monopoly of knowledge of how the union works and a rank-and-file who is dependent upon them for service. By refusing to share

[39] Ghori, Imran. 2014. "UC Investment Performance Worst Among Nation's Richest Colleges." Retrieved Aug. 17, 2023 (https://www.ocregister.com/2014/02/21/uc-investment-performance-worst-among-nations-richest-colleges/)
[40] Meister, Bob. 2009. "They Pledged Your Tuition (An Open Letter to UC Students)." Retrieved Aug. 17, 2023 (https://keepcaliforniaspromise.org/wp-content/uploads/2009/10/They_Pledged_Your_Tuition.pdf).
[41] The Labor Video Project. 2011. "'Count the Ballots' UAW 2865 UC Grad Students Want a Fair Election." Retrieved Aug 17, 2023 (https://www.youtube.com/watch?v=60d6aJz0gTc)

that knowledge and open up that space to newcomers, union officials have mostly abandoned leadership development save for the select few that the caucus approves of. Mandy continues,

> *We had hundreds of people coming out to meetings and planning protests. So from that kind of semester that was really a transformative experience for us we realized our union should be the structure supporting and enabling this organizing effort, nobody else is going to do that for us so we needed to step up so every since about January grad students who had been activists in the public education movement started to try to organize within the spaces of the union and then started to realize the difficulties because of the bureaucratic structures, the kind of top-down organizing model, the small number of people who really had knowledge about how the union worked and were trying to hold on to that knowledge it seemed to us…*[42]

Due to the representative nature of union democracy, officials can claim that "we are all the union", but in practice this model puts up barriers to prevent involvement. So when a movement of graduate students in defense of public education erupted suddenly looking to use the organization of the union for this fight they were amiss to find that the union didn't really belong to them in practice. The transformation of this movement into an effort to take back and reform the union is a direct product of this failed attempt to use the union to defend public education. Cohen also explains how despite a backdrop of a massive pushback against the neoliberal education reforms the union leadership was still not challenging the imposed austerity framework used by management in negotiations,

> *It's really frustrating when you feel like your union is following models of following the logic of your management, that is a really frustrating moment. I mean and you know we went through contract negotiations last semester, we had representatives on our bargaining team who said that our members didn't want a raise, our members thought a raise would be greedy - that's the kind of thing that management says, that a raise is greedy, it should not be your bargaining team representatives…*[43]

This wholesale acceptance of austerity by the union leadership stands out as even more conservative than the dominant labor politics at the time, which after the 2008 financial crisis made no real effort at national protests like many European countries but did publicly denounce austerity as an attack on workers (Shiavone 2016). So at the exact moment that rank-and-file members were trying to use the union as an organization to defend public education against austerity the Admin Caucus union leadership was accepting austerity as the framework of

[42] Ibid.
[43] Ibid.

negotiations. To them leadership had shown itself incapable of challenging austerity and what started as a movement in defense of public education turned into an effort to reform their union and the two biggest concerns were a direct result of these experiences - the union wasn't democratic enough, nor was it militant enough.

These graduate students participated in the anti-austerity movement not just as students, but as workers too, and the absence of their union leadership in that space led them to want to correct that, but the top-down and bureaucratic structure of the union was incapable of bringing in that many people doing that kind of work, as it would drastically alter the culture and structure of the union and the admin caucus tended to be dismissive of the kinds of work these members wanted to do. The anti-austerity activists organized in a much more horizontal and democratic way than the union, they were part of a movement that reimagined what was possible instead of accepting what conventional wisdom said was practical, and most importantly they focused on extra-institutional means of achieving their goals - the reclamation of space through building occupations has to be the most well known tactic associated with this era of the UC student movement. After trying to work through the union and clashing with leadership a new caucus was formed at Berkeley in 2010 called Academic Workers for a Democratic Union (AWDU).

The UAW 2865 President during this time, Daraka Larimore-Hall refers to the admin caucus as the "institutional side" of the political split within the union, explaining,

> But like there was, there was, there were real bureaucratic realities about how power relation works between teaching assistants and the university. And we just really emphasized that. So there would be flare ups about contract negotiations where, for example, they would always want to just like, come up with the perfect contract. Hold out for the most perfect language in the contract, and our thing would be more…let's, let's really concentrate on the things that are about union security and dispute mechanisms and grievance handling procedures, stuff that seems boring and bureaucratic.[44]

[44] Living History Project. 2020b. "Daraka Larimore-Hall." Retrieved Aug. 17, 2023 (https://livinghistory.as.ucsb.edu/2020/07/20/daraka-larimore-hall/).

This quote shows that characterizations of the union as bureaucratic and incremental (or concessionary) coming from dissenters seem to align with the self-view of the admin caucus themselves- however the difference lies in whether or not those things are seen as good and practical vs bad and constraining. He continues “You know, we were very focused on the nuts and bolts of power in regards to the university. So very focused on staying at majority membership, which, for this bargaining unit, right, which has tremendous turnover just by nature of the work, was constant work.”[45] Larimore-Hall explains that at least 60% of a union rep’s time would be spent on signing up new members if they are paid; unpaid reps would have to spend 5-10 hours per week on this activity. Given the amount of time demanded by graduate school and TA or research work, an additional 5-10 hours is more than most volunteers can give, so it's unlikely that they would have time for much else. Paid reps also had to handle grievances and do other traditional union work, so their time for activities labeled “student activism” was very limited. Given that the vast majority of time these paid and unpaid reps are putting into “union activity” is simply signing up new members, any steps beyond signing a card were extremely limited. From the perspective of rank-and-file members the union wasn’t ever asking more than signing a card and attending union meetings, the avenues for involvement were very limited. This model mostly just builds an economic base for the organizational structure to perpetuate itself.

Another way these models clashed was in their vision of democratic culture and how to organize their peers. Dissidents wanted to use newsletters to inform members of what was going on and why they should get involved, as well as develop a culture of sharing political debate and strategizing, which is typically what you see in social movement spaces where people are all brought to a space and typically don’t have any kind of organizational power over each other, they have to build consensus and discuss strategy and communicate amongst

[45] Ibid.

themselves. A newsletter is a great way to b*ring the union to the members*, to paraphrase Fahey (2017), by keeping people informed even if they can't make a meeting, and it is a tool for starting conversations, "Have you read the newsletter? No, let me give you a copy." or "Yes you read it, what did you think about 'x'?" But the more top-down chain of command structure of the UAW treats this as frivolous and not as organizing. Larimore-Hall gives the admin caucus perspective,

> You know, like one big fight we had internally was, I was, the you know, the left always really wanted a newsletter. They wanted to write articles and it's the left, they liked to think and blah, blah, blah. So and like our reps are organizing reps from UAW were like very against that. They're like "it's a giant time sink; it's not organizing anybody new; it's not realigning power with university. It's just like people spouting off". But I saw that it was just like a really important thing to certain kinds of activists and they really wanted like a newsletter for people to read in their department. I mean, there were reasons for it. They wanted it. And it just seemed to me like an easy compromise to make, but we didn't, and that became another like line in the sand that was like, "they won't even let us have a newsletter", and so forth[46].

Also a newsletter can pose a threat to an undemocratic union that doesn't respond well to critique. Criticism was also not well received by the admin caucus, as later in that interview Larimore-Hall highlights how he thinks differences should be talked through, but then pivots to saying that dissidents were just "shitting on" the union.[47] This was the organization and culture that the anti-austerity activists found themselves mired in as they tried to turn the union into a vehicle for more militant organizing but found their organizing practices and culture incompatible with what already existed in UAW 2865.

The negotiations of 2010 were held over the summer, when most academic student employees aren't working and therefore couldn't threaten to strike. The bargaining team, which was led by the IUAW representative, accepted a 2% per year over three year raise, which would end up being a pay cut after inflation is considered. Rank-and-file members and dissidents were upset with this Tentative Agreement, and felt that the union should have spent more time building toward a strike or credible strike threat.

[46] Ibid.
[47] Ibid.

While rank-and-file graduate student workers had been occupying buildings, participating in marches and rallies, and organizing and leading teach-ins they were building connections between members as well as with the broader campus community and modeling what solidarity looks like in action, as opposed to the union leadership which was uninvolved in this struggle. A loose network of anti-austerity activists had coalesced together, so when the contract negotiations of 2010 seemed to operate within the politics and logics of austerity instead of challenging them it sparked a rank-and-file driven campaign against contract ratification. Dissidents felt that if the members rejected the contract offer then it would empower the bargaining team to demand more from the university and would show the university that members were willing to fight and possibly even strike for more. The recently formed AWDU caucus at Berkeley grew into a statewide network of dissidents leading the Vote No campaign. They failed to reject the contract, getting only 37% of the vote, but their efforts were a success in bringing in new people to their longer term goal of reforming the union.

While union reformers had a short time period to respond to the sudden call for a ratification vote, they had much more time to plan for and organize around the upcoming triennial 2011 elections, in which all elected positions in the union were vacated. They continued organizing and building up a network of active rank-and-file members. AWDU ran a slate of candidates for all statewide positions, and most campus positions. The admin caucus ran a slate under the name United for Social and Economic Justice (USEJ).

After the vote, when ballots were being counted and it was down to just a few campuses left it became obvious that AWDU was going to win, the ballot counters, all members of the admin caucus, stopped the vote tally and locked the ballots in a room in the union office. Members of the admin caucus claimed that ballots at those AWDU dominated campuses were cast illegally and tried to have the votes decertified. In response, members of AWDU and some supporters occupied the union offices at Berkeley and Los Angeles, putting public pressure on the union leadership to count the ballots. The dissidents launched a public campaign

demanding that the counting continue. When the final vote tally was in, AWDU won with around 2/3rds of the vote, sweeping all the positions of the statewide executive board and taking local campus offices at the majority of campuses, giving them a large majority in the Joint Council- the statewide representative body that consists of all executive board and local campus officers.

Mechanisms of Repression in Period 1

One mechanism of repression that can be found repeatedly throughout this history is containment. Containment is a preventive action, like a firewall that is put up between dissidents and members in order to minimize the influence of the dissenters. The centralization of communications can be considered a containment mechanism. When the IUAW cut financial support for campus newsletters in the late 1990s it also made the policy that all communications needed to be pre-approved by IUAW staff. This was to prevent rank-and-file members from hearing dissident perspectives and criticisms. The practice of changing meeting times and/or locations without notice would be considered containment if the AC was expecting rank-and-file members to attend, therefore reducing their exposure to dissidents. During the 2000-2011 era when the AC was firmly in charge of the union they continued the practice of centralized communications and approval for all messages to be sent to members. Local campus leaders who were dissidents found themselves structurally blocked off from providing an alternative perspective or promoting events or campaigns that the AC hadn't approved of. The example of the request for colored paper at UCSC shows that there was an absolute refusal to allow any amount of local resources for anything that wasn't centrally approved. When dissidents called for newsletters they were shut down, and the very idea dismissed as essentially "academics like to write things" by president Larimore-Hall. Finally, when Larimoore-Hall referred to dissident's critiques of AC policy and practices as "shitting on the union" we see the use of stigma to delegitimize criticism, which is a form of containment, because it operate as a "do not enter"

sign on the border of “legitimate” discussion and delegitimized discussion as well as stigmatizes dissenters so that rank-and-file members may not even want to interact with them. Containment during this era can be thought of as both instances of actions and as a structural phenomenon. Instances of containment are like when meetings were changed without notice, whereas structural containment is the institutionalization of methods of communication that reduce polyvocality and the ability of dissenters to mass communicate.

Containment during the OSWP era is very similar to the AC era. OSWP re-centralized communication and required approval for messages sent to the membership. The hiring of a full time staffer for communications meant that most communications were now done by a worker instructed to by union leaders, instead of communications being the product of a collective process where framing and appropriate topics could be contested. Another example of containment through communications during this era is the establishment of a policy where no criticisms of paid staffers was allowed on internal email threads between leaders and rank-and-file members, which OSWP argued was necessary to not create a “hostile work environment” for the paid staffers who were always carbon copied on the threads. This meant that rank-and-file members newly added to email lists such as the Organizing Committee list were not exposed to dissident ideas about the union’s practices because the paid staffers were the agents that carried out those practices. During the ratification vote in 2018 staffers were instructed only to tell members to vote yes on the ratification. This use of official resources to advocate for one side of the vote also worked to contain the No campaign, as paid staffers weren’t being neutral and just urging members to vote and educating them on the rationales of both sides. Finally the official ballot for ratification, which was totally online, contained on it the full text of the reason to vote Yes, whereas the text for the No side could only be accessed by clicking a link that led to a whole separate webpage. This latter example might not be as clear a case of containment, but it was the product of a struggle in which dissenters fought to even get this amount of inclusion of their message. The extra effort required to click a link and read a

separate webpage vs just reading what is on the ballot meant that only those who actively opted in to click the link were exposed to the dissenting opinion. It is this opting is vs already included that I think makes the case that this was a form of containment, used to marginalize the dissenting voice. Stigma was also used by OSWP as a containment mechanism. After the paid staffers formed their own union to negotiate with the local as their employer, members were told that criticizing the staffers or questioning the use of staffers (as opposed to the old practice of hiring rank-and-file members) was “anti-union”. This stigma helped marginalize all dissent against the changes that OSWP were pushing through. This same tactic was used to marginalize dissident rank-and-file members of the newly formed CLEW caucus, who were called “anti-democracy forces” in one extreme example. And finally again during the Mussman Appeal members who challenged the fairness and legitimacy of the ratification vote were called anti-union. All of this stigma marginalized real political discussion and debate in the union, and therefore real democracy. The dual mechanisms of centralized communications and stigmatizing criticism contained dissenting voices and acted as a buffer to political challengers in the union.

Period 2: 2011-2017 Experiments in Reform

After AWDU was officially recognized as the winner of the 2011 triennial election, holding all the Executive Board seats and a strong majority in the statewide Joint Council, they set out on two types of projects: 1. reforming the formal structure of the statewide union to break up the power of the executive and give more power and autonomy to the campus level and 2. use that newly won autonomy and power at the campus level to shift from organizing as an opposition slate and to begin the project of building a different type of union from the ground up. Ikebe and Smith (2014) argue that the previous union bureaucracy was not just an impediment to “grassroots organizing and rank-and-file participation, but through this it was an impediment

to developing class consciousness and building a radical union". While there wasn't a single vision for what AWDU would do now that it was in power, the idea that the bureaucracy and centralized power of the union needed to be broken down and transformed into an organization that could educate and radicalize its membership through militant campaigns that looked more like the student movement than a grievance meeting or closed door contract negotiation was largely agreed upon.

Instead of vesting most power with the union president, under AWDU the executive board functioned as an equal collective that took its direction from below (Joint Council, campus units, and the membership at large). Campuses were given autonomy to make organizing decisions based on their local context and on-the-ground situations, and campuses were to propose budgets for each year to the Joint Council. Control over resources is an important aspect of the democratization of the local. Campus budgets were one way to make sure that rank-and-file members and campus leadership had support for the activities they chose.

Another concrete way that AWDU democratized the union was by not requiring approval of communications from campus leadership to campus membership through the president/e-board. If the Davis unit had a Monthly Membership meeting and decided to inform Davis members of an upcoming anti-austerity protest on the Davis campus, there was no bureaucracy between the campus leadership and the membership, someone could just sign in to the email client and send an email to all the Davis members - the executive board was cut entirely out of the picture. The executive board and the Joint Council could still send emails to all members, but campus specific messages were not gate-kept. This gave members at their campus more power - they could discuss/debate what to say via email notices to the membership at their local monthly membership meeting, instead of having to rely on a process that took place both spatially and socially far away from them. Another example of the democratization of communications is that leaders at UC Davis also started a google group for email communications called the Officers and Activists List where communications could be shared

between everyone involved in organizing regardless of whether they held a position or not. This added a level of transparency to the communications between elected officers between meetings, and allowed for input, dissent, etc, from rank-and-file members between monthly membership meetings.

When the Occupy Wall Street movement kicked off in the fall of 2011 it quickly spread to cities, towns, and campuses across the country. The Occupy movement at the University of California will forever be remembered by the police brutality that got national and international media attention that November - the beating of student protesters linking arms around the tents they had just erected at Berkeley and the pepper spraying of seated students at Davis. Under AWDU leadership the union was both involved on-the-ground in the Occupy movement, and worked with a coalition of anti-austerity public education groups to fight for more funding for education in California. The Occupy Education event at the state capitol led to a huge turnout of hundreds of protesters who took the building until police told them to leave, with nearly seventy people staying in civil disobedience and getting arrested. AWDU organized turnout for this event, particularly as on many campuses the official Occupy movement had died down by then. Out of this coalition came the campaign for the Millionaire's Tax ballot initiative, which was initially supported by big unions like the California Nurses Association and the California Federation of Teachers, but CNA didn't provide any funding and CFT, which was providing most of the funding for the initiative, pulled its support and instead backed Governor Jerry Brown's less progressive[48] alternative Prop 30, which was backed by SEIU.[49]

[48] The Millionaires Tax would have been permanent and would raise money for k-12, community colleges and public universities, and services to children and seniors and more, whereas Prop 30 was just a 5 year increase with 86% of the money going to k-12 and the rest going to community colleges, and it included a regressive sales tax hike for four years.

[49] For more info on the relationship between these unions and the failure of the Millionaire's Tax see: Robertson, Ann and Bill Leumer. 2012. "The Unions, the Millionaires Tax, and the Road to Success." Toward Freedom. Retrieved Aug. 17, 2023 (https://towardfreedom.org/story/archives/labor/the-unions-the-millionaires-tax-and-the-road-to-success/).

UAW 2865 also played a similar role in supporting on-the-ground organizing and actions against proposed tuition hikes in 2014. At UC Davis students occupied Olson Hall for a couple weeks to raise the visibility of their opposition to the fee hikes; and students and union members attended UC Regent meetings to vocalize their opposition. The tuition freeze, which had been going on since 2011, was maintained.

The union under AWDU played an important role in campus organizing spaces. Graduate students were experienced teachers and they tended to be on campus longer than undergrads (with the exception of Master's students) they played the role of maintaining the networks that undergrads would often have to rebuild or reinvent due to turnover issues, and graduate students were an excellent source of institutional memory - able to keep the memory and lessons of past organizing struggles on the campus alive. Also the union had access to more resources than any student club, and could help fund the movement. Notably, AFSCME 3299, representing campus service workers and UC Medical Center patient care workers, which had more resources than UAW 2865 often did this through renting buses to transport people to regional protests, such as meetings of the UC Regents, and funding undergraduate student interns and teaching them how to organize. Fundamental to this model of coalition building was the interpersonal relationship building where actions were happening and decisions being made.

One way that AWDU tried to integrate anti-oppression work not just into the daily practices of the union, but into the very structure of the union itself was through the establishment of the statewide Anti-Oppression Committee (AOC), along with funding for a full time coordinator for the committee at the same rate as campus Unit Chairs and other paid member organizers - a 50% appointment (20 hours/week) at average TA pay and tuition remission who was elected democratically by the committee itself. In practice the committee helped guide best practices that shaped the culture in union spaces and hosted trainings on issues of oppression and liberation, as well as connected with organizations outside the union

working on anti-oppression work to help build coalitions and get the union involved in work it may not already have been. The UAW constitution calls for the establishment of Women's and Civil Rights committees in locals, but 2865 apparently had neither, and those involved with the AOC felt that the IUAW recommendation for single identity committees (women, Black people, etc.) wasn't intersectional. The AOC played an important role in reimagining union practices and culture, and in maintaining a bigger picture focus on issues of violence and inequality.

This model of social justice unionism brought the union directly into organizing alongside undergraduates along numerous issues such as: environmental/climate justice organizing to get the UC to divest from fossil fuels; against sexual violence and harassment particularly against the university's lax response to Professors who perpetrate this violence on campus; Palestinian liberation especially through work to get the UC Student Association to support BDS; racial justice work around Black Lives Matter and anti-policing and police violence; and more. Two campaigns the union undertook during this time had a significant impact on the labor movement as a whole, inspiring others to follow suit and starting national discussions within the labor movement about labor's relationship to these issues and should be examined more closely: the 2014 BDS campaign and the 2015 call for the AFL-CIO to expel police unions from its ranks in solidarity with Black Lives Matter.

In 2014 members of AWDU formed the BDS caucus to be the center of all organizing around Palestinian solidarity - the caucus was open to all UAW 2865 members not just those affiliated with AWDU, however it was founded and run by AWDU members along AWDU principles of organizing, but because it wasn't a caucus in the normal sense of the term it was able to bring in the more progressive members of the admin caucus into its ranks. The campaign had two phases, first a campaign of education and agitation around the issue of the Occupation leading up to a membership vote to officially endorse the BDS movement and then if and when it passed a second phase of pushing both the University of California and the UAW International to adhere to the calls for divestment. There was also an optional pledge on the

membership ballot where members could say they would adhere to the academic boycott. The breakdown of who supported the BDS vote among elected officers was all of AWDU supported it, while the admin caucus, which at that time was calling itself Student Workers for Inclusive Transparent Change (SWITCh), was split into three factions - one supporting, another opposing, and a third which said it felt it was too divisive an issue for the union and so tended to abstain on related Joint Council votes. AWDU support for BDS allowed it to recruit some members of the admin caucus. While there was clearly a strong majority of union officers who supported BDS and a Joint Council BDS vote would have easily passed, the BDS caucus felt it was important to build a base of support and educate members while pulling them into the campaign to work on it. Instead of a top-down decree, the longer route requiring more work was taken because the idea was that they really wanted the vote to reflect the will of as many informed members as possible. There were many events planned all to raise awareness of the upcoming vote and the issue of the Occupation.

A small but vocal opposition group formed, calling itself Informed Grads, but their campaign was more astroturf than grassroots, and these people were almost entirely people who had never been involved in the union before or would ever be involved again afterwards. In the end, after 65% of voters voted to support BDS , Informed Grads brought a challenge to the UAW International. The UAW International Executive Board (IEB) found the process to have been democratic and fair and perfectly followed all procedures. However, the IEB still voted to overturn the vote in December of 2015, saying it would hurt UAW members who work for companies targeted by BDS.[5051] Until this point the only US union that had officially joined the BDS movement was the Industrial Workers of the World, an explicitly political union with a long

[50] Vasquez, Mario. 2016. “UAW Overrules Academic Workers BDS Vote Against Israel Despite Finding Strong Turnout, No Misconduct.” Retrieved Aug 17, 2023 (https://inthesetimes.com/article/uaw-university-california-local-2865-boycott-divestment-sanctions-israel).
[51]Point of transparency: Pro-BDS writing in my personal blog was used as “evidence” by Informed Grads against the BDS resolution.

history of radical anarchist politics. Since the BDS vote at least six other unions or labor organizations have passed similar resolutions.[52]

Another example of a social justice campaign undertaken during this time is the 2015 call on the AFL-CIO to kick out police unions. While UAW 2865 was involved in Black LIves Matter protests and organizing during the uprisings at the time, the resolution is worth examining for how it was used to leverage their position as workers to fight for social justice. For decades Organized Labor has allowed police unions in its ranks, despite the deeper history of unions and police literally shooting at each other or fighting in the streets. Police were often the first line of defense against militant unions, but as unions bureaucratized and became less militant and pursued only legal means of challenging power this fact has become obscured or forgotten by most workers. The letter was used as a means of sparking a conversation to educate workers and demand more from unions and Organized Labor, to remind them of the role of policing in society, of protecting capitalist property relations and upholding a white supremacist social order.

The resolution was drafted by AWDU members at Davis[53] and then went through the Black Interests Coordinating Committee (BICC) in the statewide union before finally coming to a vote of the Joint Council. It was approved and the letter was sent to the AFL-CIO, which never responded. In the middle of the George Floyd protests following the uprising in Minneapolis in May 2020, the AFL-CIO headquarters in DC was vandalized and looted - with the words “Silence is Complicity” spray painted on it, showing that participants in the struggle for Black liberation recognize that Organized Labor has welcomed police unions into its ranks and the complicity with police violence against the Black community that that relationship entails. It

[52] United Electrical, Teaching Assistant Association - American Federation of Teachers 3220 representing graduate workers of University of Wisconsin Madison, the Graduate Student Organizing Committee of UAW 2110 representing academic workers at New York University, the The Graduate Employee Organization UAW 2322 at UMass Amherst, United Educators of San Francisco AFT local 61, and the Connecticut AFL-CIO which passed a resolution in 2015.
[53] Point of transparency: I was one of the many coauthors.

seems that other unions and labor organizations are beginning to agree, as the call by UAW 2865 was followed by resolutions by a number of other unions and labor organizations either calling for labor to kick out police unions from its ranks or something similar.[54] The question at hand was: should unions only deal with issues of racial discrimination by their employer, or are they organizations for the working class to fight for broader issues of social transformation? UAW 2865 during AWDU took a strong stance for the latter position, and asked other unions to join it in that stance.

These two examples, the BDS campaign and the call to expel police unions, highlight how AWDU not only aimed to change their own local but strived to be an impetus of greater change within all of Organized Labor. This kind of change is hard to quantify, it isn't the union density strategy that many in the labor movement are pushing for, it is a change within labor itself, a qualitative change of relationships and ideas and culture and practices. Success for these kinds of campaigns isn't as black and white as organizing a new local or of winning concessions from the boss during contract negotiations, it is measured in the qualitative shifts in ideology and culture in the labor movement and how long these efforts resonate in years following inspiring or converting others - radicalization is a process, not a single battle to be won or lost.

The 2013-14 contract campaign

The 2013-14 contract campaign best highlights the contrasts between the AWDU model with the business unionism of the admin caucus, and is one of the more concrete ways to

[54] The Association of Legal Aid Attorneys UAW 2325, the Troy Area Labor Council#, UAW 5810 representing postdoctoral researchers at the University of California, the Writers Guild of America East (WGEA), and the MLK Labor Council which represents more than 150 unions in the Seattle Washington area expelled the police union from its own ranks. The California Labor Federation voted to disaffiliate with police and border unions. The Association of Flight Attendants (AFA) passed a less abolitionist resolution demanding police unions support reforms or be expelled from the labor movement.

measure the effectiveness of this model and compare it to business unionism in the local by looking at both how effective it was in facilitating social movement activity. The most stark differences between these two models stem from who is seen as the change makers; is it the mobilization and organization of the rank-and-file to build a credible strike threat or even go on strike and disrupt university business or is it the elected bargaining team reps who will through some miracle of logical arguing and communication with the university's bargaining team be able to win concessions for the members.

For this section I will refer to AWDU+ because there had been a split within AWDU, while the split correlated to a degree with north and south to a degree it was neither perfectly along that line. However, despite the split all the reformers still caucused together as "AWDU+" and all agreed that the admin caucus was the opposition party on the bargaining team.

The bargaining team consisted of two reps from each of the nine UC campuses - the campus unit chair and recording secretary (not to be confused with the statewide recording secretary). AWDU+ held the majority of the bargaining team throughout the entire period of negotiations. San Diego started off with admin caucus aligned reps, and flipped to AWDU+ members during this period, Merced tended to have more neutral reps, and Riverside and Santa Barbara were strongly admin caucus - they would rebrand as Student Workers for Inclusive and Transparent Change (SWITCh) by the end of bargaining when the 2014 triennial elections occurred, but they were a direct descendent of the former admin caucus which went by United for Social and Economic Justice (USEJ) in 2011. There was an admin caucus aligned group during this time too, which called itself Paycheck First and mostly existed as a blog that pushed the admin caucus line on bargaining.[55]

[55] It was an anonymous blog, however it was clearly written by people with insider bargaining team knowledge or access to that knowledge. One dissenter told me that they had first hand knowledge that it was just all of the admin caucus members in leadership, plus the IUAW rep, plus one or two other rank and file members.

Finally, there was Paul Worthman, an experienced union organizer who had trained and consulted many unions during negotiations, who AWDU chose to hire as a consultant, as an obvious alternative to the UAW International representative, who people in AWDU+ didn't trust to give correct or helpful advice.

In the past, bargaining was run by the International Rep as lead negotiator, but AWDU+ used "democracy at the table"[56] and had no lead negotiator, but instead was run collectively by the bargaining team as a whole. The AWDU+ approach to bargaining was a class struggle paradigm - that the union and management had fundamentally antagonistic relationship and opposing interests and that if members wanted more than whatever the calculations Labor Relations had done to figure out what it would be willing to give then members would have to fight for it, through a combination of building a public campaign to pressure university management to give is, and on-the-ground organizing to build the foundation necessary to be strike ready. The bargaining room in this regard wasn't where management was forced to move on union demands, rather it was the actions outside of the room that moved things inside the room. This is why AWDU+ talked about a contract campaign, not just "negotiations", because it saw a necessity to build a campaign which would propel negotiations forward. This meant discussions about negotiations weren't just about what language had been proposed and what language the team wanted to respond with, but rather organizing discussions about building membership participation and escalating actions around various demands and gaining campus community and public support.

For the admin caucus however, the paradigm was flipped, resulting in a totally different orientation to the spatial-temporal politics of contract negotiations. They argued that if the members of the bargaining team just sat and discussed the issues with university management

[56] Fox-Hodess, Katy. 2014. "California Grad Employee Contract Shows Reform Works." *Labor Notes.* Retrieved, Aug. 17, 2023 (https://labornotes.org/2014/06/california-grad-employee-contract-shows-reform-works).

that they could win things for the members. They not only didn't want to undertake the organizing project of the contract campaign, they actively opposed it. Admin caucus opposition to the contract campaign manifested most obviously in their opinion of how the bargaining team should spend its time, their idea of pacing, and what they felt the role of the space of the bargaining room was.

Negotiations began over the summer of 2013, when most UAW 2865 members were not employed. AWDU+ felt that this made their negotiating position weak because when the union is basically in the "off-season" there is less business to disrupt and far fewer working members to do that disruption. AWDU+ only wanted to schedule a few meetings over the summer to establish ground rules and pass initial proposals and then wait until Fall quarter/semester started to begin building the contract campaign. The admin caucus however argued that AWDU+ was wasting time. One admin caucus member made a comment about wanting to bargain four or five days per week over the summer so that when members come back to work in the fall they could show them what the bargaining team won for them. These different views about power and pacing heavily contrasted AWDU+ and the admin caucus throughout the entire contract campaign.

Closely related to this is the idea of pacing. As just mentioned, the admin caucus wanted to meet with management in the bargaining room four to five days per week, for long periods of time. In this perspective the only limit to what the union could win and how quickly they could win it was how much time was spent speaking with UC's bargaining team. AWDU+, on the other hand, wanted to space out meetings with university management, allowing for the on-the-ground campaign to escalate and build pressure between meetings. Organizing takes time, and members were both busy with work and as students, so they had to let the contract campaign develop at its organic pace - frequent meetings with management would rush the contract campaign and make members feel a lack of control over the campaign itself. This is why pacing also reveals whose agency each model centers - the rank-and-file or the bargaining team.

The last difference in the spatial-temporal politics of contract negotiations was how the admin caucus imagined the role of the bargaining room vs. how AWDU+ imagined the space should be used. The admin caucus wanted to spend most of its time speaking with management's bargaining team and passing language back and forth across the table. Members weren't just marginalized in this model, they were completely absent. Historically the admin caucus used closed negotiations because it is the bargaining team that is the central actor in their model. The business union model thrives more on closed bargaining just because it allows for the bargaining team to have monopoly control over the narrative, so members can't criticize how bargaining is being run, or hold them accountable.

For AWDU+ the ground game drove the bargaining room, and for this to truly be executed properly it meant that what happened in that space had to be transformed. While there were certainly times the bargaining teams had traditional conversations about proposed contract language and the logic for those changes, this was a secondary function. The primary function of the room was as another organizing space. This meant that open bargaining was a key prerequisite for this model. The bargaining team decided which campuses it wanted to hold negotiations on and when based on how on-the-ground organizing was going at each campus. Once it decided when bargaining was to be hosted at a specific campus it was "all out" for that day - getting as many rank-and-file members, and supportive undergrads, professors, campus workers, and community members to come to the bargaining room as possible. This was the first way the AWDU+ model used this space differently. There is actually a power dynamic to physical space, and when two equally sized bargaining teams meet and sit across from each other at long tables in an empty room it isn't a sign of equality, but rather that the space itself is neutral to the power dynamics outside the room, and the employer holds the power. What AWDU+ did was to pack the bargaining room, fitting as many people as possible, sometimes standing room only. AWDU+ frequently packed the bargaining room - showing management that they were greatly outnumbered and that many people were interested and engaged, and

watching them. In one instance at UC Berkeley in the UAW 2865 office the room was so packed that management had to keep pushing their table back to make room for people, pushing it back again and again, until their backs were literally against the wall. Situations like this really flipped the power dynamic of the room.

The second way AWDU+ used this space differently was not just the physical presence of the members and allies in the room, but rank-and-file members were given the spotlight. Part of AWDU+'s preparations for turnout to bargaining was encouraging members to prepare testimonials - they could be general testimonials or they could be tailored to a specific demand being discussed that day. Members poured into the bargaining room and took hours taking turns collectively telling the story of what it is like to work for the UC - both the job and the quality of life that stems from it. This airing of grievances both backed up the importance of each demand, showing management that each demand was rooted in real problems people had, and it created a certain dynamic where members could openly confront management without fear of consequence and feel supported by a room full of other members.

This was one of the ways AWDU+ built a credible strike threat - by growing participation in a campaign that ultimately was preparation for a possible strike. Closed bargaining and a procedural strike authorization vote doesn't have the same depth and weight to it that having thousands of members across the state come and yell at the boss does. The union wanted to unambiguously show management that they weren't bluffing about building a credible strike threat by having angry members in the bargaining room everywhere they went - everywhere except for the couple of campuses dominated by the admin caucus. Admin caucus dominated campuses never got more than a dozen members to bargaining. Contrast this to the fact that the bargaining room was routinely packed at AWDU+ campuses, and that management basically refused to meet on Santa Cruz campus after a rally of roughly a hundred students showed up outside an already busy bargaining room. At Davis there was a sign-in sheet and

over just two days of bargaining days in early 2014 over 120 members and community supporters showed up to the room.

The result of this participatory model was that when members came to bargaining and told their stories they felt a sense of ownership of the campaign. Hearing other members share similar stories of their struggles with rent, class size, lack of access to a gender neutral bathroom, etc. was a very concrete reminder that their individual problems were actually a social issue, as Mills (2000) would say. This is empowering in itself because people stop blaming themselves and realize that they can work together to fix the institutional or structural problem. When management responded dismissively to member concerns it functioned to agitate the membership against the boss even further. This made them more likely to be ready and willing to strike and to want to follow developments in bargaining.

Business unionism is the institutionalization of the labor movement- the model is on the whole oriented to working through the bureaucratic channels laid out by labor law, and this totally abandons the tactics and strategic orientation of the early radical labor movement before it. This can be seen in the above analysis of the spatial-temporal politics of each model. For the admin caucus the problem was one of communication - they prioritized long frequent meetings where they themselves would talk it out with management. For ADWU+ the problem was one of power - workers and the boss have opposing interests and the only way to get the boss to give in to your demands is to build power and use it or threaten to use it. It is this focus on extra-institutional tactics that is the heart of social movement unionism.

A real participatory model can create a feedback loop if it empowers members. Pseudo democracy, feeling like a mobilized object, etc, have the opposite effect of marginalizing and discouraging further participation. The bargaining room dynamics just discussed are a great example of this. As I stated, members would leave with more investment in the contract campaign, and would be more agitated against the boss, and have an increased sense of camaraderie.

The primary way AWDU+ tried to build a rank-and-file driven contract campaign was through developing committees around each demand and getting members to be on the committee, so they were part of the decision-making, strategizing, planning, etc. A big inspiration for these committees was the Contract Action Teams (CATs) the Chicago Teachers Union created to build a rank-and-file participatory model for their 2012 strike[57] where committees were formed at the local school level to bring members into the contract campaign. The AWDU+ bargaining team wanted to develop a Contract Action Team (CAT), and the most successful attempt at this was at Berkeley, while in general the committees around specific demands were what really developed at most campuses. Notably, committees can also be used to build pseudo-democratic participation and can act as mere conduits for top-down decision making structures to guide action at the local level, but when they are merely intended to control local action from above they can be spaces of contestation and where dissidents can organize. The admin caucus was mostly opposed to these committees having too much real power, as their view of union democracy was formalistic and representative, and a participatory model both threatened their already small numbers, so they argued against them as "undemocratic" since they would be rank-and-file driven instead of the democratically elected reps. This is how business unionism stifles the possibility of a participatory model, and why it is so bad at facilitating social movement activity, and ultimately why it undermines the very power unions are supposed to be channeling.

The AWDU+ model not only actively created meaningful participation in the union but also created a space where autonomous rank-and-file organizing was able to thrive. For example, UC Davis graduate student parents that live in on campus "affordable" housing had been organizing in response to administration plans to renovate the two least expensive

[57] For example: Chicago Teachers Union. Unknown Year. "What is a Contract Action Team (CAT)?" Retrieved Aug. 17, 2023 (https://www.ctulocal1.org/wp-content/uploads/2019/04/What-is-a-Contract-Action-Team-jj.pdf).

developments on campus, Orchard and Solano Park, under the name Save the Parks. The UC Davis administration wanted to evict everyone from these housing units and have the units replaced with apartments that cost more than the average graduate student TA income, despite the fact that graduate students were the primary residents of these units. Rank-and-file members were able to keep their autonomous organizing while working in ways that also built the contract campaign around the union's demands about affordable housing, increased support for childcare subsidies, and affordable dependent health insurance. When bargaining came to Davis they planned a march to the bargaining room, with babies in strollers and children holding up signs. They used the space of the bargaining room and the testimonials to educate everyone in the room, not just management, about their situation and build allies. After the contract had been signed, and Orchard and Solano Park were still being threatened, the Save the Parks organizing continued with union support. Davis administration evicted everyone from Orchard Park, but after occupying the campus housing building, rallies, and packed meetings with administration, and even participating in the administration created and run committees, they managed to keep Solano Park residents from being evicted. This example goes to show that there can be a symbiotic relationship between a union and autonomous community organizing. Contrast this to the customary business union practice which marginalizes member participation in bargaining but then at key moments tries to suddenly "mobilize" the members to build a threat, as if the rank-and-file are just passive objects to be moved around at the whim of the leadership.

The debate around contract expiration was another key moment of contrast between the two caucuses as well. The admin caucus was fully opposed to letting the contract expire. They used the loss of independent arbitration for new grievances that might arise after expiration to justify voting against letting the contract expire. A tiny fraction of grievances ever go to arbitration, so this threat was exaggerated and certainly didn't outweigh the benefits. The opposition may have also come from the fact that they didn't think the union would be ready to

strike any time soon - a perception that stemmed from the fact that they weren't doing the kind of on-the-ground organizing at their campuses that AWDU+ was doing. The AWDU+ bargaining team on the other hand, saw this as an opportunity to engage in sympathy strikes with the other campus unions, such as AFSCME 3299 the union representing campus service workers and patient care workers in the UC medical centers, who had been in negotiations for some time and was planning to strike soon. It was because AWDU+ held the majority of the bargaining team that UAW 2865 was able to go on sympathy strike that November with the lowest paid workers in the UC system, represented by AFSCME 3299. The presence of craft unionism at the UC, having different unions for different job types under the same employer, makes this kind of coordination difficult but vitally important. When multiple unions join in sympathy a significantly larger portion of the activity done by campus workers gets disrupted, making that one union's strike that much more effective in pressuring the boss. In this case, business unionism became an obstacle to solidarity organizing, and therefore to actual class unity.

Given that UAW 2865 hadn't been on strike in around a decade, a sympathy strike with AFSCME 3299 in November 2013 was viewed by AWDU+ as an opportunity to have a practice run of a strike. In this way the union could build capacity and see how many people would really turnout for a strike, and for organizers to practice the logistical skills necessary to make one happen, all in a low stakes context. AWDU+ was able to turn the craft union terrain, which works against UC workers, into an opportunity instead of just an obstacle. It wouldn't be until the beginning of Spring quarter, April 2014, that 2865 would declare it's own Unfair Labor Practice strike, this time to build pressure and test it's capacity to strike on its own, with an end of year finals week strike the strategic goal - as a major choke point to the university, by not turning in grades is arguably the most disruptive action the teaching union could do. A teaching strike disrupts the normal business, and provides for bad press, but doesn't hit as hard as not turning in grades, as this severely disrupts a lot of functions the university is dependent on, and puts even more pressure from undergraduate students for the administration to do something to end

the strike, as they need the grades for graduation, graduate school applications, jobs/internships, etc. Turnout for the strike was far better because of the participatory campaign AWDU+ had built - one which started with members voicing their demands in a bargaining survey and town halls across the state, and was founded on rank-and-file driven campaigns lead by committees for certain bargaining demands, such as housing, healthcare, all gender bathrooms, and more, was escalated through on-the-ground actions and big public dramas in the bargaining room where members saw the indifference of management to their grievances and came to see their shared struggle, and where they were able to practice striking in a low stakes sympathy strike.

AWDU brought social justice unionism to the contract campaign as well. Local 2865 was possibly the first union in the country to win the right to access all-gender bathrooms in its contract. While this contract language wasn't ideal, putting the burden on those who want access to a gender neutral bathroom to file a request for reasonable accommodations, it was precedent setting and boosted campaigns within departments for more permanent accessible solutions. There was another major social justice demand that was put forth by the union, the right of undocumented grad students to be able to teach for pay. Some graduate students were in programs that required a certain number of quarters of teaching experience in order to graduate, however undocumented workers couldn't be hired as ASEs. It was alleged that some graduate students ended up working for free in order to meet the graduation requirement. The idea was that the University set up a fellowship fund for undocumented students, so that they could recieve pay for this work in a way that was legal. However the undocumented rights committee ended up being run by one of the admin caucus members, who wanted closed meetings with admin and shied away from a public campaign, as they argued that a public campaign might cause anti-immigrant backlash. The results of this approach were that no rights for undoumented workers were written into the contract, and that it was agreed that a joint committee would be established to continue to discuss the matter between admin and the

union. Operating in this bureaucratic space effectively pulled this demand out of the broader contract campaign and made it solely a private bargaining issue, unlike the public on-the-ground space the contract campaign unfolded on. This again illustrates the tendency of business unionism to be dismissive of the collective power of the rank-and-file and pursue top-down solutions through institutionalized channels, as well as the more collaborative approach it takes with management.

After university management made concessions right before a planned finals week strike and members won increases in the childcare subsidy and an increase in the age of eligible children, longer parental leave, guaranteed access to lactation stations, guaranteed access to all-gender bathrooms, stronger anti-discrimination language, and for the first time in the history of the union the right to "meet and discuss" issues of class size[58]. Finally as far as wages go, it was the strongest contract in the history of the local, with nearly 17% (compounded interest) wage increase over 4 years. An analysis by Larson and Raheja (2016) shows that this was also the first contract in the history of the local where real wages were above the value they were at in 2000 for the entirely of the contract and were higher than any other previous value.

Part of the legacy of this successful contract campaign was not only that it got workers out on strike fighting the boss and winning, or that it showed that unions can be used to leverage worker power to win social justice demands, but that it inspired similar efforts at union reform and militancy in other academic unions. Over the next few years AWDU chapters sprung up at New York University (NYU), UMass Amherst, University of Washington, and Columbia University. Most notably Columbia AWDU spearheaded the 2018 organizing against IUAW meddling in their local contract negotiation process (Sachs 2018) and in 2021 after the admin

[58] Meet and discuss is a legal term that says management is obligated to have conversations on this issue, however it isn't as strong as meet and confer, which would require mutual agreement on an issue. However, many founding AWDU members had wanted to fight for this issue specifically, and getting even this into the contract was historic.

caucus dominated bargaining team agreed to end a strike and enter mediation (Bauler et al. 2021), after which AWDU won leadership and led another strike from November to January 2022, winning major concessions.[59] Above all else, I think the spread of AWDU to other campuses really shows why the term social movement unionism is most apt for this type of organizing, the UW AWDU webpage even calls AWDU a "national movement"[60]. The "pragmatic" tepidness and willingness to concede of business unionism isn't inspiring, if anything it evokes cynicism, or resignation- two affects that are unhelpful to social movement organizing (Jasper 1998).

Period 3: 2017-2019 Rebureaucratization and OSWP

There was no clearly defined moment when AWDU stopped being a coherent political formation within the union, as AWDU identified members were still around and some were still organizing, but some time between 2015 when the union was making headlines for calling on expelling police from the AFL-CIO and 2017, when the Joint Council was practically all new people, with little to no understanding of the history of the local and its internal caucus politics AWDU had basically become nonexistent as a caucus. Around 2013 AWDU split, becoming AWDU+ on the bargaining team, and the BDS vote of 2014 split the admin caucus, with some joining the AWDU founded BDS caucus and others taking a more neutral position saying that the union shouldn't get involved in the issue because it needs to represent all members- meaning that by 2015 there was no formal admin caucus[61] and AWDU as a statewide formation

[59] Feliz Leon, Luis. 2022. "Striking Workers at Columbia University Built a More Democratic Union and Won Big Gains." *The Real News.* Retrieved Aug. 17, 2023 (https://therealnews.com/striking-workers-at-columbia-university-built-a-more-democratic-union-and-won-big-gains).
[60] UW AWDU. Unknown Year. "UAW AWDU History." Retrieved Aug. 17, 2023 (https://uwawdu.wordpress.com/about/uw-awdu-history/).
[61] The small number of more hardcore admin caucus members who were involved mostly graduated or took jobs within other admin caucus dominated locals.

had basically been in a slow decline for years. Add to this that campuses that were taken over by radicals much later than 2011, such as UC San Diego, worked with AWDU but had their own locally defined caucus and project. All of this added together creating a sort of post-caucus phase in the union where the internal culture wasn't defined by admin caucus and reformers like it had been. Except there were major differences under the surface and very shortly afterwards new caucuses emerged along new lines of contention and the union would go through a dramatic transformation. While the previous admin caucus had been the direct product of IUAW meddling in local politics the newly emerging admin caucus probably didn't have strong ties to the International (at least at first) and was a product of the post-AWDU union it found itself in. It was not possible to be relevant while practicing the turn-key unionism of the Reutherites who had made up the previous admin caucus, so the newly emerging business unionism leadership had to adopt a more militant SEIU style of top-down business unionism, one that was based on (pseudo)-participation and mobilization of members, while still centering institutional channels of contention and representative democracy.

Janus and Metric Fixation

In 2017 much of the labor movement was distressed about the impending Supreme Court case Janus v AFSCME which they were afraid could deal a huge blow to public sector unions, possibly even a death blow according to some, as it would ultimately make the entire country's public sector "right-to-work" by getting rid of agency fees. Before the Janus decision state laws in some states allowed public sector unions to collect an "agency fee" from non-members which is less than membership dues and helps pay for the cost of contract negotiation and enforcement since even nonmembers are covered by the contract and receive its benefits and protections. The Janus case was finally decided in June of 2018, ruling that agency fees

were unconstitutional because they were compelling political speech - argued so because union activity was ruled political and compelled dues were considered the same as compelled speech.

The impending Janus decision became the justification for a massive transformation of UAW 2865 - its structure, its practices, and its culture. A group of union leaders who would later found the caucus Organizing for Student Worker Power (OSW) began putting forth proposals they argued would prepare the union to survive post-Janus. The biggest stated concern was with membership dues and therefore membership numbers. This is because Janus would get rid of agency fees, making it so nonmembers wouldn't be paying anything into the union at all. Previously there was a small difference between what members and non-members would be paying, but after Janus only members would be paying, making each ASE an all-or-nothing for the union. Some in union leadership pushed the narrative that Janus could potentially mean the end of UAW 2865 if they didn't get membership numbers up to a strong majority. During the AWDU years statewide membership percent declined. From 2011 to 2017 the bargaining unit grew by roughly a third from about 12,000 to about 16,000. Furthermore, AWDU, which spent a lot of its time building campaigns and fighting back and supporting community groups doing the same, didn't spend as much of its time signing up new members as the admin caucus which spent the vast majority of its time signing up new members. Between the revolving door of graduate school, not only are members leaving and graduating and being replaced, but many go in and out of the bargaining unit in other campus jobs[62] and the nearly one third growth of the unit during this time the more activist oriented AWDU was just unable to keep up on most campuses.

The first big change was to hire outside professional union organizers. This meant bringing in people who had been trained under business union practices and culture in other unions into a position where they could act as experts and train this new generation on the

[62] This was all before student researchers were finally unionized in 2018 and were merged with UAW 2865 to form one union in 2023.

“correct” way to do things. How to organize is a highly political question, as the history of the admin caucus vs the dissidents in this union shows, but this move to expert professional organizers effectively depoliticized the most central political questions of how organizing should be done and turned them into technical questions of how to organize. This depoliticization meant a certain type of model was defaulted to and other models weren’t discussed or debated.

The orders came from on high that majority membership was the only thing that could save the union and therefore all rank-and-file involvement was directed towards just signing up other members. Weekly Organizing Committee (OC) meetings were held on each campus where elected leaders, paid organizers, and involved rank-and-file members gave reportbacks from “walkthroughs” of academic departments and buildings, where each team would tell how many new member sign-ups they got. But that was basically it, there was no political content to these meetings. Occasionally a mention of possible grievance would come up. But the union developed an insular focus, no discussion about campus/student/other worker news or larger political discussions. There was practically no official union activity other than signing up members and handling grievances, everything else was pushed to the side.

Some dissenters began to raise concerns with how much the singular focus on membership numbers was changing the culture and organizing philosophy of the union. The problem with this singular focus on membership numbers is the way in which metrics are often utilized by structures of power as a technology of control used to obfuscate power relations, centralize power, and decrease the quality of participation into an alienating and mechanical one. So what are the possible consequences of this metric-centered regime in the labor movement? Muller’s (2018) “metric fixation” is a critique of organizational practices that undermine the goals or long term health of an organization through the misplaced orientation around a small number of easily measured variables. Muller (2018) argues that “metric fixation” by organizations can end up undermining the work that they set out to do, and is likely to arise when performance is measured by too few benchmarks, when the stakes are high, and other

potentially more important organization goals go unmeasured. An example that Merton uses is so called “teaching to the test”, when the quality of education declines as teachers spend more and more time focused on teaching so that students will pass high stakes standardized tests because of the potential negative results of their students performing poorly on these tests. The stakes were perceived as high, as Janus was said to be a literal existential threat by many in the labor movement, a new union culture was built centered around membership numbers, and the metrics were very clearly displacing other goals of the union. Metric fixation was introduced into the union through the threat of Janus, but ultimately took hold as a permanent and self-perpetuating ideology, justifying the existence of the bureaucracy, which was now even more institutionalized through the employment of professional organizers. Through the discourse of an existential threat to the union the new leadership was able to discipline active members and new officers to fall in line with an agenda of undoing the reforms of the AWDU era and establishing a top-down union with a bureaucracy that was even larger than the pre-AWDU days.

A Permanent Bureaucracy?

When professionals were hired, members were told it was a temporary measure to get to majority membership by the time of the Janus decision, however in 2023 the local was still run by these non-member professional staffers. This is because these new professional organizers and the new OSWP leadership centralized power and solidified bureaucracy in the union in a more permanent way. The money to hire outside professionals had to come from somewhere, in this case they were at least partially funded by taking away the fee remission of the paid unit chair at each campus, as previously the Unit Chair of each campus, an elected and democratically accountable position, was hired at 50% time (like graduate students) and paid an average ASE salary, and given the same fee remissions as ASEs. This meant the membership

was paying for the development of an organic leadership. Paid positions provided these elected leaders time to do their duties, and the experience that they could then pass on to other members and new leaders. It was an investment in the membership. This wasn't even a controversial AWDU practice, this was a practice older than AWDU - though the previous admin caucus exploited it by keeping the same small number of elected leaders in office over and over again, without term limits. The IUAW Constitution itself bars outside (non-member) hires, which is exactly what the majority of these new staffers were.

Shortly after being hired, the professional organizers, as employees of UAW local 2865, announced that they were forming their own union - just as UAW 2865 represented ASEs as employers of the University of California, this new union local would represent these professional organizers as employees of local 2865. This meant that the people who had previously been opposed to hiring professionals were now not just dissenters, but were labeled union-busters by the new OSWP leadership. Grad students making $20k/year were told they were anti-worker when they criticized the professionals making $60k+/year. Criticism of the union staffers was not allowed on UAW 2865 email discussions, for the stated reason that the organizers were on those email threads too and that this created a "hostile work environment". This is how political opposition was effectively shut down in UAW 2865, securing the place of this new bureaucracy.

The unionization of the professional organizers benefited the new OSWP leadership, as they used this change to consolidate power and to attack dissenters. The best illustration of how these two groups symbiotically consolidated the bureaucracy was in a proposal from the unionized staff during their contract negotiations to have all staff only report to the lead staffer and the lead staffer only report to the union president. Before AWDU the president had nearly total control of the union, and under AWDU this structure was broken down so that larger collective bodies had the power. Now, however, this was a structural change of the union itself that would be decided without any input, debate, or vote by the elected leadership or the

members, it would be decided on by the executive board's bargaining team. The entire bargaining process between the full time professional organizers and the local leadership was totally closed-door. It is only because of leaks from dissidents on the executive board at the time that any of this is known outside of OSWP and the staff union.

Cementing the place of the professional organizers in the local meant a shift from a politics and culture within the union from understanding the single-minded focus on membership numbers as an emergency measure because of extraordinary circumstances to a fully hegemonic new normal in the union in which "union organizing" simply means signing up new members and is driven by professionals accountable only to those at the very top.

New divisions

Within a period of 18 months the new union leadership undid most of the reforms AWDU had passed, and totally changed the internal culture of the union. Three factors contributed to this: 1. that, as stated above, the slate was mostly wiped clean and that there was suddenly very little institutional memory in the elected leadership; 2. those leading the counter-reform effort at first were vocally against the IUAW and disliked the International Rep and therefore still maintained the legitimacy of being on the same page as union reformers (one was even a founding AWDU member at another university); and 3. that the Janus v. AFSCME Supreme Court decision was expected soon and much of the labor movement was abuzz about the perceived existential threat it posed to public sector unionism.

To best understand the union at this time it's best to think of people falling into three camps. There were the dissenters, who took a little bit to cohere into an organized and vocal group, the counter-reformers who were very actively pursuing an agenda to bureaucratize/professionalize the union under the name Organizing for Student and Worker power (OSWP) and later rebranded themselves as Union For All (UfA). Finally there were the

middle ground people, who either didn't understand the history of the local and so didn't understand what was going on, or did know the history of the local but downplayed the very significant differences between the other two camps. This middle ground enabled the counter reform of the local through a politics of dismissing dissidents grievances and downplaying them, and by assuming good faith from bad faith actors in the counter reform circle, at least in part because there was still this mis-understadning that "We are all AWDU". One long time AWDU activist framed the 2018 election as (I'm paraphrasing here) everyone trying to out-AWDU each other, which not just minimized the significant differences between these two slates but also misaligned OSWP with the tradition of AWDU and union reform. Dissenters strongly warned that the counter reformers were trying to undo the work AWDU had done, not just be "more AWDU" than them.

OSWP began to marginalize vocal critics by smearing individuals, largely going for queer/trans/POC activists who had some sway in internal politics. As the 2018 triennial election neared dissenters who had been pushed out and some of their remaining supporters networked and formed a new caucus titled Collective Liberation for Education Workers (CLEW). An example of the kind of smearing that CLEW members had to deal with was when OSWP aligned officer, an old admin caucus member still involved, wrote a blog post calling the dissenters "anti-democracy forces"[63]. This person accused dissenters of baseless accusations in a way that is evocative of the way conservatives say "playing the race/gender card" when he wrote, "This faction spent the entire academic year pointing out any action by the staff organizers that could remotely be framed as racist or sexist in order to discredit them."[64] Finally this post said that one of the longest involved members of AWDU and then CLEW who had put in countless hours in the union and broader campus organizing, "had done basically nothing to

[63] H. Kurt. 2018. "Anti-Democracy Forces Within the NO Campaign." Retrieved Aug. 17, 2023 (https://medium.com/@entelechy77/anti-democracy-forces-within-the-no-campaign-403a1d3a94a2).
[64] ibid

help with organizing on their own campus."[65] This is the kind of smear attack that CLEW members had to deal with for months. Dissidents raised issues with issues of anti-Blackness and the way that queer and trans organizers were being silenced.[6667] After CLEW lost the election many of dissidents, especially those who had faced hostility from OSWP, left the union space to do work in other organizing spaces.[68]

Culmination: The 2018 ratification vote

The 2018 ratification vote controversy reveals how the logics of union power solely understood through membership numbers and the mutually reinforcing relationship of the powerful executive board and full time professional organizers all work together in a new iteration of business unionism.

At first, negotiations took on many AWDU-like forms, such as a commitment to open bargaining and packing the bargaining room with members. However, these similarities were superficial at best. With the success of the AWDU model having produced a more active and engaged rank-and-file the turnout for open bargaining was even larger than in the previous round, at least on some campuses. However, members who showed up for bargaining this time found that they were not centered in this space like they were under AWDU. Members complained about bargaining being less participatory and more like a city hall meeting that is open for the public to passively watch, with only occasional moments of participation. It certainly wasn't a fully passive experience, as some testimonies and presentations were planned, but the participation of the members in attendance wasn't centered. With hundreds of people in the

[65] ibid
[66] Buchanan, Blu. 2018a. "Hollowing Out Social Justice Unionism." Retrieved Aug. 17, 2023 (https://medium.com/@BlaQSociologist/hollowing-out-social-justice-unionism-3093cdddd0b9).
[67] Buchanan, Blu. 2018b. "Labor: More Than a Paint by Numbers Project." Retrieved Aug. 17, 2023 (https://medium.com/@BlaQSociologist/labor-more-than-a-paint-by-numbers-project-14395c55b16c).
[68] I think more needs to be said by other scholars about the ways in which these kinds of political upheavals shape the imaginations of dissidents of what kind of work is possible in organizing spaces.

bargaining room much more could have been done to center the entire day around the rank-and-file in the room, but instead the two negotiating teams were in the spotlight while the members were in the audience both metaphorically and quite literally - as is the case from a bargaining session at Davis that took place in a theater with the two negotiating teams literally up on stage and the members below them in rows of seats.

A group of mostly CLEW-aligned members ran a campaign during bargaining for the disarmament and demilitarization of University of California Police Department (UCPD). This group was reluctantly given time and space in bargaining, but as time went on they were relegated to the margins and told that their demands were “non-material” and “ideological”, before the bargaining team effectively dropped the campaign. One of the members of the disarm/demil working group writes that the bargaining team hid behind excuses of legality (the subject of demil/disarm is not a mandatory subject of bargaining) and the logic of whiteness - why is the safety of Black members not a mandatory subject of bargaining if safety is a mandatory subject of bargaining? And it's not only members who are affected by campus police, such as the death of Sam DuBose, a non-student who was off campus and was killed by University of Cincinnati police in 2015. There was a lot of potential to build an anti-racist coalition for disarm/demil demands at the University of California in 2018, but the bargaining team felt that winning a side letter which said management agrees to a single meeting to discuss “*if* UCPD poses a threat to student-workers” was a “historic victory” (Buchanan 2018).

Later in bargaining the UAW 2865 bargaining team started to move away from large open bargaining sessions and started to negotiate long hours and late into the night multiple times per week. Pacing, as noted earlier, demonstrates who’s involvement in the process is deemed important and who is optional. Full time graduate students working 20 hour weeks, many with families and other obligations, cannot meaningfully participate in bargaining like this. Bargaining team members themselves were quickly burned out, and rightly so, it is exhausting. But that is precisely the problem with this model- a collective project that builds the power of a

large coalition to put on-the-ground pressure on management takes time and many people who themselves can be rotated in and out. But when everything is put on the shoulders of an entrusted few, not only are they harder to replace because of their intimate knowledge of process and the history of the bargaining sessions but it also creates the illusion that it was the long hours of negotiations and the personal sacrifice of bargaining team members that won concessions, not the active rank-and-file members who helped build a credible strike threat by showing up to open bargaining. This shows how the orientation of the bargaining team shifted away from building associational power and toward the top-down institutional channels of advocacy set up through labor law. This approach just reinforced the structures and logics of the new business unionism in the local.

In August, the bargaining team sent out a straw poll to the membership on a set of proposals from UC management. Members were told the strawpoll was nonbinding and just to see if members liked the offer and wanted to vote on it. Then, very shortly after this strawpoll in which a slim majority of members said they wanted to take it to a ratification vote, there was a ratification vote on this tentative agreement. The tentative agreement was ratified by a majority of voters and the agreement became the contract for the next 3 years.

It appears to be in good faith that the union leadership gave members the chance to vote, twice, and both times the tentative agreement won by a majority, but this ratification was a highly controversial issue within the union for a number of reasons. The criticisms[69] of the vote can be broken down into two categories 1. procedural and fairness criticisms that show that the entire process was illegitimate and biased and 2. strategic criticisms that exist independently of the fairness of the ratification process.

[69] For example: Phillips, Tara and Shannon Ikebe. 2018. “Recent UC student worker contract is regressive.” *Daily Cal*. Retrieved Aug. 17, 2023 (https://www.dailycal.org/2018/09/14/recent-uc-student-workers-contract-is-regressive/).

First there are the procedural and fairness criticisms, these were the issues that were the center of a formal complaint to the union leadership which is referred to as the Mussman Appeal[7071]. The strawpoll language wasn't a yes or no on the agreement, it raised the stakes of a "No" vote to "No and I commit to striking for more". Most people have never gone on strike and asking someone if they are strike ready is usually the end of a process of political education about what a strike is and how it looks and what it does etc., as was done in 2013 as part of the process of calling a strike authorization vote. To suddenly ask the members if they want to accept an offer or go on strike the vote is skewed toward the yes side, or not voting at all. A double barreled question like this is inherently biased, which is something you would expect the social scientists on the bargaining team to know. The results of the straw poll were 52.6% yes 47.4% no.

The bargaining team then voted whether or not to send the tentative agreement to the membership to vote on for ratification. The vote for this was 8 yes, 7 no, 1 abstention. The problem here is that by the bargaining team's own internal agreement a majority was defined explicitly as 10 yes votes because the full bargaining team of 18 consists of 2 representatives from each of the 9 UC campuses represented by 2865 at this time. However, at the time of the vote UC Merced was currently without reps. Instead of waiting for UC Merced to be able to hold a vote to replace these reps and then vote on whether to call a ratification vote, the bargaining team disenfranchised UC Merced members at the bargaining table and violated their own agreement about how a majority was defined. But even if we allow for Merced to not have reps, since its members would get to vote on the straw poll and the ratification vote and even if we used a different understanding of the bargaining team agreement and allowed for a majority to just be 50%+1 of the current bargaining team (16 people) instead of the full team (18 people)

[70] Mussman, Mary. 2018. "Mussman Appeal." Retrieved Aug 17, 2023 (https://web.archive.org/web/20190706153423/https://mussmanappeal.wordpress.com/).
[71] I was a signatory to the Mussman Appeal.

that still leaves a majority defined as 9 (50% of 16 is 8, 8 +1=9). So it's very difficult to call this vote fair or legitimate.

Next, a single member of the bargaining team sent out the ratification vote to the membership, instead of the vote being managed by the Elections Committee. The Elections Committee should have crafted the language and voted on how to carry out the vote according to the local's own bylaws. When this was called out there was a mass resignation of election committee representatives , which should always set off some red flags. Only one elections committee member remained after this mass resignation.Then the executive board, run by OSWP, took over running the election instead of waiting for the Elections Committee to be restaffed.

OSWP leadership then instructed the full time professional staffers under their control to put all their energy into a get out the vote drive in which they make clear that members should vote yes. Members were told that the "Union's position" was officially "Yes", despite the fact that the union - the actual members - were having that vote right now so that wasn't as of yet decided. Instead the leadership (the slim majority of it) was equated with "the union" in the way that third parties the union - the union being equated with the officialdom and not the collective rank-and-file. So all of the union's resources were put into forcing a yes vote, which again, is difficult to call fair or unbiased.

If instructing paid staffers to tell members to vote Yes wasn't enough to bias the vote in the favor of the Yes campaign the leadership then interfered with the organizing of the Vote No campaign. Despite the yes campaign using mass texting to do outreach, the executive board told the No campaign that they were not allowed to use mass texting and instructed it to immediately stop this tactic. The Yes campaign got full use of the official union membership roster with all members' contact info, while the No side did not have access to these lists.

Adding to the chaos was that the vote was fully online and rife with technical issues. Members were reporting never receiving a ballot and as such were disenfranchised from the

process. There were concerns about ballot secrecy as a unique identification number was attached to each ballot to ensure no one voted multiple times. This was the first time that UAW 2865 used online voting for a contract ratification vote, let alone online only. There were no in-person options, as the hastily thrown together elections process was done not by an elected elections committee, but by the e-board itself, which was dominated by members of OSWP.

Then there is the language of the vote itself. The actual ballot language claimed that if we don't vote yes the union may go bankrupt in the next year and we would lose our union. We were told this was the best possible offer we could get from management. There was a long text all about why you should vote yes *on the same page as the ballot*. Then there was a little hyperlink that said if you want to read the opposition's statement for voting no click here and it would open up a new browser tab for that language. So the ballot contained only pro-Yes messages with pro-No messages not even allowed on the ballot, and cast out to another whole window. Again, it's very difficult to call any of this fair or unbiased.

Finally there is the issue of the timing of the vote. From the Straw Poll, which went out on August 13th, to the end of the ratification vote there was only ten days, since ratification took place between August 19-22nd. This didn't give members enough time to hear about the vote, or campaigners to organize and present their arguments, particularly on the No side, which wasn't able to use the material and personnel resources of the union, unlike the yes vote side. That the vote happened in the summer meant that the new cohort of graduate students about to begin school in September under this contract never had a chance to weigh in either. Was it fair to them to settle just days or weeks before they started working? And finally it may have violated UAW Constitution rule about process, according to the Mussman Appeal.

All of these issues make it clear that at every step of the ratification vote process there were violations of agreements and bylaws, and the entire process was biased in favor of a yes vote. OSWP undemocratically pushed through a contract in an illegitimate and biased process

all while silencing dissenters and scaring members into voting Yes by and telling them a No vote would bankrupt and destroy the union.

When all was said and done, the No side lost with 42% of the vote statewide. Nothing in the UAW constitution or the local bylaws prevents ratification if a majority of votes from a campus reject a contract, so it passed despite being rejected by a majority of votes at two campuses. UC Santa Cruz voted against with 83%. UC San Diego voted majority against, and a couple other campuses had very close votes with a slim majority voting yes, like Davis and Santa Barbara.

Next there are the strategic criticisms of the ratification process, which are based on an assessment of what should have been done to win a better contract. These are independent of and complimentary to the procedural and fairness criticisms just outlined. In this case OSWP chose a losing strategy and then pushed through a contract using illegitimate means.

In regards to the strawpoll, I would argue that leadership wasn't just being democratic by first using a strawpoll to see if members wanted to call to ratification, instead they were looking to hide behind a veneer of democracy to justify their wanting to cave on a mediocre contract without any attempt to force concessions from management through at least building a credible strike threat, let alone actually striking. The strawpoll wasn't a pure opinion poll, leadership did everything it could to sway the membership in its favor. And it still just barely eked out a majority in their favor. Let's put aside the concerns about legitimacy and bias of the poll itself for a moment and just analyze the strategic interpretation of the poll from the view of the OSWP leadership, the fact that 47.4% of voters were voting No on the TA as well as saying that they wanted to strike shows that there was a strong foundation for building towards a strike. A savvy union leadership would have seen that nearly half of voters were strike ready and would have tapped into those voters to begin a massive outreach campaign to the rest of the membership to get the local strike ready. Instead of caving in 10 days, leadership could have been a position to strike multiple times during fall quarter/semester.

The justification OSWP gave for why they didn't try to seriously build a potential strike was that a successful strike was impossible in the near term. While it's impossible to know if they believed it or not, the OSWP leadership used a very specific reading of Jane MacElevy's work and fixated on her idea that a strike can only be successful if it involves a supermajority of the workers. The buzz word of "majority strike" was thrown around constantly by leadership, though there was never a collective interrogation as to why a minority strike couldn't work, or what types of work stoppages might be more disruptive than others. The only justification really given by union leadership was that other UC unions recently had majority strikes and hadn't yet seen movement from UC management at the bargaining table. Absent from their discourse was any consideration for the increased leverage that would come from all the unions striking at once together.

The next point we need to investigate was whether OSWP was right about the inability of the local to have a "majority strike." However, when the numbers were disambiguated between job titles it was clear that Associate Instructors (graduate students who teach their own course) and Teaching Assistants across the UC were actually at a majority with 56% membership. The low membership numbers for undergraduate Tutors and the not as low but still under majority numbers for graduate student Readers skewed the numbers as to make the overall membership less than 50%. If we were to specifically call for a teaching strike then that would include only AIs and TAs, and those numbers were already at majority. Furthermore, tenure and tenure track faculty could respect the picket line and cancel their own classes, adding to the overall effectiveness of the strike from individuals whose work isn't included in the formula of membership numbers because these faculty cannot join UAW 2865. It is totally feasible to think that a competent union leadership could have built for a majority teaching strike in the fall quarter, and possibly even a grading strike with focused outreach on Readers. However, none of this was even discussed because OSWP had already foreclosed on any kind of fight against management from the beginning. If OSWP were serious organizers who were just concerned

about risk they would have had open strategy discussions to find the most effective method of fighting management.

Next we need to question just what a majority strike would even mean at the University of California where workers in different job titles are covered by a variety of different unions. Unionism at the UC is craft unionism, where workers are represented by different unions based on their job title. AFSCME 3299, UAW 5810, Teamsters, UPTE-CWA, UC-AFT, UAW 2865, and CNA are just some of the unions that represent employees of California's largest employer. If a strike can only be successful if it is a majority strike then how can any single union going on strike ever really be a majority strike? Even if 100% of ASEs covered by UAW 2865 went on strike it would still be a minority strike, because 100% of ASEs are far less than 50% of all UC employees. The framing of "majority" is inherently arbitrary because employees at the UC aren't in a single industrial union, all strikes under these conditions would be a minority strike unless it involved multiple unions. If larger numbers are better then the union leadership actually had a chance to have something much closer to a real majority strike that fall, as AFSCME 3299 and UPTE-CWA were both in negotiations and preparing to strike that quarter. By disclosing the possibility of striking, OSWP turned its back on other campus workers and any chance at a large (possibly majority of UC workers) strike across job titles. What the strike looked like on paper - what percent of employees "in unit" participate - is more real to the institutionally oriented, as they don't have the view of struggle from below that would have immediately recognized all the potential allies in the fight. ASEs could have gone on a strike in the fall alongside other campus unions and undergraduate allies and the university could have been seriously disrupted, or even totally shut down, through a mass picket. However, instead of fighting alongside other campus workers OSWP wrote,

> *It is unlikely that we can run a powerful enough strike to move the university. With membership at less than 50%, and most workers not feeling ready to walk off the job, our numerical strength is lacking. Our sister unions, AFSCME 3299, CNA, and UPTE, held a systemwide, majority-participation strike and have yet to see movement at the bargaining table. The best way to*

support their fight is by ratifying our wins to set important precedent for their upcoming bargaining sessions. (SOURCE: the 2018 contract ratification ballot)

The best way the union could have shown solidarity with the lowest paid workers in the UC system, the janitors, grounds keepers, food service workers, and patient care workers in the UC Medical Centers, who are also where the UC's largest population of Workers of Color are hired, would have been to join them in sympathy strike and refuse to cross the picket line as a union until ASFCME 3299 secured the gains it wanted. Given the no strikes clause in the 2865 contract this all but ensures that the union will not be organizing turnout for their strikes - contract language stipulates that UAW 2865 members have the individual right to respect other picket lines without disciplinary action, though they will be docked pay, and that the union cannot officially organize a sympathy strike. OSWP argues that the best thing the could do for them is not officially turnout in sympathy, but solidarity and resisting together have historically been labor's greatest weapon.

In summary, the 2018 contract ratification was the result of a process that could fairily be labeled illegitimate and unfair, was a strategic failure, and turned its backs on other UC workers in other unions. My argument is that the roots of all of these actions stem from the organizational model that OSWP had built the union into, it wasn't a surprise coup, it was an inevitable result of certain organizing logics - metric fixation on membership numbers propped up by a threatened existential threat, and the bureaucratic nature of the leadership which sought them to seek institutional top-down solutions only, as well as the loss of its more militant active members through their marginalization members whose strength is building the exact kind of on the ground campaign that a strike necessitates. A successful contract campaign that built associational power among the rank-and-file and the campus community and put on-the-ground pressure on management could have won more while teaching members about what organizing and striking looks like. But what happened to UAW 2865 through this process, and had started earlier with the marginalization of CLEW members, was essentially the disorganization and

demobilization of the most militant (and many of the most vulnerable) members as many people became disillusioned with the union after the failure to strike and the illegitimate means through which it happened.

Post-Ratification: The Mussman Appeal

In September of 2018, just shortly after the contract was officially ratified between UAW 2865 and the University of California, an appeal was officially filed with the local executive board and joint council against the ratification by Mary Mussman, a graduate student and UAW member from UC Berkeley, along with 48 other appellants[72]. The appeal demanded the annulment of the contract based on the claim that it was, according to the signatories, ratified in a manner that was procedurally illegitimate. Appeals of ratifications are not unheard of in the labor movement, but they are rare, and almost never overturn a contract. Instead, dissidents sometimes use appeals in hope that a higher body or independent body can make a ruling and legitimize their claims. Legitimizing claims of unfairness or bylaw violations can potentially impact future elections within the union, and as such some reformers use appeals as a long term accountability strategy.

At the time of the executive board's investigation into the matter the board consisted of two people who were on the bargaining team as either members or as "alternates", people who were voted in to be able to substitute for an official member of the team if they were unavailable. Before the ruling, members tried to get these two individuals to recuse themselves from the process, due to the obvious conflict of interest - as the e-board was supposed to be investigating the behavior of the bargaining team, yet some of the very people on that team were now investigating and ruling on the team's own behavior. The two individuals did not recuse themselves and the executive board ruled against the appeal. This response by the

[72] Myself included.

executive board led to a second step in the appeal process and an appeal of the executive board's ruling was filed with the local Joint Council in February of 2019[73] and was eventually voted down.

While OSWP was able to push through the contract while skirting legitimate democratic established processes the nature of their actions scorned many members, and there was even a split within their own ranks, with their left wing breaking off after finally being disillusioned of OSWP's efficacy. The 2018 contract ratification was a polarizing event, some dissidents declaring "The conservative turn of the present UAW 2865 leadership is now undeniable."[74] The problem that arose for OSWP was how to hold on the power despite declining support. Their response was to ramp up personal attacks against dissenters, and the Mussman Appeal gave cover - they could now argue that a small number of "anti-union" workers were trying to undermine the "democratically" voted on contract, which they argued was essentially union busting.

Appellants were called anti-union and union busters, and dismissed by leadership, so that in meetings and in other union spaces they didn't have to address these complaints in front of other members who were not as aware of the situation. There was never any notification to the members about this appeal or the process from the executive board or Joint Council, so the vast majority of members were totally in the dark about the process as it was going on. This kept the dissenters marginalized and their ideas contained, and was a failure in union transparency, OSWP responded by saying that the appellants were engaging in illegal "direct dealing" with management, when management circumvents the union and tries to come to an agreement with rank-and-file members directly, because a copy of the appeal was sent to UC management to inform them of the possibility that the contract may be annulled by internal

[73] To which I was also a signatory.
[74] La Voz. 2018. "La Voz: Statement on the UAW 2865 Contract Settlement." Retrieved Aug. 17, 2023 (https://lavozlit.com/statement-on-the-uaw-2865-contract-settlement/)

union processes. A couple of appellants each wrote public responses to the incessant personal attacks by OSWP leadership. I'd like to highlight the sections of one of these responses that addresses these personal attacks head on:

> *I, as well as the other 48 signatories of the appeal, are UC student workers. We believe in the collective power that this union makes possible. This is why I was deeply disappointed—along with the many hundreds of workers across California who voted no–when the potential to build this power was foreclosed by undemocratic means… We are not anti-union workers. You know this because you know who we are. We are student workers, dedicated members of the organizing committee, and active rank-and-file. Before and during the contract campaign we tabled and did walk-throughs on campuses across the state, went to JC meetings, organized actions, built CAT structures in our departments, held town halls, talked with our fellow workers, attended bargaining, shared our stories, and convinced our friends and colleagues to join us in all of this important work. We did this in order to build our union, in order to make our union strong. We did this because we believe in solidarity and worker power. Knowing many of us personally and the work we've been doing, the suggestion that we are coordinating with the boss is disappointing, and unfair… I didn't get it before, in fact, I resisted this narrative. But now I'm beginning to understand what many of my colleagues have been saying these past months about how the new union bulldozes dissent. It happens by de-legitimizing concerns, in microaggressions via email and in person, and it happens under the guise of "efficiency." You all foreclosed the fight before it could get off the ground–and now you want to chase anyone out of town who does not agree.*[75]

The phrase "chase anyone out of town who does not agree" really captures the process of how leadership dealt with dissident voices in the union since 2017 - OSWP would personally attack these people until they felt they couldn't operate in union spaces anymore. OSWP's ability to do this was enhanced by the structural changes that they carried out, as mentioned earlier. By centralizing communication they minimized horizontal communication - that is communication between rank-and-file members - which created a chokepoint for the propagation of perspectives. This also prevented rogue campuses with dissident leadership from successfully communicating its perspective to their campus membership, since communication had to go through the executive board. Furthermore, the use of professional organizers who were beholden to them meant that newer members in union spaces would hear ostensibly neutral

[75] Tara. 2019. "Tara's Response." Retrieved, Feb. 8, 2020. (https://mussmanappeal.wordpress.com/taras-response/)

information from experts who were supposed to be impartial in internal union politics and not realize how those voices were being used to amplify the OSWP line and dismiss critics.

The following testimony shows the fallout within their ranks from the contract negotiations and highlights the most problematic cultural elements of the union under OSWP, it was posted on Facebook by a friend of the author on their behalf

> *I ran in the last vacancy election on the OSWP slate. I believed that caucuses would facilitate contentious debate and dialogue, which I think is much needed in our union space, and I trusted and was friends with several of the OSWP leaders. I was wrong—I misplaced my trust, and OSWP has done serious damage… From what I've seen up close, OSWP is a case study in groupthink dynamics, has a strong tendency to demonize the opposition, expresses little to no interest in facilitating dialogue with dissenters, and is primarily focused on [membership] card campaigns at the expense of just about everything else. The OSWP election campaign is disingenuous and factually inaccurate, and clearly designed to gloss over OSWP's own contravention of the basic practices of democratic participation… I feel strongly enough about the party-level toxicity that I must openly campaign in support of the opposition caucus… I encourage you to do the same. Preventing an OSWP super-majority is the last, best chance our union has to survive as an organization we can be proud of.*[76]

When OSWP called its critics anti-union or union busters they used their power over rank-and-file members to stigmatize and marginalize not just those dissenters, but the overall effect is to marginalize all dissent as "anti-union". Note that the two testimonials just cited are not by partisan long-time AWDU or CLEW members, but by a former OSWP officer and someone who was dismissive of the dissidents critique of OSWP, but both changed their minds about OSWP after witnessing how dissenters were treated.

Mechanisms of Repression in Period 3

The other mechanism of repression found during this time is that of demobilization. If containment is a firewall, then demobilization is a fire extinguisher because it is those actions which work to suppress the undesired. It should be noted that some things can be considered

[76] Republished on my blog here: Avi. 2018. Untitled Statement. Retrieved Aug. 17, 2023 (http://workeducationresistance.blogspot.com/2018/10/former-oswp-officer-avi-ucsb-endorses.html)

both containment and demobilization because they do both. There are numerous examples of demobilization in both of the eras we are examining. In the late 90's when IUAW staff had campus newsletters defunded, in addition to cutting off the outreach of alternative perspective to other members as a containment mechanism, it also was a demobilization mechanism because it pulled support for something the staff wanted stopped. When the strike was called off unilaterally by UAW leadership, for a 90 day cool off period, this was a very clear cut case of demobilization. The demobilizing effect was twofold, firstly it stopped the strike and secondly many members felt betrayed by this and made them disengage with the union in the long run. Another example of demobilization was when IUAW staff called the police to have a dissident member removed from the bargaining room. This power move by the Admin Caucus made it clear not just to Wilderson, who was personally removed from the room, that the AC would go to extreme lengths to remove dissenters. This "making an example of" is often done by states repressing social movements to the more radical and more vocal elements, and there is certainly a racialized element to this historically and within the UAW (which has its own history of racial exclusion and repression[77]). The stigmatization of any critique of the AC or the IUAW, as exemplified by the quote by Larimore-Hall, is not only containment, but is also demobilization, as it also increases the personal emotional and social toll on dissenters to continue to participate in a space where they are having mud slung at them. Overall containment seems to be the mechanism of choice for this era, but demobilization mechanisms were used at times.

Under OSWP's leadership there are also some examples of demobilization. As previously mentioned stigma functions as both containment and demobilization. OSWP's stigmatization of criticizing the staffers, themselves, or the ratification process all function as demobilization. The intense personal attacks against people's character drove many dissidents

[77] See Georgakas and Surkin. 2012. *Detroit, I Do Mind Dying.* Chicago: Haymarket Books.

away from the union entirely, which assured the continued dominance of OSWP as elected leaders for years to come. The other example of demobilization during this era came after mobilizing members to come out to bargaining and build support for the contract demands, and it involved switching gears to getting members to lower their expectations of what was pragmatic and what was possible to win at that time. OSWP mobilized members to come to open bargaining and agitated around the contract demands, but as it got later in the negotiations they switched to discussing how the union didn't have the membership numbers to win because only a (super)majority strike can win. They also started fear mongering about how if the union didn't accept the UC's offer the local could go broke within a year. They also pointed to other UC unions who had been bargaining much longer with the University and didn't have better offers than what 2865 had received. All of this messaging worked to shift member expectations and demobilize them to accept the offer made by the university at the time of the straw poll. The flip side of this would have been to continue to build for a strike and work alongside the other unions to strike together and win more together.

Comparing the Bureaucratic Models

The tensions and conflicts within UAW 2865 reflect the same dynamics in organized labor throughout US history since the New Deal - between bureaucracy and democracy, between the channeling of class conflict through formalized institutional channels and between the wildcat energy of the collective action of the rank-and-file, and between top-down organization that squashes dissent and the polyvocality of the rank-and-file dissidents all critical of the union leadership for a variety of different reasons.

Under both the Admin Caucus and OSWP business unionism thrived. While there are notable differences between the union under the AC and OSWP, in regards to the dynamics we

are examining there are many similarities: both developed a top-down bureaucratic structure that centralized power and communications; both marginalized dissenters and stigmatized dissent; both emphasized formal representation over mass debate and participatory democracy; both had organizing cultures that focused primarily on signing up new members; and while OSWP at first had open bargaining by the end it was pulling late night bargaining sessions and having closed sidebars more and more often mirroring the closed bargaining of the AC.

Under the AC, the President had nearly all the power, and directed the paid organizers. All communication to the membership was gatekept through the President and Executive Board and needed to be approved. Campus leadership (Unit Chairs and Head Stewards) was not allowed to use official union resources on any project that wasn't pre-approved by the President. In the pre-recognition era the AC cut all funding to campus newsletters, in the post-recognition era it refused to provide resources to campus leadership to use for autonomous locally-directed organizing, as the example of the e-board refusing to provide colored paper unless the campus leadership promised only to print approved flyers on it illustrated. Under OSWP's "professionalization" outside organizers were hired along with a full time communications director. OSWP took away the power of campus leadership to directly email members at their campus. Centralizing power and communications are mutually reinforcing, as they establish a chain-of-command style of communication where orders come down from the top and the diversity of viewpoints, especially dissenting ones, can be limited. The quoted interview with the former AC president Larimoore-Hall showed a disdain with polyvocality, dismissing newsletters as, to paraphrase, "academics just like to write things". The tightly controlled top-down communication of the AC and OSWP contrasts sharply to the polyvocality of the dissenters, who wrote newsletters and blogs to spread their point of view, and with the established practices of the union during the AWDU era where local officers could directly email the membership.

Tightly controlled top-down communication, like the kind used by the AC and OSWP, is more suited for command structures, not political debate. Dissenting views were not spread,

and as such dissenters were marginalized and dissent itself was stigmatized. When the only narrative a rank-and-file member hears is the singular official narrative that either doesn't say anything about dissent- like the total lack of communications from OSWP to the membership about the Mussman Appeal- or it is used to dismiss dissent and stigmatize it - as in the case of dissenters being called "anti-union". The shift to professional organizers also reinforced the centralization of communication and the extinguishing of dissent, as the example of OSWP saying that no criticism of paid organizers is allowed on Organizing Committee email threads because the paid organizers are on those threads and the criticism creates a "hostile work environment". One of the ways the AC marginalized dissenting voices pre-recognition was when they would change meetings locations without notifying the dissenters so that they couldn't be in the room. The most extreme example of sidelining dissent from the AC is when they called the police on Frank Wilderson to have him removed from the bargaining room, preventing Frank from speaking dissenting views in that room but also from learning what happened during these closed door bargaining sessions and communicating that to other members. So when communication channels can't be tightly controlled dissent can be stopped in other ways.

The hiring of professional organizers also helped the shift away from political debate to command structure, as noted earlier, members getting newly involved with the union would be taught a technical set of skills from an "expert". However, organizing skills and how to use them aren't just technical, they are a political question. The entire history of this local is about these very questions, with different groups having very different political opinions about these types of practices. The use of outside professionals to train members in a technical set of skills depoliticizes this debate about practice and therefore sets a default to a particular set of practices and political orientation.

Lacking communications structures that can allow for political debate, when input and decision making is needed at a large scale level the gap can be and has been filled with polls. The strawpoll used before the 2018 ratification vote is a top-down way to get input from

membership without discussion and debate between members, as a town hall or mass meeting would provide.

The strawpoll is also a great example of formalism over democratic participation, as normally before a strike a union would build up for a strike vote with large strike meetings and town halls to get members together to discuss and debate strategy and tactics. In lieu of these collective discussions OSWP used a more individualized form of political communication - sending out a form for a member to check off a box on and send back to the leadership. Despite the fact that the strawpoll is a very limited and poor substitute for the type of political discussion and debate that happens in town halls and strike meetings OSWP has argued that it is more democratic because more members can “have a voice”, despite the fact that this voice is limited to the two predetermined options of yes or no and not a open ended discussion with one’s peers; larger numbers of votes means more democratic. All of these factors- centralization of power and communications, marginalization of dissent and lack of political debate, and the hiring of professionals- are all mutually reinforcing.

Primary to both the AC and OSWP’s organizing practice was signing up new members. The AC was explicit that they expected at least 60% of a paid organizer’s time would go to signing up new members, and that volunteer organizers were expected to spend 5-10 hours per week signing up new members. As pointed out earlier, when one considers grievances and meetings there isn’t much time left for other activities. Justified by the “existential threat” of the impending Janus v AFSCME ruling, OSWP made signing up members the sole focus on organizing. Meetings of the Organizing Committee were little more than a report back of “walkthroughs” (door knocking grad student offices and labs) and announcing how many new members were signed up. The replacement of a political culture with a top-down command structure combined with a singular focus on signing up new members prompted dissidents to raise the critique that this model tends to treat members as merely a source of dues that funds the “real” work done by experts and leaders, that meaningful participation by the rank-and-file is

not valued. This is why dissenters talk about the union bureaucracy, and why its antidote is real democracy.

When AWDU established the Anti-Oppression Committee (AOC) it was a structural reform, creating a committee and funding a 50% time position (the same level of funding as other paid positions for elected leaders in the union) for a paid coordinator position for the committee, that the committee would have autonomy over hiring it was also intended to bring about cultural changes in the union's daily organizing practices. This came about through a discussion and debate about transforming the union culture, and the result was a committee who was constantly reminding involved members and elected leaders that our daily practices are political. This contrasts to the depoliticization of organizing through the use of paid organizers showing members how to best get membership cards signed under OSWP. The AOC was one of the first targets of OSWP for defunding. In fact when the professional organizers unionized they explicitly tried to leave out the paid AOC position, and after they were unsuccessful OSWP just defunded the committee so that there was no paid coordinator.

Both the AC and OSWP were dismissive of "student activism" and could be dismissive of social justice issues that members raised. As Mandy Cohen explained, AWDU formed after many members were involved with the student movement of 2009-10 and saw the union was absent from this historically important struggle. In 2018 some remaining AWDU members brought a disarm/demilitarize demand to the OSWP leadership to include in bargaining. The union brought it to management, but didn't do any organizing around the issue, and then dropped the fight for it altogether and told the creators of the demand that it was ideological and non-material, then told the membership it was a historic victory that the UC agreed to have a meeting with the union at a later date about if campus police was a threat to student worker safety. When OSWP came to power the dissidents it targeted first were queer/trans organizers, many of whom were POC, and when one long time union organizer with years as a head steward applied for one of the paid positions it was communicated publicly that this person had

“no experience”- meaning no experience that was valued by those in power, doing anti-oppression work within the union and doing work in social justice movements including Black Lives Matter.

The final point of commonality between the AC and OSWP was their bargaining strategy. The AC never had open bargaining, whereas OSWP started with open bargaining but as time went on it became less and less open and less accessible. At first it looked like OSWP was using AWDU-style bargaining, despite their stated disdain for all things AWDU, but even during this open bargaining member participation was minimal and members were mostly there to watch the discussion over contract language between management and the bargaining team. As time went on the pacing of meetings, their frequency and length increased, making attending bargaining less accessible, and more frequently the bargaining team used sidebars and other closed door meetings with management. Both relied on movement happening in the bargaining room, as opposed to the AWDU strategy of relying on movement happening outside the room. For the AC this seemed to be a principle of negotiations for them, for OSWP it may have stemmed from their stated belief that the union was weaker due to AWDU because of a declining membership percentage and their belief that only majority strikes can win. Some dissidents suspected that the leadership wanted to settle a contract as quickly as possible so that they could focus on organizing researchers, which would bring a huge influx of money from the International. Motivations can only be speculated at, but after the contract was ratified the leadership did focus on researcher organizing and the IUAW did pay for field organizers, so whether this was a motivation or just pressure from above coming from the IUAW it seems like it may be a contributing factor in why the contract was settled when it was.

In conclusion, since the founding of UAW 2865 it has been a hotbed of conflict between rank-and-file forces fighting for a more militant and democratic union that has a vision of unionism that goes beyond the basic “bread and butter” demands of traditional unionism on the one hand and more conservative forces that try to build up a bureaucracy that consolidate

powers into a top-down command structure and prioritizes using institutionalized channels of contentious politics.

Analysis: Mechanisms of Repression

The history of UAW 2865 can be broken down into three periods, each of which serves as a case study of how the repression of rank-and-file militancy stems from the model of unionism being practiced. In its first era, the burgeoning union fighting for recognition was eventually dominated by the Admin Caucus of the IUAW which quickly bureaucratized the union after its first contract was signed. In this era the Admin Caucus engaged in repression of rank-and-file militancy and autonomous organizing. The local was functionally just another source of dues money and Voluntary Community Action Program (V-CAP), the fund which includes its Political Action Committee (PAC) that the UAW uses to lobby and support political projects. These resources are part of the Admin Caucus's top-down and institutional strategy of political contention.

The second era of the union is the 2011-2017 era where the reform caucus AWDU was in control of the union. AWDU leaders broke up the centralized power and communications of the local and tried building rank-and-file power through shifting the culture and practices of the union. Commitments to anti-oppression work and social movement support were central to the AWDU model, imperfect as they may have been at times. During the 2013-14 contract negotiations the union leadership prioritized building rank-and-file power and participation. During this era we have a negative case of repression, there was no repression of the rank-and-file because rank-and-file members who wanted to use the union to fight for issues they cared about found the open and democratic culture made that possible. Take for example the "sudden" shift of the union after contract ratification in 2014 toward work supporting the Black uprising that later was dubbed the Black Lives Matter Movement as well as the local's turn

toward Palestiniansolidarity and the BDS movement. While anti-oppression was central to AWDU's model, there was no explicit organizing around these issues until members decided that they wanted to use the union to support these movements. Instead of marginalizing these members and arguing that the role of the union is to simply enforce the contract, the democratic culture of the local allowed for members to transform into what they wanted it to be, in this case a union that fights anti-Blackness and Zionism.

The third era of the union is defined by the re-bureaucratization of the union under the leadership of the OSWP caucus. The threat of the Janus v. AFSCME Supreme Court case to take away agency fees from all public sector unions was used to reform the local by centralizing power and communications and hiring outside professionals as full-time staffers. A new union culture was developed, in part by marginalizing those who wanted to carry on the old AWDU ways, which equated power with higher membership numbers. Dissent was shut down and stigmatized and the last bastion of old AWDU ways that was still institutionalized in the union, the Anti-Oppression Committee was defunded. Contract negotiations started out feeling like the open bargaining of 2013-14, but members soon complained that they were less participatory and more observational. By the end of contract negotiations the bargaining team had switched to holding long bargaining sessions well into the night multiple times per week and division within the bargaining team was clear, at a near 50/50 split. The process of ratifying the new contract was rife with allegations of violations of the UAW constitution and the local bylaws and bargaining team agreements, as well as accusations of unfairness in the vote. Again, we find the process of bureaucratization going hand in hand with rank-and-file repression.

The bureaucratic model of business unionism built by the Admin Caucus and by OSWP was only established by engaging in repression of rank-and-file members. Two mechanisms of repression identified are containment and demobilization. *Containment* was largely used to prevent exposing rank-and-file members to dissident ideas and voices. The main way this was done was through shutting down campus newsletters and centralizing communications, only

allowing approved communications to go out to the membership. What could be viewed as "micromanaging" the use of resources, the colored paper example, is better viewed as an example of containment, as the AC is preventing any use of union resources for unapproved communications. Another way the AC contained dissidents was by excluding dissidents from official union spaces in certain instances, such as when meeting times or locations were changed at the last minute without notice. By keeping dissidents out of union spaces at times the AC was preventing any rank-and-file members present at these meetings from being exposed to dissident voices and ideas. When OSWP was in charge of the union communications were recentralized and approval was required to send out notices to members. Furthermore, a full time professional communications staff member was hired, who reported directly to the top leadership. Also rules were implemented on email listservs to prevent any critique of union staff organizers. These paid staffers were then used to push only a "yes" vote on the ratification of the contract instead of being neutral and just doing get out the vote work. Finally, the official ratification ballot was biased toward the "yes" side as it contained the full text of the argument for the "yes" vote, while the "no" vote was only accessible by clicking a hyperlink that brought up a totally different webpage.

The other mechanism of repression that can be found under both the AC and OSWP is demobilization. Demobilization is those actions used to halt the undesired actions of dissidents. In both eras the broadest form of demobilization occurs around bargaining and trying to control the militancy and expectations of the rank-and-file. Whether it is the AC calling off a strike for a cooling off period, or OSWP switching gears to warning members about the alleged harm that would be done to the union if members kept their expectations higher and wanted to escalate the fight, it seems this is the riskiest demobilization that union leaders can engage in. However, not doing so can make them be perceived as not fighting for the members, so union leaders often have to walk the line of not appearing like a pushover and not agitating members to the point that members' expectations are considered "too high".

Finally, in both eras there are instances of targeting specific “trouble makers” for marginalization, which functions as both containment and demobilization. By stigmatizing dissent and personally attacking dissenters, those in power are drawing a strong line of acceptable discourse, and rank-and-file members learn that they must steer clear of that discourse and not associate with those people, or they too will be marked for ridicule. It is also a form of demobilization as it increases the personal emotional, mental, and social cost of dissenting, and can eventually drive people away when they’ve had enough. Under the AC dissenters were said to be “shitting on the union” for raising (valid) critiques of the AC. Under OSWP dissenters were called “anti-democracy”, “anti-union”, and OSWP told members that if they had their way the union would go bankrupt and there wouldn’t be a union anymore.

CHAPTER 4 - THE COLA WILDCAT STRIKE of 2019-2020

"It has to start somewhere. It has to start sometime. What better place than here? What better time than now?" -Zach de la Rocha[78]

The UC system is set up so that there is an instructor of record - a Professor, a Lecturer, or a graduate student Associate Instructor - who teaches the full class of students, while Teaching Assistants, who are almost always graduate students, supplement instruction through smaller "discussion sections" or "labs" and are also responsible for grading all the students' work. It is this very structure that enables a public research university to be a research university. If professors had to grade for all of their students their workload would be so much that either they wouldn't be able to put any time into research, or they would only be able to teach smaller classes, but it is precisely the economies of scale that allows the research university to offer the competitive salary to top researchers. Without graduate students picking up the grunt work for them, and shrinking class sizes, these institutions couldn't compete with private universities that can charge exorbitant tuition to cover faculty salary. Furthermore, I would argue from my personal experience as a TA and Associate Instructor in the UC system and from conversations with my peers in and beyond my department and my campus, that the grade distribution is the "product" that is the most important to the UC system. There are guidelines about expected grade distributions and most of the training TAs receive isn't on pedagogy but is strictly about the grade distribution. I've never heard of anyone getting reprimanded or disciplined for bad teaching or for being disrespectful to their students, but I personally know of multiple cases in which warnings were issued to faculty, lecturers, and grad student Associate Instructors because their class average was "too high" or there were "too

[78] From the Rage Against the Machine song Guerrilla Radio, on the album The Battle of Los Angeles, released in 1999 by Epic Records.

many A's". This will be explored more in depth later discussions of wildcatter strategy. Graduate Student TA labor is the foundation therefore of the entire UC system, without which the system cannot produce its grade distribution nor can the very model survive.

On December 8th, 2019 just as final exams were about to begin hundreds of graduate students at the University of California Santa Cruz campus, currently under a contract between the UC and the UAW 2865 with a no strikes clause, voted to go on a wildcat strike by withholding grades until they received a Cost of Living Adjustment (COLA). Graduate Student Workers at the UC system are paid less than a living wage according to the MIT Living Wage Calculator[79] (assuming a single adult with no children) in all of the counties that UC campuses are in. TAs at the UC typically make less than 2/3rds of what the living wage calculator says they need to make in their county. UC management wasn't unaware of the problem, their own report[80] from 2010 concluded that UC graduate programs are becoming less competitive and the primary reason is financial. With Santa Cruz being a particularly expensive city the rent burden of graduate students was well over the suggested 30% of their income, and many graduate students reported experiencing homelessness-, sleeping in their cars, couch surfing, and more. Under these conditions the call for a strike over getting a Cost of Living Adjustment, resonated deeply with many student workers.

UC management needed to get ahold of the situation and stop the disruption of its core functioning, but they also didn't want to just cave to the demands of the wildcatters, UC management has fought hard against raises for all its campus workers ang just caving to a few wildcatters at one campus could set precedent for the tens of thousands of employees across its ten campuses. Management refused to recognize the wildcatters as a legitimate group to negotiate with, claiming that labor law prevented them from "direct dealing" and that the UAW

[79] See the Calculator at https://livingwage.mit.edu/
[80] See "Findings from the Graduate Student Support Survey: Trends in the comparability of graduate student stipends" from the University of California Office of the President (2010).

2865 was the only legitimate body for them to discuss the matters with. UAW 2865 leadership, for reasons we will get into, was not supportive of the wildcat, and was required by labor law not to organize support for the wildcat, so its initial response was to try to stop the strike and then to ignore it, however the action at Santa Cruz picked up steam during Winter quarter, especially in February, after the COLA wildcatters began a full teaching strike and physical picket line. After police brutality against the strikers and undergraduate supporters and some arrests, and threats of firings to those who hadn't turned in Fall Quarter grades, which eventually resulted in about 82 people being fired, really increased both the visibility and urgency of the movement and support grew at other campuses, building for the potential of a full blown UC-wide wildcat strike.

The unofficial nature of the wildcat meant that smaller groups of supporters at other campuses could decide to withhold their labor without worrying about majority thresholds of an official union strike vote. The organizing approach and the specific organizing conditions were different at each campus, and this chapter will dissect some of this to discuss not only why and how the wildcat kicked off at Santa Cruz, but also explain differences in how the strike spread or not to other campuses. Of particular interest will be Santa Barbara, the first campus to join Santa Cruz, and the contrast between Berkeley and Los Angeles. It will be argued that one of the most important factors in understanding the diffusion of the movement across the UC is the presence or absence of the caucus in charge at the statewide level - Organizing for Student Worker Power aka OSWP. In campuses where OSWP had a weak presence the wildcat was able to grow and thrive, but in places where OSWP had a strong presence the wildcat organizers faced an additional obstacle to their wildcat organizing, the counter-organizing by individuals who could claim to represent the official union position. Whereas UCSC wildcatters had to face the strike breaking of the administration and the brutality of the UC police, UCLA wildcatters had to face strike breaking by their own elected union leaders and their supporters. The blowback from the administration and police strikebreaking led to more supporters of the wildcat, whereas the strikebreaking by OSWP members at UCLA didn't spur the same support,

rather it marginalized wildcatters and kept the rank-and-file divided on their support for the wildcat.

Unfortunately the sudden global spread of the Covid-19 virus that disrupted the world also disrupted the strike just as it was really beginning to spread. The physical picket line ended in March, and the virtual picket line never really took off. The movement tried to adapt, but these conditions were unprecedented, and virtual organizing of remote workers during a pandemic is something the labor movement is still learning how to do. There was hope among some of the wildcatters that the strike would regain steam as it became official, since the leadership of UAW 2865 claimed it was organizing an official Unfair Labor Practices strike in response to numerous things the UC had done since the start of the COLA strike, but the ULP strike never happened. UAW 2865 leadership would likely say they tried hard but the support just wasn't there while critics raised complaints about "moving the goalpost" in regards to just how much support was necessary before leadership would call an official strike vote. If the previous chapter on the history of UAW 2865 wasn't enough of an indication, a significant portion of the discussion in this chapter will be about the relationship of the rank-and-file to the union leadership and the struggle between democracy and militancy on the one hand and bureaucracy on the other.

This chapter is broken down into four sections. The *first* is about the emergence of the COLA movement at UCSC and the relationship between organization and spontaneity. The *second* section examines the wildcat movement at UCSC after it begins through its finish and the causes of its escalation from a grading strike to a full teaching strike. The *third* section is about the diffusion of the movement to other campuses and how the absence or weak presence of OSWP leadership led to better organizing conditions and outcomes. The *fourth* is an overall examination of the union leadership response to COLA at UCSC and its use of the same three mechanisms of repression - containment, demobilization, and credit stealing - that was seen in the previous chapter. The *fifth* and final section is a qualitative analysis of respondents' answers to three direct questions about their views on the union leadership and what is has done and

what changes they think should be made in the union. Examining these parts together shows how the bureaucratic reforms pushed by OSWP leadership in 2017-18 created a union structure not just incapable of facilitating social movement activity but one that activity hindered it.

Spontaneity Plus Organization - Kicking off the Wildcat

The emergence of the COLA movement has to be seen as a direct response to the contract ratification vote of 2018 which was hugely unpopular at UC Santa Cruz. UCSC voted overwhelmingly against ratifying the tentative agreement with 83% voting no. The three-year long contract essentially locked in the financial struggles of graduate student workers for the immediate future, cutting off any direct avenue to fight back through their union. There was the Mussman Appeal, but that was spearheaded by members at Berkeley, and it's only realistic chance for success was as an agitational issue to build a rank-and-file rebellion, without which it there was no way the leadership was going to overturn the contract they pushed for, especially because it would have been a condemnation of their own undemocratic behavior given the arguments in the Messman Appeal. This doesn’t mean the appeal was a waste of time, quite the opposite, it laid the groundwork for the next wave of opposition. It was the networks of dissidents built or sustained during the appeal that channeled much of the early COLA organizing on some campuses. After the marginalization and personal attacks on dissenters involved with the Collective Liberation for Education Workers (CLEW) slate and the Anti-Oppression Committee (AOC) and the unfair nature of the ratification vote process many rank-and-file dissenters were turning away from the union space altogether, either because of the intense bullying and microaggressions they faced and/or because it appeared to be a dead end for the type of politics they wanted to put into practice. The Mussman Appeal was an immediate response that kept some dissenters either involved or watching what was happening, and it was

an issue that was able to coalesce together some of the frayed network of dissenters on some campuses.

AT UCSC some of the dissidents turned their energy toward other campaigns outside the union, and even outside the university, to try to alleviate their financial burden and push back against the housing crisis. For some it was the statewide proposition campaign to repeal the Costa-Hawkins Rental Housing Act, Proposition 10 Local Rent Control Initiative[81], which would allow local governments to enact rent control, which was eventually defeated in November 2018. Another space where people turned their energy to was the Ross Camp, a homeless camp that Santa Cruz city officials opposed and eventually shut down in May of 2019.

In April of 2019 some of these dissidents got together and discussed what their next steps were. The decision was between a Tenants Union campaign and a Living Wage campaign. They decided to pursue the Living Wage Campaign through the demand of a Cost of Living Adjustment (COLA) and to run for leadership positions in both the Graduate Student Association (GSA) and in the union at the campus level. As one interviewee explained

> ***Participant(2):*** *...And then we were at kind of a fork in our organizing plan where we were deciding whether to do tenants unions or a living wage campaign. And we ended up going for the living wage campaign for focusing our efforts. And we decided on COLA, cost of living adjustment, in a meeting and decided that if we wanted to get this, we would need to run for both union positions and GSA positions, the GSA would give us a budget and funding where the union wouldn't. The GSA would give us access to more meetings with administrators and the UAW wouldn't. And in general, and we would have liked easier access to communicating with grad students where in the UAW, our emails, I don't know if it was at that point, but certainly shortly after that point, our emails would have to go through the executive board and our campaigns at Santa Cruz. We're pretty different from statewide priorities. We weren't as interested in statewide priorities of electoral, sort of more electoral strategy. We're more interested in on-the-ground member-focused campaigns, like COLA took off as a result of that kind of focus.*

From this excerpt we see that the union leadership and the model they had built was not just seen as an ineffective dead end, the critique of being electorally focused for example, but that the strategy for organizing was going to have to be centered around concerns about the repressive elements of the current union structure, such as the consolidation of communication

[81] For more info on the proposition see Ballotpedia (2018) https://ballotpedia.org/California_Proposition_10,_Local_Rent_Control_Initiative_(2018).

and the elimination of campus controlled budgets for autonomous local organizing projects. In the absence of the resources and infrastructure of the whole union at their disposal they elected to supplement that with the resources and communication infrastructure of the GSA. That this was an option was an element of the terrain that was to their advantage that for example, dissident autoworkers don't have readily available for a political takeover to be used as a partial substitute for their lack of control over their UAW local. While other campuses had their frayed dissident networks partially salvaged through the Mussman Appeal, dissidents at UCSC were able to secure both the campus unit leadership positions and the GSA. One final factor to be discussed here is that this was only possible because of the absence of members belonging to the leadership caucus, Organizing for Student Worker Power (OSWP) who would later change their name to Union for All (UfA). As argued in the previous chapter, part of what the OSWP project of bureaucratization included was the disorganizing of the membership by pushing out dissidents and breaking down these networks - e.g. consolidating communications so there was less lateral communication between rank-and-file members and more one way top down communication from leadership to members- so that OSWP was the only or the dominant group in the union. It should be stated that the union space did have its own fraying from a separate issue involving the division of union activists in regards to their support for calling for the firing of a popular leftist professor accused of sexual harassment, Gopal Balakrishnan.

To summarize, the conditions at UCSC compared to other UC campuses were more favorable for potential social movement activity - it had the highest percentage of votes against the 2018 contract, the cost of living was higher near UCSC than many other UCSC campuses, and there was an absence of the OSWP caucus on the campus.

Killian (1984) shows how the social movements literature went from a lack of emphasis on organization and planning to a lack of emphasis on spontaneity and emergence and through the case study of the Civil RIghts Movement in Tallahassee Florida reveals that understanding the importance of both sides of the spectrum and how they relate. The UCSC COLA wildcat

similarly cannot be understood without examining the relationship between organization and spontaneity and the dependence of each on one another. The small network of COLA leaders who were planning a long term campaign and the preexisting structure of the Graduate Student Association which they were able to take leadership over and use the resources of to support their COLA campaign were essential to the wildcat happening. However, it was the spontaneity of random opportunities that emerged and the sudden unplanned calls for immediate radical action by rank-and-file workers that drastically altered the timeline of the campaign, turning the wildcat from a hope into a reality.

One of the core COLA organizers explains the planning they did for a year-long campaign that would start with smaller actions to raise awareness and bring the demand to the administration and they hoped might eventually lead to a strike in Spring quarter.

> ***Participant(2):*** *Yeah, well, so we got these positions. And spring, I think this summer was like kind of, you know, people were going home and things like that. And the fall we had a GSA retreat where we were planning out the year and it's funded through the GSA. So we we had this weekend where we went off to a cabin. And at that retreat, we thought about how do we get from where we are to COLA the living wage. And we had planned out actually quarter by quarter different strategies or priorities that we would want that would lead us to the living wage. A strike was, like, conceivably sometime in the future, but we didn't expect it to be soon. Fall was meant to be focused on getting the word out, getting people, everybody to know what COLA is…*

Plans for the fall included a COLA campout at the entrance to campus, flyering, button making, and meetings and rallies. The plan for the campaign was to slowly escalate from visibility to getting everyone involved in prepping for actions to a full out strike. In hindsight it might seem quaint given how quickly things ended up escalating, but it actually was an ambitious plan with high hopes trying to realistically build itself up brick by brick, laying the groundwork while remaining open to respond to developments, as this participant continues to explain.

> ***Participant(2):*** *But the focus of fall quarter was to get the word out so everybody knows what it is. Winter quarter was meant to be teach-ins where we would try to have as many teachers and as many departments as possible to to get people to not only know what it is, but understand how we get there, understand why it's important. It would include educating undergrads and just sort of like everybody knows the word now, everybody knows the context. And then spring quarter was meant to be more escalated actions, which was sort of open. You can't plan that far ahead for you don't know. You have to know how the whole year goes.*

After a few weeks of awareness raising about COLA there was a march to the administration offices to deliver their demands for a COLA to Chancellor Larive and Provost and Executive Vice Chancellor Kletzer that participants estimated to have had about 200 people in it on November 7, 2019. The text of the demand reads as follows

> *Dear Chancellor Larive,*
> *We deliver this letter to you as underpaid and rent-burdened graduate students at the University of California, Santa Cruz. We graduate students write to you demanding a Cost of Living Adjustment. We have only one demand, and it is this:*
>
> ***An ongoing payment to every graduate student that would bring us out of rent burden and to wage parity with graduate students at UC Riverside. At current rates, this amounts to $1412 per month.***
>
> *By "every graduate student," we mean every graduate student at UC Santa Cruz, regardless of residence, visa category, documentation, or funding and employment status.*
>
> *With "rent burden," we refer to the material situation of crisis in the Santa Cruz housing market, where graduate students spend more than 30% of their wages on rent. We thereby find ourselves in a condition that housing scholars name "rent burden." In fact, UC Santa Cruz graduate students, who frequently spend as much as 50-60% of their wages on rent, are severely rent-burdened. Our demand for a Cost of Living Adjustment is therefore also a call for a living wage. With "wage parity," we refer to the uneven economic geography in which the University of California employs its graduate student workers. While we are nominally paid the same wage as UC Riverside graduate students (presently $2434 a month before taxes on a 9 month basis), the real purchasing power of this wage in Santa Cruz, as expressed in the cost of rent, falls far below its purchasing power in Riverside. It is in this sense that our demand for a Cost of Living Adjustment is also a call for the University of California to give equal pay for equal work.*
>
> *With "current rates," we refer to the differential housing costs between Santa Cruz County and Riverside County, based on the median rental figures for sharing a two- or three- bedroom apartment from April 2018 to August 2019, as reflected in the Zillow Rental Index.*
>
> *By "ongoing payment," we mean a monthly payment of $1412 over and above our present wages: a Cost of Living Adjustment. This Cost of Living Adjustment must itself be adjusted annually to keep up with changes in rent costs in the Santa Cruz housing market.*
>
> *UC Santa Cruz cannot fulfill its mission to produce outstanding research and to provide outstanding public education if its graduate students remain underpaid, rent-burdened, and economically precarious.*
>
> *Actions, as the banners adorning our campus would have it, speak louder than words. We demand a Cost of Living Adjustment now, and we demand it from you. This cannot wait, and we will not wait.*
>
> *Signed,*
> *UC Santa Cruz Graduate Student Association Executive Board,*

UAW Local 2865 Santa Cruz,
And other UC Santa Cruz graduate students and allies
7 November 2019

The demand of a $1,412 monthly raise from workers making around $2,000 per month may seem high, but the figures only took into consideration nine months of rent (the length of the typical academic year) despite grad students being locked into year-long leases. The figure also assumed sharing a three bedroom apartment with two other paying roommates, something parents and especially single parents couldn't do. Overall the salary that they were demanding would have put them around parity with what the MIT Living Wage calculator says was needed for a single individual with no children to live in Santa Cruz County for 2019, around $32,000. However, it should be noted that in 2021 the MIT Living Wage calculator says that for a single individual with no children $47,873 is needed, a jump of nearly 50% in just two years. Had they won a one time raise of $1,412 per month, they would already find themselves roughly $15,000 below a living wage just two years later. This is why the annual adjustment part of the demand was so important.

Clearly the crisis is still ongoing and while COLA may have ended, the underlying problems that caused it haven't been resolved. And the issues aren't isolated to UCSC either, I have heard from graduate students at UC Santa Barbara that their campus may be facing a labor shortage for Fall of 2021 as a larger than normal number of graduate students have deferred enrollment because they couldn't find housing anywhere near campus.

The core group of COLA organizers in the GSA and campus UAW 2865 leadership were able to articulate their grievances and recruit and build a base of supporters. They had a plan for raising awareness and escalating actions, but also the realization that they would have to be flexible in their campaign planning as events may not go as they had hoped. Or, as it turned out, things may go extremely well and something might get incited much quicker than they ever dreamed possible. The administration responded to the demand with their typical email to graduate students saying they are concerned and working on the problem, but after nearly a

month there was nothing to show for it and no word from admin about giving a COLA. So on December 4th one graduate student worker responded to an administrative email that had CC:ed nearly all graduate programs, giving this student access to directly emailing nearly all graduate students on the UCSC campus! Most campuses have their IT departments set up a list that emails all students in a blind carbon copy, so that they cannot respond to anyone but the IT department address. However, for some reason the communications at UCSC were set up such that a single individual could email all the department lists which forwards the email to all grad students in the respective department. Hierarchical organizations try to avoid mass horizontal communication, restricting the flow mostly downward or up the chain of command. This oversight on the part of UCSC will go down in history for allowing the infamous “fuck you pay me” email thread. As one participant explained

> ***Participant(2):*** *And then ultimately what started the strike was it was about a month after we delivered demands.____, who is a graduate student in the ____], sent out an email to the administration saying all graduate students saying it has been a month since we delivered our demands. You said you're working on short and long term solutions, but you haven't done anything. You are demonstrating to us that you are our enemy and you will not and will not support us. You not protect us. You will not give us what we need. And if that's true, you should expect this to escalate. And the executive vice chancellor, Lori Kletzer, responded to that email, essentially threatening punishment if there were any escalation. She said, you know, I hear you and you're allowed free speech and you're allowed to protest. But just keep in mind, take a look at the student conduct handbook, because we are also prepared to discipline you a horrible response to inflammatory.*

Another participant describes the event as such

> ***Participant(1):*** *[] wrote this kind of fiery email, you know, kind of. You know. In very antagonistic language, saying that we are ready to act, to collectively act to to win a COLA if if you if you will grant us one voluntarily. And this drew kind of a dismissive response from the reef. And then more grad's kind of piled on in terms of, you know, that the response from the administration just did not capture the, you know, whatever the plight of grad workers in terms of the exorbitant housing costs and just difficulties in finding housing in Santa Cruz and the cost of living generally in the area and in the bay. But then also what was striking was that there was this sense of. So there is a shared antagonism on that thread to the administration, but also this kind of this building on each other of each email where each one, each one would be there, be explicit solidarity for. So acknowledgment of prior emails, you know, I want to echo what what these people have said and I forget who exactly said the call for grading strike. But that idea was floated on the email chain and then it just it just picked up steam. And I think, you know, [], [], and, other other people who had kind of been spearheaded the campaign, you know, thought that it might be prudent to have a, have a strike, have a General Assembly strike vote to think more seriously about this.*

Another participant cites the email thread as the reason they got involved, and took the movement seriously for the first time.

> ***Participant(12):*** *Yeah, I think like most people through the initial email thread, the kind of spontaneous outpouring of anger and frustration and resentment directed at the UCSC administration was quite interesting. And unlike anything I'd seen before, I'd heard some murmurings of the campaign prior to that. But it was at that that was it was at that moment that it appeared to me as a like a serious, a serious thing to to get involved with and after that point is when basically the General Assembly occurred, where we decided to to go on a grading strike.*

Another participant explains the significance of the email thread:

> ***Participant(6):*** *So I had heard sort of rumblings about the COLA like campaign and winter or no, sorry, and fall. Was that fall 20, 19? And like I had heard the 14, 12 number getting tossed around, I basically it came down to me deciding to withhold grades. The psychology department organized pretty well to have discussions about this. I was the only to in my class who withheld grades and I withheld all the grades for the class because I graded the final. But yeah, basically by organizing in the _____ department, I got sort of plugged in, whereas I had just sort of like been hearing about it as like a vague thing that was going on and like they were talking about it on social media, but it definitely was not to the level of a wildcat strike until there was like an email chain that everybody was replied all on that sort of kick things off.*

Overall every single one of the nine participants from UCSC mentioned the big email thread, unprompted. It has become a foundational part of the story of how COLA came to be.

The pleasantly surprised COLA core organizers quickly responded with a strike poll survey among grad students. COLA organizers claim that the poll received responses from 80% grad students employed in teaching positions as TAs or AIs, with over 80% of those voting ready to strike. An additional 100 graduate students not employed as TAs or AIs responded saying they were willing to strike.

Just days later, on December 8th, there was a General Assembly attended by over 250 graduate students, either in person or virtually through Zoom. The core COLA organizers put it together and gave a presentation about COLA. None of the participants remembered any real opposition to striking at the General Assembly, just disagreements about how to go about it. If there was any opposition to striking among graduate students, they probably didn't bother attending a strike meeting, so it was a self selected group. But it is important to note here, that the absence of OSWP on their campus meant that there weren't graduate students who were

part of the labor movement and felt that they had a stake in this conversation and were opposed to breaking labor law and violating the contract with the university to go on a wildcat strike. Notably, the COLA organizers who were elected to campus union leadership all resigned during this meeting so that they could publicly support the wildcat without repercussions, with the exception of one union rep who didn't resign in order to maintain a representative for UCSC in the union structure, and walked out before the vote so as to not compromise their position. The strike vote passed easily and the strike began the next day on December 9th.

So what explains the emergence of the COLA movement? The underlying conditions (aka grievances) and the perceived failure of those in power (statewide union leadership and UC management) to do something to alleviate that problem are important, but aren't sufficient to explain COLA. As discussed earlier, the relationship between organization and spontaneity, often counterposed to each other as opposite ends of some spectrum, was central. The core COLA leadership getting organized and planning to launch a campaign, taking the steps of getting into elected leadership positions in the GSA and campus union head steward positions and then thinking through the steps of an escalating campaign of educating agitating and organizing their peers, was essential, without them the big email thread would never have happened, as it was in response to admin's lack of response to the demands they delivered. However, it is entirely possible that without the big email thread sparking things they may have faced a much slower paced campaign that might not have ever picked up the type of steam that they saw on that email thread. It was this relationship between organization and spontaneity. The organization laid the groundwork that created opportunities for a spontaneous and unexpected event to spark things, which then the organization needed to effectively respond to. The core COLA organizers weren't just proactive, they were responsive and strategic. This is a form of leadership that we don't see with overly bureaucratic organizations, which tend to be reactive and end up only being able to siphon movement activity into institutional channels.

Escalation - From Grade Strike to Full Strike

The first week of the grading strike was a flurry of organizing and actions, with something happening everyday. While there were main General Assemblies that strikers would go to to talk, strategize, debate, and make decisions, there was a proliferation of autonomous organizing - something of a tradition at the UCSC campus. Committees and other loose organizations formed to do outreach, educate, and more. Starting at the beginning of the strike, in December of 2019 ,one group of autonomous organizers planned and executed takeovers of the campus dining halls, telling students that they wouldn't have to "swipe" or pay for their meal. One participant discusses the nature of the autonomous organizing during the COLA strike,

> ***Participant(1):*** *[The COLA Agitation Committee] was more autonomous, but then it kind of became kind of official, especially after I left, after I actually moved… And that's when it really became like kind of a not an official organ, but, you know. You know, I mean, leafleting, the main leafleting mechanism for the strike or project for the strike, but at first it was pretty autonomous, which was which I think was a crucial part of the strike. I mean. Another thing we like, you know. Reaching out to the people in STEM was another was a real breakthrough. Ocean sciences, I think at Santa Cruz, they they and some one of the biology of babies, molecular biology, I'm one of those departments so organized, I mean, to an incredible degree… So I would say the kind of proliferation of these autonomous projects, cultural, also the dining hall takeover's will were key key parts of that that first week of history.*

The dining hall takeovers are often stated as one of the key actions taken by the COLA movement to show that it wasn't just about TAs, and that the movement was in solidarity with undergraduates, many of whom were struggling in their own ways.

Another way the movement was conscious of how to maintain solidarity with undergraduates was through the Undergraduate Impact Committee,

> ***Participant(2):*** *We had a group of people who were the undergraduate impact committee who were like trying to figure out, how does this, how would this harm undergraduates and how can we mitigate that harm? How can we be as knowledgeable as possible about the impact on undergraduates?*

Through this committee the movement developed a general framework for how it handled the grade withholding; grades would be withheld, but students would be informed that if they

requested their individual grade that the TA would submit the grade, as they understood that some students needed their grades sooner than others, as they might need it for financial aid, or for applying to school or internships, etc. In fact nearly every single participant said that their impression of undergraduate response was overwhelmingly positive, when asked about both their students and undergraduates in general.

> ***Participant(2):*** *Generally the only negative responses from undergrads that participants cited were from the small College Republicans group, some postings on Reddit, and the blowback from a lecture hall disruption during a Computer Science course midterm.*
>
> *Yes, I would say that mostly undergraduates were supportive. We have a small college Republicans group on campus. During the picket line, there was one day where there was a strike or a march that went through campus and a small group left the march and wanted to disrupt a classroom, which is like kind of a regular thing that would happen at a protest like this.*
>
> *And they ended up disrupting a computer science midterm and {computer science faculty] are awful during strikes. And I think it's because the computer science faculty, some of them are like just really punitive. Like if there's a strike, will you fail because you didn't walk two miles to class when the busses weren't running? You know, a lot of them punish undergraduates for the inconvenience of labor actions. So anyway, so they're already sort of like primed to hate the strike. And then when this group disrupted their midterm, it ended up being a big thing and was really harmful to perceptions of the strike...*

Core COLA organizers knew that the university would try to weaken the strike by attempting to sow division between graduate student workers and undergraduates - through what many on the internet would colloquially call “concern trolling”, meaning using fake concern for one population to undermine the cause of another population. But the long history of graduate and undergraduate solidarity in organizing and the very conscious efforts to show solidarity for the struggles of their students striking TAs won mass support from the undergraduate population, and throughout the strike the majority of people on the picket line were undergraduate students, not striking TAs - this is of course because undergrads greatly outnumber graduate students at every UC campus. The solidarity also undermined later administration efforts at surveillance and discipline, as one participant explained,

> ***Participant(3):*** *I think that we felt both heartened and frustrated when we started withholding grades because we realized, one, that the university has no surveillance whatsoever of its graduate students, accepted via the undergrads and the instructors. And so when we have really supportive instructors, it was pretty clear that that they couldn't even tell who was withholding grades and who wasn't and why. And and so I remember during early spring, the universities started creating this system for like having undergraduate students report what their TAs were and weren't doing in order to try and, like, get a hold of of that. And I remember a bunch of the undergraduates who are super supportive of what we were doing, ended up like intentionally*

sabotaging that system by filing a bunch of false reports and random gibberish and like saying that all of the teachers that were there weren't there, and all the teachers that work there were there or like flipping a coin and reporting randomly. And that system seemed to fall apart immediately because they couldn't gather any kind of accurate data, because there were so many undergraduate students who are who are flooding that system with false reports. So that was like, I think one of the ways undergraduates felt like they could get started.

That same participant shared a personal teaching story that illustrates how deep undergraduate support was by the middle of February,

> ***Participant(3):*** *Somebody called for… a full teaching strike that we were going to go beyond just the holding grades and we're just going to withhold all of the other labor that we do for free from the university. Basically, like a bunch of us go over 20 hours a week and then don't complain to the union about it, because even though we can lodge a formal complaint, either their instructors that just expect us to go above and we don't want to hurt our professional chances and relationships with those instructors. So it's either that or for me in particular, it's not so much that issue and more so I just care so deeply about students that I feel like only doing 20 hours a week isn't enough to give them the education that they need and that's incredibly expensive that they're paying for.*
>
> *And so, like not teaching was a call that was really, really hard for me. And I think I'm unique on this strategy for dealing with it. What I did is I actually had my undergraduate students vote on whether or not I struck. So I set up like an anonymous online poll through the university system. And I gave students the polling address and asked them to submit anonymously whether they would like just fully support me and striking whether they wouldn't support me in the striking but they wouldn't comment negatively on my teaching evaluations for doing that. This would have been winter. Yeah, like middle of winter where I had taught for like five weeks. Students love me because I'm a really great teacher and this is a class that I had done before and I didn't want that to wreck my teaching evaluations at the end of the quarter. And then the other option was like, no, and it would reflect negatively on your teaching evaluation. So of the 60 students in the class, like fifty nine of them said they were fully supportive of the strike and one of them said they weren't supportive, but it wouldn't negatively affect my teaching evaluation. So, like, it was really clear that students were super supportive of it in my class*

One of the core COLA organizers, who saw more of the spectrum of the undergraduate response due to their particular vantage point as someone interacting with random emails and internet comments characterized the response as such,

> ***Participant(5):*** *Yeah, I mean, all of them that I encountered were just like super awesome, you know, they were like really understanding, they sometimes had concerns, you know, they're just like but kind of on a basic level, were just like, you know, got it more inherently than definitely faculty and a lot of grads. For a while on the flipside, this was my introduction to reddit, I was going through COLA responses and that was kind of the most like reactive place, …you know, people made like an anti-COLA subreddit. People said that grades are being held hostage, you know. Oh, and I also like you know, maybe eight to ten times, sent out an email to all the undergrads. We got twelve thousand undergrad emails, and you just had to be ready for it because you could get like twenty emails back from some, like economics undergrads telling you to go fuck yourself, you know, saying like there are people in China making two dollars a week or something and, you know, whatever.*

Of course the other major factor in undergraduate support was the response by the administration. The draconian response - from the police brutality on strikers and fellow undergrads to the firings - elicited strong support for the COLA strikers from undergrads as well as the public, as will be explained soon.

By January, the UCSC COLA strike easily passed its first two tests; 1) would TAs withhold grades? and 2) would the momentum still be there when everyone returned in January from winter break? The administration refused to meet and discuss or negotiate with the strikers, claiming its hands were tied by labor law, however it is also clear that there were no attempts to open up talks or negotiations with the union either. Of course, union leadership didn't help by sending out a notice to members in an attempt to break the unsanctioned strike, but more on that later. One participant described the administration's behavior as "stonewalling" throughout most of the period of the strike,

> ***Participant(2):*** *The response from administrators? Kind of stonewalling, I would say. Is that the right word? You know, they were avoidant. It appeared that they were not receptive to criticism. I know that faculty tried several different interventions with administrators to try to get them to at least meet with us because they were unwilling to even meet with us. They wouldn't meet with us unless they had faculty in the room, too, and they had full control over the agenda and who gets to speak and things like that. The Academic Senate, both on our campus and statewide, were in support of COLA and had issued resolutions asking the administration to be more flexible and more receptive and stop issuing discipline. Administrators would not budge. I mean, I think they lost a lot of respect on our campus because of how, sort of, unrelenting they were, and how they just could not receive feedback.*

Rather than simply hold the line and wait for the administration to cave, organizers floated the question of escalating the grade strike and after hundreds of people voted in-person and hundreds more via online poll the COLA strike escalated to a single day sick out during the day of the UC Regents meeting on January 22, 2020.

The sickout at UC Santa Cruz was joined by a sickout at UC Santa Barbara. While COLA organizing was happening at numerous other campuses, UCSB was the first to really pick up steam and take a major action in solidarity. One of the core UCSB COLA organizers explains how their campus COLA chapter started, not from the union leadership but from rank-

and-file members after a GSA meeting where the GSA passed a resolution in support of the UCSC strikers.

> ***Participant(16):*** *Yeah, so I remember when in Santa Cruz, things first started getting going and I had just seen their Instagram account, someone had been like, oh, have you seen what Santa Cruz is doing? And I thought it was super cool. So I followed them and kind of kept up with what was going on there in terms of that. And then we I don't remember exactly how it came about, but maybe there was, I think our GSA was having a normal monthly meeting and they were discussing if we wanted to put out like a solidarity statement with them. And I wasn't part of GSA, but I was kind of interested in this, so I thought I'd tag along and see what was going on. So I went to the GSA meeting and they basically voted to lput out a solidarity statement with Santa Cruz grads. There wasn't really any opposition to that. And then they're like, well, if anyone is interested in talking about what's going on there more you can just stay after the meeting, like once the GSA business was done. So a handful of people stayed after that. And then we were like, well, do we kind of want to look what we want to do or do we want to just support them? It was kind of just like up in the air. And everyone was like, well, I'm kind of like on board. They're like, well, does that mean, like, we want to start our own thing? It just was kind of like no one said no…*
>
> *So we're like, OK, we'll keep talking about it. Like, if there's people, and there was maybe fifteen people perhaps that stayed after the the GSA meeting, maybe less. Basically, we're just like, well, if there's people here who want to work on it, then there's no reason not to work on it. There's at least some support. And if it doesn't catch on, it doesn't catch on. So I was kind of there in that and I was like, oh, this is pretty cool. I'll keep talking to people. I knew the GSA president at the time… so I went up to her and I was like, because at this point it was all kind of GSA. But I mean, like that's where the conversation started with in the GSA meeting, but it wasn't obviously just a GSA project, but anyways, I went up to her and I was like, hey, if we're kind of into this, I could start a social media account going for us just so we have something to. Talk to people or share with people. I thought that was kind of important for us to get going. And so she's like, yeah, sure, I mean, go for it. So anyways, I started, I made a Gmail account for us and then started an Instagram account. And a Facebook account…*
>
> *And so it was kind of it was a small group of us who started out, but it grew so fast at Santa Barbara, and that's the thing that still kind of blows my mind when I think back to it. I mean, we started having these conversations, maybe it was the first GSA meeting of the quarter. So I'm guessing it was not with one or two, maybe a week or two or even week three and then, you know, like a couple of weeks later, we had done the sickout in solidarity.*

By the end of January the UC administration had responded with vague threats suggesting that the strikers had violated University rules, but the strikers had decided to continue the escalation and declared their intent to begin a full strike on February 10. A week later the administration sent out official warning letters. The letters are simply an intimidation tactic, as they are not the formal disciplining process that UC management would need to take in response to the strike according to the contract, as pointed out by the COLA leadership in the GSA and the campus union.

February 10th, UCSC begins a full strike with a physical picket line. The picket line draws huge support from undergrads and makes the strike visible in a way that it wasn't before. Furthermore the escalation to a full strike and the letter of warning from the administration are rallying points that help build the solidarity movements at other campuses, as other campus COLA chapters host events in solidarity on the first day of the full strike. At Santa Cruz the response from the administration was to send in UCPD, who have a long documented history of violence against student and worker actions - including the infamous 2011 pepper spraying of seated Occupy protesters at UC Davis, and even going so far as to draw a loaded gun twice against student protesters at a UC Regents meeting in 2010. Knowing this history it should have been no surprise to the administration that UCPD unleashed violence against the strikers and their supporters, in fact it should be seen as the sole purpose of their deployment.

When the strikers didn't back down after the intimidation from UCPD, the administration tried to negotiate with the leadership to make an offer that would get them to call off the strike - which is a break from the administration line up until this point that they can't meet to discuss this issue. There is of course no real offer, just an attempt to divert the energy into bureaucratic time and space with the promise of more meetings. After the failure of the stick and then the carrot, UC admin tries a bigger stick on the third day of the strike with 16 arrests and more violence on the picket. In an email published on the COLA website[82], one striker explained their view of the violence:

> *However, after most faculty had left, the response by UCSC police became aggressive and violent. Throughout the morning, there were dozens of UC police officers present at both entrances, brought in (with UCSC money) from across the Bay Area, attempting to intimidate and provoke strikers.*
>
> *By the afternoon, the police had barricaded surrounding streets to prevent cars from driving near the picket. A young woman drove past the barricade to deliver water to the strikers, and upon arrival at the picket, was arrested by the approximately 30 UC police and CHP officers stationed at the base of campus. Strikers linked arms in nonviolent protest of this absurd arrest, and the police charged through the crowd in formation, batons out. Several UCSC students were beaten with batons; at least one student ended up at the Health Center after being hit on the*

[82] From Pay Us More UCSC (2020) at https://payusmoreucsc.com/monday-strike-update/

head. In their words, "after getting beaten by three officers I went to the health center and I have a concussion and strained neck/back/shoulder."

Another participant recalls the police response during the first week of the picket

***Participant(6)**: So I think either the first or second day, if it started on a Monday, they arrested a undergraduate student who is running water for Food, Not Bombs. And they said that this student had gone around a police barricade or something like that. And I remember that people got in the streets and were trying to block the police car from leaving. They were trying to get the person back and I remember hearing that someone was hit with a baton on the head and they had a concussion. I remember hearing that someone else I think ended up in the hospital and I think it might have been from that first day from like getting thrown on the ground or something like that. But, yeah, I remember it was like. I stood on the island in the middle of the lake, sort of looking out at what was going on because they told us not to be in the streets and I was not prepared to be arrested that day and it was just like overwhelming watching the police be so violent with students. And the police response was just so disproportionate. I remember driving past the church on High Street every day and seeing all of the cars and all the CHP and they had this big van from like Alameda County to try to like mass arrest people. And then the other day that stands out to me was the big standoff where we took the intersection and people were standing out in the sun for like maybe an hour as there was sort of like discussion or like negotiation with the police.*

And I remember it was a Wednesday because my first meeting with the… academic misconduct summons, my first meeting for that was that day. So I was like, I cannot get arrested instead of going to this summons because they will really kick me out of the university with one semester to go or one quarter to go before I get my Ph.D. So I was giving out water and sunblock and I was writing a lawyer's number on, like, these kids arms. And I felt so protective of them and like looking into their faces as they were, like, ready to get beaten up by cops in support of this was also really poignant. So I had to leave a little bit, I had to leave before that whole thing got deescalated, but from what I heard, they had come to some agreement with the police about moving.

Another participant discussed the police brutality and arrests, linking the use of vehicular violence against strikers to the vehicular violence used against Black Lives Matter protesters in the country in recent years.

***Participant(10):** So they had like a heavy police presence. I remember I would get there so we would get there at seven thirty [am]. And I was one of the people who would show up in the morning and I would remember well, and we would see the buses, the vans, the like, the cars full of cops. And just like because like we'd be at the peak, it would be like and there's one cop car and there's another one and it's like one of those like the shuttles and there's another shuttle, there's another. And then when we would park in a certain spot, like you'd have to walk by the church that was letting the cops congregate there, it was like just so many. So they were like heavily policed and whatever. And so their first response was that just like huge police amount and then like, OK, and the police essentially to be violent with us. Like that day I was there for that day. That day was hard the day that everyone got arrested or that people got arrested. And it almost felt like more people were supposed to get arrested. But it it took a long time to arrest the 17 or 12 that they did. So I don't think I think they realized like that took like forty something minutes, almost an hour.*

So it's like going to do this to like a huge chain or whatever, but not watching. It was like I know people personally who were injured and stuff based on the way the cops were the first day someone was hit, someone was arrested. The person who was donating water to us was

arrested. I was there when the person started to get arrested because I remember someone calling me and said like. Oh, they're arresting someone because we were doing something else, they they're like someone's getting arrested behind the trees. And so I ran over there to start recording because like no one was really there yet to make sure because I don't trust cops. And then and then that's when it got bigger and it turned to this whole thing. And it was like that day one of the response. And so from that point, I was just like a bunch of cops. And then the cops would be like and trying to, like, antagonize violence. Then I felt like they would be the ones who would try to, like, start shit. And the school that dated, like people were saying, like we would get out of the road, which is what the cop wanted us to do. If, like, Cindy or Lori came and met us here, like, just do that and they wouldn't do that. And it was the most insulting thing ever.

So, yeah, they're copying their emails to the school. Wouldn't acknowledge that it was like a picket. They would just say that, like, because of unauthorized gathering or something like that, to avoid that intersection. When the day that we shut down the campus, their email had inclusions of like, 'if you don't have access to food or whatever blame [the strikers]' essentially. So they like to blame things on us and take the responsibility off themselves. And there were times where the cars that were antagonistic of people who weren't supportive, like almost hit a person. I think they did hit somebody or like they came into the road and tried to drive through people. And I was coming after that one time, I think like after the Ferguson protests or that a car did run down protesters like so that was like a thing to watch for because I was right there when that was happening, too. But the school downplayed all of that and would just play anything that seemed like, well, parents were yelled at by protesters. So they, like, really tried to villainize us. That was their thing along with the cop stuff. And then, like, just continuing the narrative that they couldn't speak with us. And so everything was just our fault. We have a lot of thoughts.

Finally, when this escalation of force and arrests didn't stop the picket the administration threatened that anyone who is still withholding grades and/or striking after February 21 will be formally dismissed from their TA appointment, a day COLA strikers took to calling "Doomsday."

After another week of a full strike and picket line and continuing conversations about how to respond to the Doomsday threat. These concrete threats of firings and the urgency of a deadline as well as the week of police violence galvanized support from other campuses. Doomsday, February 21, ends up being another big statewide day of actions. Building occupations, marches, teach-ins, intersection shut downs, and more are used to show public solidarity with the COLA strikers and put pressure on the administration of the Berkeley, Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Barbara campuses. These weren't only solidarity actions though, as each campus had adopted its own version of the COLA demands. At the end of the day at UCSC strikers gather and vote on whether to turn in grades as demanded by the administration. They vote to continue the strike and to refuse their Spring quarter appointments if the administration fires those who are withholding grades.

> ***Participant(6):*** *So that was the rally on the day that we were supposed to get fired. We actually got a delay in getting fired. But I know psychology, I believe that day was supposed to be like holding down the fort at base. It was at least one of the big rally days that we were supposed to be doing that. So that's where I was. I know that a couple people went up to to campus to, like, help coordinate with some of that stuff that was going on up there, like the marches through the quarry and through the rest of campus. But I was at base pretty much the whole day. I think that was probably the biggest turnout we had at all. And look, I think it really resonated with the undergrads that their teachers were getting fired. So we were still sort of unsure of how many people actually went through with it. There were a lot of numbers floating around about that, but, yeah, I just remember the end of the day being sort of like this big kind of festival thing, because at that point, the police were no longer like after the first week of the strike, the police gave up on trying to, like, beat up my friends. And they just were closing the roads when we took the streets. So they just closed the roads off. And it was like a big kind of celebration. So that was really nice, actually, like it was a very stressful time. But seeing all of those students, especially all those undergrads, show up was like the most touching thing that I really experienced there.*

UC management tried to save face and extended the deadline to February 27, referred to by wildcatters as “Doomsday 2.0”. What the movement needed is a serious escalation to show admin it's only getting stronger- and that happens when UC Santa Barbara TAs vote to join the full strike, beginning on the 27th, the same day as the new deadline. Then, UC Davis and UC San Diego TAs vote to join in with a grading strike of their own, making it over a third of UC campuses under threat of some type of wildcat strike. These campus solidarity actions varied in size, and were not necessarily started by a voting majority, like the UCSC strike. Rather they were more like the autonomous organizing happening at UCSC, minority actions taken as part of a larger movement.

Between Doomsdays the administration tries to peel away solidarity with what can only be seen as a concession - an offer of extra funding for housing that doesn’t even come close to the calculated COLA and wouldn’t apply to all graduate students. One participant’s description of the offer shows that even when the administration makes a concession they still have to “save face” and maintain their illusion of power,

> ***Participant(10):*** *Well, they were fake at first like ‘we hear your concerns’ then the email that they sent us with the twenty five hundred offer that made it seem like if that offer was the I guess this is like the build up to the strike. I was thinking of the strike grading, but the picket strike was the buildup to that was [admin] sent us an email that offered us that twenty five hundred but made it seem like if it was a thing that had been in the works for forever and she was just like, you know, it had no real mention of the strike except to say that like some like almost like troublemakers are, you know, like withholding grades and hurting students and all that stuff. And like it was scolding us in the same email that it offered us something and wouldn't acknowledge that the offer had*

anything to do with the strike. So it was the most upsetting, condescending, frustrating email ever. And that was what preceded the picket. And I remember being in a lab reading this email with other people and we were just so upset that we couldn't focus on what we had to do that day, we were so mad at that email. So that email, which was like, yeah, condescending, ignored everything, like made it seem like it was all her out of her goodness of her heart that she was giving us a little bit more

Not a single participant spoke positively of this offer of need-based summer funding, except for as a sign of strength of the movement to get concessions from admin, but the general consensus was that it was too low and the way it was delivered was insulting. Another participant explains,

> ***Participant(6):****I think when the Chancellor sent out that email about that was like basically, here's some money in the summer, the two thousand dollars email at the same time that they sent out, like warnings for people getting fired. I think that galvanized a lot of people who are sort of on the fence. I feel like the two thousand dollars with all of these terms and conditions may apply kind of situation was really offensive to a lot of people. And I think that that was a huge misstep on the administration's part to simultaneously say like look, you little shit here's two thousand dollars now get back to work the way that that was phrased. I feel like people would have maybe taken the two thousand dollars and just backed off if it came from a place of respect. But the fact that we were like simultaneously getting a threat, I think pushed a lot of people to participate when they might have sort of backed down under other circumstances. OK.*

On February 28th the UCSC administration sent out discipline letters to 82 graduate student workers, severing them from current and/or Spring employment. This number is obviously much lower than the initial number of people who were withholding grades. It seems like the UC admin really tried to intimidate the grade strikers into caving to break the solidarity so that when numbers got low enough they end the strike quickly. One participant from UCSC recalled hearing the news of the firings,

> ***Participant(10):*** *When the strike started, I remember telling people they're not going to fire us all like they need us they're not going to fire us. The week after they threatened it, I didn't think they were going to fire us. It was once they [sent] the formal email that said they would fire us is when I started thinking they're going to do that, and especially because it did scare people into turning in grades. And I was like, if it's if it's two hundred, that would be harder. If it's one hundred, they can fire hundred. If it's 50, they can fire 50, you know. So that's yeah. When I was pretty sure. And then the day, the Doomsday Day, I remember just like really hoping that they wouldn't, because I think they had a meeting, I think for the first time they had a meeting with… and it seemed like since they were finally going to meet with people, that maybe things are going to change. And I remember us being very hopeful. And then we also tried to do like the grade trade where it was like, if you just give us a formal meeting where we talk about actual like things that you will do wie will give you the grades, we were hopeful that that would be another option. Like we were hopeful that there was something else we could do instead of getting fired. And then one day people started getting fired at lunch. So we were eating and then the person in my department who was obviously getting the emails because she was like able to say that, like, OK,*

> *this person got fired. And I remember someone described it as we heard the names of emails just coming in, almost like a shooting round, like, you know, it was like one person down, one person down. And it was really emotional.*

Another participant shared the same perspective that once the admin was able to intimidate enough people into turning in grades they tried to decisively end the strike quickly,

> ***Participant(11):*** *Of course, they fired everybody too. I mean, I was fired with like 80 other people. Yeah, its interesting to me the point when we got that twenty five hundred dollars, it was from 80 people not turning in grades. I don't even know what that is maybe two thousand grades, maybe twenty five hundred grades or something like that at most if eighty people averaged out. Forty students might be more, might be 50, 80 times 50. Was that like four thousand, right? Yeah. I mean, it might have been that much. I think there was like twelve thousand grades that were withheld or something around that in the in the winter. So maybe it was like and that was around 280, 300 people maybe. I think so there was 80 people got fired. What was really astounding to me is that they refused to budge on any concessions at all the whole time. And then once only 80 of us were still there. They offered that twenty five hundred dollars to get us to turn in the grades which we didn't do. And then we all got fired. It's really interesting that it was that, that's all it took, you know, to be enough for them to buckle and give, give some concessions. Because I was wondering the whole time why they hadn't I mean, if they had just, like, thrown out more concessions beforehand, right, more people might have collapsed, maybe they wouldn't have because they thought people felt like they were winning.*

The UC administration has a history of using the “dual status” of student-workers against them, emphasizing the student side when convenient, and vice versa. The first instance of course being its denial that the 1979 Higher Education Employer-Employee Relations Act applied to student-workers because they were actually student apprentices, not unlike the argument the NCAA has made for decades about “student-athletes”, as opposed to athletic workers. The UCSC admin used its interpretation of labor law to refuse to even talk to the COLA strikers as workers at the beginning of the wildcat but quickly jettisoned this perspective when the student status was convenient to try to stop the worker action, as one participant explains that the administration began student conduct charges against those TAs who had deleted grades from the learning management software,

> ***Participant(6):*** *So I was one of the people who got a summons for grade deletion and I was in the first round of that. So there were only like 25 or 30 of us in the first round. And when that happened, I like kind of dug my feet and it was like, you're not getting these fucking grades. Like, this is not where I am. I'm ready to, like, die for the cause. Now I'm good because I was just it was so it seems so calculated the way that they chose certain people, like they spread it around different departments. And like a lot of a lot of a lot of people waited grades, and it seemed so ridiculous that just such a small subset of us were being targeted for these for punishment as*

> *students, too. That was the other thing is that we were getting targeted as students as opposed to as employees. So I was like, you're really going to go after my academic progress now wasted my time wasting my time with these meetings, wasted my adviser's time to come with me to those meetings. Yeah, I definitely got very vindictive about that. They made it personal.*

Another participant challenged the use of "property destruction" as a charge against those who deleted grades, " Well it gets a kind of broader questions like, what is property in the digital era? Right?"

For many fence-sitters the firings were the last straw and the COLA movement statewide really picked up support after this. March 5th is a huge day of action statewide, a one day full strike across numerous campuses referred to as the UC Blackout. Then UC Berkeley votes to begin a full strike on March 16. However, before that can happen the Covid 19 pandemic hits the US and the UC switches to online instruction only. While there are many attempts to keep escalating the strike, the lack of an in person picket makes the strike less visible, and the isolation of staying at home is a hard shift from the exuberant and hope-giving atmosphere of the in-person picket line. It is a testament to the willpower of those in the movement that they kept it alive to some degree after this, but ultimately the pandemic marked a new phase of life for everyone, and the strike wasn't able to survive. UCI started a social welfare strike at the end of March, to try to combine COLA organizing and mutual aid aimed at Covid 19 concerns. As Megan Lynch of UC Access Now points out, in order to meet the spirit of the Americans with Disabilities Act the University of California should have been offering accessible hybrid classes since the technology was first possible, decades ago (Lynch 2020). It is the structural ableism of the University that ultimately left the labor movement unprepared for how to organize on the new terrain of digital teaching. Of course, this isn't isolated to the University of California, nor the pandemic itself. Organized labor has been struggling with how to organize workers that are isolated from each other and never meet face to face before the pandemic - SEIU has been trying to organize rideshare drivers (Uber, Lyft, etc), whose working conditions never bring them. However, had the University of California been committed to a truly accessible and

inclusive education format and working environment classes at the UC would have been something of a hybrid format for those whose disabilities either present hurdles to attending or teaching class in person or who don't learn as well in a large crowded lecture hall, for example.

The factors that seem most important to the escalation of the movement are the same as those that explained its emergence - the core organizers' strategic planning and response to real life events in a flexible way, and the response from administration angering larger and larger groups into action. One participant from UCB explained the important role of admin's response in agitating broader support,

> ***Participant(9):*** *Something that I remember being notable was in my departmental meetings, the people who I had originally not thought to be that politically active or involved in the union at all, were the ones who came up and spoke out most strongly, how they felt like it's incumbent on us to go on strike in support of these graduate students who were fired for their protection as well. And and that that more than the COLA itself was kind of this rallying cry of the department. Which surprised me, considering that, I mean, I of course, I believe in solidarity like for these workers, but it would surprise me a little bit that it wasn't the fact that our department was like is one of the most lowly paid departments in Berkeley. What really got people organized and ready to go on strike was this the unfair termination of all of these people at Santa Cruz.*

Another participant spoke to the role the admin/police response played in building support for the movement,

> ***Participant(17):*** *I think the attack on students on the on the earliest picket played a tremendous role like you can't ask for. Man, I am so crass and cynical, but like, you can't quite ask for better publicity than, like, very polarizing. And in my estimation to like be beating up students for asking for a couple hundred extra bucks in their paycheck, that moved people in a number of conversations, they said like 'I got involved because they were beating up grad students and that could have been me' was kind of the argument. And so we're going to defend them all out.*

Spreading the Movement - Diffusion and Its Discontents

So far we have seen how the presence of a core of organizers dedicated to building on-the-ground power of student-workers was a necessary component to the emergence and growth of the COLA movement at UCSC, but now I will examine the diffusion of the movement to other campuses by comparing/contrasting the movement at primarily three different campuses - Santa Barbara, Berkeley, and Los Angeles.

The differing levels of success in building the wildcat strike at different campuses can be understood by examining the different conditions at each campus. The sudden explosion of the wildcat strike, which recall even surprised the core organizers planning a year long campaign aimed at a Spring quarter strike, may seem like a fully spontaneous happening, but as explained earlier in this chapter, it was the relationship between organization and spontaneity that really allowed the movement to quickly bloom- the presence of a core of strategic organizers trying to build an on-the-ground campaign laid the groundwork for the creation of opportunities to exploit, such as the communication with administration that opened the door for the mass email response which quickly escalated to the call for a strike from rank-and-file members. Organization and strategic planning created opportunities to be exploited that when the leadership successfully responded to created the sudden explosion of wildcat activity, creating the illusion of mere spontaneity to many people on the outside. However, not every campus had a strong presence of dissenters/union reformers, as explained in the previous chapter, as OSWP effectively demobilized and disorganized a significant chunk of the active union members through a campaign of personal attacks and marginalization and then through mass communication to the membership that a strike in 2018 was not only not desirable not not possible. Many UAW 2865 activists were pushed out of union spaces and others who were less active but willing to fight were disillusioned by being told that fighting was futile and they had no power. The structure/culture that OSWP had set up, displacing the previous structure and culture at many campuses, was one that was solely focused on membership number, politics, and by that I mean collective discussions of strategy and visions of what kind of union we were trying to build, had been extinguished and replaced with a mechanical card gathering organizing practice that reductively saw power in the simple building up of a financial base to fund the newly established bureaucracy of paid outside professional organizers and the new union leaders who could be their bosses.

One participant, from UC San Diego, explains how important these different campus conditions were,

> ***Participant(17):*** *I think that that history is a little more broken at San Diego, whereas at Santa Cruz it was the same people who voted against the contract mobilized until COLA and really got the campus on board and found critical connections. And like San Diego was riding on those coattails, San Diego was like, oh, we can ask for more money. We should do that, too. But the education around like this is something Santa Cruz has been mobilizing towards for years, it was not spontaneous, [but] it was spontaneous here. And we need to reflect on how that makes us less powerful. That was that was something that needed education. And I think if you talk to a lot of people at San Diego, they wouldn't even be able to put that connection together.*

San Diego, notably, was the campus with the second highest vote against the contract, followed by Davis, though neither campus had a majority no vote. A year after the 2018 ratification vote most of the Vote No organizers were no longer involved in union spaces at Davis and other campuses. This absence of an organized dissident group meant that building satellite COLA movements was a much bigger challenge than the UCSC movement, which had the benefit of a core of organizers, who also were not bumping heads with local OSWP leadership at their campus. UCSC had a scaffolding and clear soil (to horrendously mix metaphors for a second) while many other campuses lacked that scaffolding, and found the soil they were trying to grow in was toxic, in other words one of the challenges of building it was opposition from union leadership from OSWP at their own campus.

First let's look at Santa Barbara, as it was the first campus to join Santa Cruz in their strike. When UCSC strikers needed a boost of support from the outside to escalate the pressure against UC management in between the two “Doomsdays” it was Santa Barbara that first voted to join the strike, and by going on a full teaching strike. Davis joined the strike shortly after, but only as a grading strike, and Berkeley joined in full strike, but not until a couple weeks later. Santa Barbara had very few OSWP members at its campus, and as one participant noted these couple of individuals were not personally hostile to the COLA movement, mostly choosing to ignore it. While most of the institutional memory was lost, as it seems like old school union dissidents were mostly gone by the time COLA started, there was a new cohort of campus

union leadership who had become skeptical of OSWP and were beginning to network with dissidents from other campuses, notably UCSC, before the UCSC wildcat took off. To be transparent, I was PELPing at this time, so not a student or a student-worker, and one of the UCSB COLA organizers-to-be contacted me in October after seeing a lot of my tweets that were critical about the statewide OSWP union leadership and we discussed the history laid out in the previous chapter for a few hours and then kept in contact. I don't think my personal involvement was all that significant (rather it may have provided some analytical clarity to understanding events as they were unfolding within the union spaces); I think the connections made with other dissidents from UCSC was far more important in developing the group of union dissidents who would be part of the core COLA organizers at UCSB, but for transparency's sake I felt it should be mentioned.

One of the core UCSB COLA organizers who was a new union campus heade steward (who was elected in an uncontested election and not as part of any opposition slate) attending the meeting with another core UCSB COLA organizer who was also a campus head steward and explained how after attending a couple Joint Council meetings, in the summer and fall of 2019 before the COLA wildcat kicked off fall, they first saw the divisions in the union and how they ended up connecting with the dissidents,

> ***Participant(13):*** *So the first [Joint Council meeting] we went so I guess so when I joined in April, I was clueless about the union, the [Joint Council meeting] we went to was in in summer or or in June some time, and it was in L.A., and that was the [meeting] where a dissident group like [some one] from Berkeley, and [someone] from Santa Cruz and a couple of others were complaining about how the two thousand eighteen contract had went down. And I do remember at that time I clearly noticed that they were being silenced, right? I raised this with other people in the union. [Another new head steward from UCSB] didn't know what was happening, I didn't know what was happening. Right. And others, yeah, I don't think at the time we did not necessarily pay too much attention, I just sort of I went and talked to them a little and I realized that something is wrong, but I never really understood what was wrong or what was the problem. I couldn't tell, and after that, I remember not really pursuing this further. There was a JC at Berkeley in for the fall quarter of 2019. I think in that JC, Santa Cruz had not yet gone on strike, right, but the opposition from Santa Cruz came out more… and it was quite clear that there are conflicts and it was quite clear that it's very difficult for not to be clear when one sees [UCSC campus rep and COLA core organizer] is fighting against. Yes. So, again, there are sort of we realized that there were issues and then there was another JC, I think, in in San Diego. But in that JC of 2019 fall groupings were being clearly made. So I remember very clearly we went to, I don't remember their name, but I was staying at their place. A group of us from different campuses, Santa Barbara, Santa Cruz*

and a couple of others from Riverside and others who later left us. We went at [UCSD campus rep's] house, and the folks at Santa Cruz, like opened up. And started talking to us about what had happened in 2018. And a lot of us didn't know, right, what had actually gone down. And then I remember I talked a lot to [a UCSC campus rep] about what was happening. And I remember yeah at that JC. Yeah. Essentially that that was maybe the very beginning of a different caucus being formed. Right. A signal chat was created. Where we were all on that signal, I think we started communicating to one another. So, for example, folks at Santa Cruz started telling us that listen that I didn't even know there was a leadership caucus. Right. So they started saying, hey, there is a leadership caucus and they make decisions even before the JC. Right. And the thing that was very telling to me that JC was that something that actually is happening again, it was the one member, one vote by UAWD [Unite all Workers for Democracy] did that they wanted to get [endorsed]. That was presented by [two campus reps] from Santa Cruz, and [OSWP] didn't let it pass, and to me that was a no brainer. It's like, why would we not endorse this as particularly when the corruption scandals are coming out of UAW leaders and all of that? And there it was so clear to me that there is a group that are stopping this for no reason than to stop this. Right. And. Yeah, so I think um yeah, and I think partly to begin with, I just supported [UCSC reps] still not knowing a lot of what's happening. But, you know, just being a dogmatic Marxist and say take the side of the rank-and-file against the union leadership. But then I guess I figured out that I was right. But I'm just saying that at a time that I was taking their side, I didn't again know the full story, but, started unfolding. Yeah. So really, that group in that JC that met at that house really is what became later, others being added out of COLA, became RAFA.

A common factor between UCSC and UCSB was the use of the GSA to organize for COLA. As written earlier the core UCSB COLA organizers ended up coming together after a GSA meeting where a resolution to state support for the COLA strikers was passed. One participant even noted that,

> ***Participant(16)****: So we could actually send out all of our COLA stuff through the GSA listserv and what is different about Santa Cruz versus [my campus] is our GSA owns their own listserv. So Santa Cruz couldn't send out stuff over there to listserv because. UCSC admin could stop it because they like owned that listserv so they could censor stuff or not send it through. I believe Santa Cruz just had to get approval for emails that went over the listserv to their grad's, whereas our GSA has complete autonomy over what they sent… in the beginning, like for sending out info about rallies or sending out info about meetings or sending out like these surveys about what we want our demands to be, we could do that all through GSA listservs that went to all grad's unless they talked it out at some point and we could use GSA funds for things. We could use the GSA space, their office space and lounge for our meetings*

The failure of the formal union leadership left a gap to be filled, that some campuses partially filled with the resources and connections of their campus GSA.

So before COLA took off there was the beginning of an organized dissident group in the union leadership at UCSB, who then became some of the core COLA organizers at their campus. So there was a minimal amount of scaffolding, but what about the soil (again, so sorry for the mixed analogies, I'm going to try to think of something better to replace them with)? According to participants there was a split in the campus leadership, with some being dissident

aligned and others part of OSWP, but it seems like at first they were pretty neutral to the COLA organizing, at least in part because they were outnumbered and out-organized, as one UCSB participant explained,

> ***Participant(16):*** *The union people here were pretty much all on board...So we also had their resources, which the union doesn't have as big of a social media reach or email reach, but still like we didn't have the conflicts like they had at different schools. I know different schools, it was kind of like the union trying to stop COLA stuff or the GSA working against the COLA stuff, for us, it was like everyone was on board.*
>
> ***Interviewer****: And do you recall who the union leadership at Santa Barbara were at that time?*
>
> ***Participant(16)****: Yeah, I know [names 3 core COLA organizers] . I think those were the big like on board people who, like, took more of the forefront of things. And then there were a few a few union people who weren't maybe as gung ho, but they weren't trying to organize against it, OK? And that would have been. Oh, what's his name? He's on board now. Let me look. But I don't think we even had, like a full union or at that point, like now we have as many there are as many stewardesses were allowed to have. But back then, there was not as much involvement... But they they weren't like anti-COLA, they just weren't organizing for it. OK. I think they also kind of knew they were outnumbered.*

However, another participant from UCSB recalled the campus OSWP members being more hostile and trying to organize against COLA, at least at a crucial moment post Covid when numbers and militancy were dwindling, when the question of continuing the strike or not was up for debate,

> ***Participant(13):*** *And there were so here debates started now that covid has happened. Should we stop this strike or should we continue with this strike? Right. And [COLA organizer from UCSC] and others at Santa Cruz wrote this piece, which I agreed with, that we should continue our strike. We should continue to to withhold grades. Many disagreed, so people strikers have start dropping off. And then I think some folks did what they thought was right, but to me was a bad faith attempt of attacking the strikers in one of our meetings and writing a sort of a long proposals of why we should not strike and why we should we should we should continue to the quarter after. Right. Which to me didn't mean much. If we stopped a strike, then no one's going to strike again, like particularly during covid. So but it's interesting because that proposal came from the history department and history department is where our [OSWP] union officials were dominant. Right. So there was also or during all this time, there was a conflict between the union stewards, the rank and file and the union steward, which are more like the union official bureaucracy. Right. So they were. Both all three of them in the history department, right? So what later again, this is our view of the thing. Later, what we realized was that they had essentially turned the history department against this strike… So in that meeting, it became really tense and people were like fighting each other in the chat room… There was these fights really sort of broke down the solidarity. I and less than a hundred others, we said that we are going to continue striking and this is where the issue of the voting that I was telling you before came in where people sort of voted on the proposal that we should end this strike. Right. What I was trying to tell them, which they didn't understand and that increased the conflicts, was that it is perfectly fine to have a straw poll to know how many people don't want to strike. But again, there is no voting here because there is no organization telling us, like I can as an individual, continue my strike if I want. And I think this idea essentially many did not understand. And when I told many of them guys, if you did not want to strike, you don't need to trash the strikers. You didn't need to do that. You*

could have just stopped striking. This was a wildcat. There was a lot of conflicts that arose out of that. But ultimately, I think more than 50 of us continued striking, withholding our grades. And for a few more weeks until folks at Santa Cruz, based on some negotiations, were deciding to submit them, I think this sort of came on until probably even late April, maybe 20th of April. And yes, when folks at Santa Cruz decided to submit, we also had a few meetings and there were very few of us left, to be honest, 30 or 40 out of the original two hundred and fifty maybe. I think at some point we had up to three hundred before covid had hit. We had up to three hundred people who wanted to withhold or two hundred and sixty or something, if I remember the numbers correctly.

Not unlike how UC management waited until the numbers of strikers dwindled down before it fired around 80 TAs at UCSC the campus union leadership that was aligned with OSWP, which had apparently been neutral toward COLA organizing - in part because they were out organized - waited until the movement was its weakest before they got hostile and tried to stop the strike by sowing division among the movement.

The absence of a strong OSWP presence is arguably one of the most important factors that explains why COLA was as successful there as it was. So what about campuses that had strong OSWP presences? The main campuses with a strong OSWP presence are UCLA and UC Berkeley. So let's look at each of these campuses to see if the data backs up our scaffolding/soil framework.

Recall that Berkeley was the home of the Mussman Appeal of the 2018 contract, which failed in overturning the ratification vote, but helped strengthen the network of union dissidents after many who had been involved, particularly around CLEW, had been pushed out either from personal attacks on their character or after choosing to leave after feeling that the space had become too toxic. So there was a bit of a scaffolding present, and more institutional memory than USCB had, since there were still a few old AWDU and CLEW members if not directly involved then still somewhat available. One participant explains the role that one former grad student and AWDU member played in helping them get organized,

Participant(20): *[One of the key COLA organizers at Berkeley] ended up being like a very difficult person to organize with because of they sort of had their own, philosophy on how to organize, but also it was like mixed in with a desire to like deal directly with administrators like [they] wanted to like negotiate a COLA stipend, like talking to Janet Napolitano herself. I don't think so. Anyway, there was basically some like divergent strategies that emerged. So this is where [former AWDU organizer], like, showed up on the scene and really helped me and another group of organizers who wanted to make it a rank and file thing. So she she kind of like showed up on the scene and*

was like very helpful and kind of teaching at the organized event run by department. And so with [former AWDU organizer's] help and this group of organizers, we decided to know that, like, the thing that we should do was spread the strike. And that's what Santa Cruz was asking us to do. And so we called an assembly with a plan of presenting like a strike, a strike plan, strike readiness plan. And we proposed to organize department by department and, you know, we also like had our list of demands and all of that that we presented to somebody and there was like three hundred people at the assembly. It was it was amazing. I've never seen that many people come to a union meeting, that's for sure. So we're like four hundred people at this meeting. And it was like a 90 percent vote for us to go ahead with this department by department organizing plan. So basically we asked departments to meet, discuss the strike and write a letter to the chancellor, letting the chancellor know that they were strike ready. And so we had, like we said, a ten department threshold at the assembly. And so we said, when get ten departments who said they're strike ready then we're actually going to go on strike.

Like UCSB, most of the COLA core organizers were newer activists, but connections to older union dissidents helped pass on institutional memory and strategically orient the movement.

Berkeley's departmental organizing model made for a higher bar than the more autonomous general organizing that UCSB engaged in. This difference makes sense though if we contrast the different levels of opposition from OSWP leadership at each campus. The absence of organized opposition from OSWP leadership gave them more leeway to call a strike with a lower threshold, whereas the organized presence of OSWP at Berkeley might explain the higher threshold and more robust organizing model deployed - in order to not appear the irresponsible adventurists hurting the union (as wildcatters were called) they had to be more conservative and methodical in their approach. So this delayed the strike vote until weeks after UCSB, but showed that even on OSWPs hometurf the COLA campaign could out organize them. One participant explained how one of the leaders of OSWP, a lead negotiator during the 2018 contract negotiations, showed up to a COLA meeting and was basically heckled out, never to return. After this Berkeley OSWP mostly took a neutral stance toward the COLA movement and seemed to just focus on maintaining control over the spaces they had control over.

***Participant(20):** So this is a smaller assembly that took place, I think, like, I don't know, a few weeks before. And this was one of the topics that got discussed that was really heated. This was right after OSWP had started their like cooptation campaign where they like launched that website. that said that they were COLA4All, that website. And so, yeah, that got discussed. And [OSWP leader] was at that meeting and people were like, really, really upset about that, that gesture of cooptation and like, yeah, there were pretty loud and confrontational I mean, there was yelling basically at [OSWP leader] and there was some maybe a few others. There's at least one other person there from the unit, but I can't remember who. But yeah, people were saying stuff like, you know, what are you doing here? What have you actually ever done for us? You know,*

we don't trust you that sort of that sort of thing. So I think it was like they thought that they could intervene in that space. And I think that meeting made it clear to them that they were not welcome and there was a lot of hostility. Yeah, so after that, they stopped coming to any of the meetings and showing up, they just kind of ignored us.

***Interviewer**...At that point in time, did you feel like you all had the majority of the room [during union meetings] or the union leadership still at that time kind of had the majority in the room [in union meetings]?*

***Participant(20):**They definitely had the majority of the room. Yeah, I mean, like, that's totally their turf. And I would say, like, yeah, people felt that we were like invading their space and that what we were proposing was going to like divide the union or would be somehow dangerous to the future of the union. And they also like love to use Robert's Rules to shut people down. And so it was like half of the what could have been a very productive dialog was like about whether or not we were following Robert's Rules and how much time to talk and all of that. It was such bullshit.*

That participant explained the early organizing struggles, trying to get the union to talk about or even do something to support the UCSC wildcat, and how tightly OSWP controlled the conversation within official union spaces,

***Participant(20):** So yeah, like a small group of us were meeting regularly. We started doing outreach. We went to- I think this was kind of a pivotal moment- we went to an [Monthly Membership Meeting of UAW 2865 Berkeley] to announce what was going on in Santa Cruz because leadership at that time was not talking about the wildcat strike at all, like it wasn't even on the agenda. And that was like, yeah, that was a very tense moment because they didn't want to talk about it. And they were like, if they kept scaring everybody into, like, saying, you know, this is illegal, we can't even talk about this at this meeting because, you know, if we were found out, we could be sued, blah, blah, blah. And so it was me. And like a small group of people, we're just like, you know, this is really important. These are our colleagues and fellow workers. What are we going to do to support them? You know, and like, just communicating kind of like what was going on at Santa Cruz and updating them and trying to express just like how exciting and unprecedented about this that this was and how important it was to be in solidarity. So from that meeting, we were able to recruit some really good organizers, which was cool, and they kind of came over to our side. And then, yeah, we had a big rally, which was good, and then, you know, honestly. Like, things were a little bit difficult.*

Another participant also brought up the OSWP response to COLA organizers trying to talk about COLA during a union meeting at UCB,

***Participant(9)**: They were very hostile to it in the monthly membership meeting when someone from Santa Cruz came up and said in an informal way, here is the COLA struggle. This is our position on things. And we understand that perhaps, you know, the union can't formally come out and support this, but we would like support from Berkeley in any ways that you think is helpful for us. And many members were interested. But immediately the leadership came out and like not only tried to derail the conversation, but said like, no, this is illegal. We have reservations of any members participating in this, and it was met with great hostility from the onset.*

If the scaffolding/soil theory is correct then we can understand why Berkeley took a bit longer than UCSB to go on a wildcat strike, the scaffolding was probably greater, but the soil was less hospitable at first, however after it became clear that COLA had developed a strong enough

base the OSWP leadership switched strategies to ignoring it and shoring up power in their space, so the soil became less toxic allowing them to go on strike.

UCLA was the other campus with a strong OSWP presence and it never went on strike, not a grading strike or a full strike. So what did participants have to say about the conditions of organizing COLA at UCLA? Before COLA started OSWP had been very successful in pushing out all dissident voices at LA, and the dissidents weren't really organized, so the scaffolding there was much weaker and the soil was far less hospitable. One participant commented,

> ***Participant(14):*** *UCLA is just an incredibly hostile campus in terms of anything that is even mildly critical of UAW, like it's, I don't know, I mean, maybe Berkeley is just as difficult. I don't know. I think Irvine has some problems too with this, but in all of my communication with people over and over, you know, I've never really felt like I ever was able to convey to non-L.A. people is how it is and how cruel they will be to your face, like how the machine of weeding out people that want to get involved...*

That same participant explained in more detail about the cruelty COLA organizers faced from OSWP members

> ***Participant(14):*** *The union people, stewards, were infuriated by [the COLA organizing] and they were on a total smear campaign level. To the point of making fun of individual organizers like, you know, just like weird middle school shit. I don't know what happens on other campuses, but like we try to we would try to kind of work with them to be like, OK, I know you can't do wildcat stuff, but…. like, why don't we try to do a thing where we can have a little event together, and then they would like all wear their t-shirts and stand in a different group like visually like signify that they were like different from us and stuff and would just be like, OK, so you don't want to do that. There was this thing where, like, we had to be nice to them to prove that we were pro-union because of how effective they were at saying that we were anti-union. Like people really believe that. And, so then we fell into an unfortunate pattern of constantly having to like [prove that]. And that was super unfortunate, like both in discourse rhetoric, but also in actual action. So, yeah, so we have to be like, OK, we'll do this activity thing with you and then they'd be huge fucking dicks about it and it was like what was the point of doing that anyway, you know, so that that was really, really hard.*
>
> *And and I'm not going to remember, actually, I'm realizing that I'm not going to remember a lot of it because I, I basically had a trauma response to it. Like there was so much confrontation, I would get yelled at so much. I was accidentally putting my friends in the position of getting yelled at, like I was like literally like just suppressing like I would just have to ignore it and move on and ignore and move on. And then, like I did, feeling pretty bad that I put a lot of people that didn't know that much about union politics in that position. Yeah, like a lot of people that I knew that are really great and probably wouldn't be mad at me about it. I just feel like I accidentally put them in the position of, like getting verbally abused by union people, you know, and I didn't really mean to do that. I just there was only so much that I could personally, handle. And then so the people would try to step in and it was just a disaster and they would come to our meetings and try to derail them.*
>
> *...They're like coming to every single event we have and like passing out fliers to be like, this is why you shouldn't be here. Like what? I don't know how to work. It's like being like we're good*

Republicans. Like, what even is that? We got to that's not a thing, you know, I mean, I understand that at other campuses, it's like I mean, like [UCSC campus unit chair] was... the union chair at Santa Cruz is like a totally different thing. So I think that that that was something that we also had to figure out how to, like, negotiate with or whatever. And it was pretty difficult, mostly because I didn't feel like I knew how to explain the situation here. And also, it looks hostile to be like these people are bad. It looks like you're the person starting the fight no matter what you do.

... we were like basically succeeding in spite of that, you know, not. Not because of it, if that makes any sense. But, yeah, everything that we pulled off was like in spite of a very, very powerful voice being like these people are evil. Yeah, anything, I guess, I think that that's kind of I don't want to overemphasize it, but I think it was a pretty big challenge

This participant is essentially making the case here that the conditions are UCLA were qualitatively different than at other campuses, as OSWP had backed off and taken a somewhat neutral stance toward COLA organizing at UCB after it was apparent that the COLA forces were too large and organized to contend with directly, but COLA organizers at UCLA never got OSWP to back off, they faced constant onslaught of attacks from the union leadership, both personal attacks and demobilization tactics aimed at their events and meetings. Another participant when asked about what kinds of actions had taken place at their campus brought up the hostility from OSWP union leadership, and this was early in the interview, before I got to the questions about the union response, which I always saved to do toward the end of the interview.

Interviewer: *All right. So. It's I've talked to so many different people, I don't remember. Did you all withhold grades at UCLA or you weren't able to do that? I'm blanking on that right now.*

Participant(18): *I think if we ever did or if anyone did, it was a smaller group, I don't know if we ever voted specifically to withhold grades. I think there was a some sickouts and some kind of labor slowdowns and some work stoppages. But to my knowledge, to my memory, I don't think there was ever an official we are withholding grades that might have been talk of it and we definitely voted on it. But I do not believe that ever went through, probably just through skittishness… This was a campus that probably had one of the most, if not the most kind of aggressive backlash from the UAW.*

Interviewer: *I'm really interested in talking about all of that.*

Participant(18): *Yeah, yeah. So we can talk about that obviously when the time comes. But I would definitely say that contributed to a skittishness toward grade withholding and even just taking part in pretty, you know, in my opinion, pretty kind of tame actions, like sicking out for a day so we can hold a rally on the steps. No one's going to get fired over that, but even that was kind of like, oh, it's this thing that's like we're doing it's wrong.*

Another UCLA participant described actions from union leadership that go far above and beyond any concern for legal obligations under labor law, actions that were very much a concerted campaign of counter organizing.

> ***Participant(19):*** *there was a huge, huge amount of opposition from my union union reps and there was a lot of confusion. It became just really untenable at some point because those of us who were organizing, a lot of us were international students. And so we knew we were taking a risk anyway by organizing not just against the union, but like, you know, I had no idea if I would be sent home or not for being at each of these events. So but then the union came in the door. The union leadership, we were all members of the union, so it's not that we are not outside of it, but a lot of them, especially on one day, came to one of our meetings because they openly announced we weren't doing anything. And so they showed up and they were really angry. I got yelled at a lot and accused of union busting and. You know, I'm new to the US, so I don't fully know, like US labor history that well and certainly not the wheat of certain kinds of films and accusations, accusations. But this I knew was bad. And I was also it was you know, it was also this white man. He was really angry and he was yelling at me about union busting. And I say, I'm a member of our union. How can I be union busting? And also yelling at me. And we found it actually quite threatening to tell the truth. So I would lead some of the meetings. But after that, when I decided not to lead a meeting for a bit.*
>
> *And so that was the big drama going on. I mean, if anything, the reason we didn't strike was because our union stopped us from striking. So as we would go and do town halls in each department... And so what happened was the UAW leadership, who was extremely upset with us and I can't stress this enough, they will not just say, hey, guys, don't do this. They were actively trying to stop us. And so they organized their own department instead to go and undercut each town hall that we did. So they would organize their meeting the day before and tell everyone that, you know, don't just these people. They're like the radical faction of the union. They're not really doing things in your interest. They're like, they don't know what they're doing, all of that stuff, and so that at some point really started to thin out some of the support or it just caused enough confusion that people were like, I don't want to get into this.*

All of the participants I spoke to from UCLA described their experience like this, the narrative wasn't about the failure of union leadership, but rather about the outright hostile obstacle that was the union leadership.

Like many other campus COLA movements, UCLA COLA had support from the GSA and organized in part through the GSA, sometimes using its offices for meetings and getting financial support from it. However, there was some bad blood between the UCLA GSA president (who was a member of UAW 2865) and the OSWP leadership, so the GSA support, while being a boon in resources for the campus COLA movement, was also something used against the COLA movement as proof of being "anti-union" because they were going through the GSA not the official union channels. Overall GSA support was a net positive for the movement at UCLA, providing the movement with critical resources and access, helping fill in some of the missing scaffolding.

Despite the aggressive opposition and concerted effort at counter organizing UCLA COLA was making a lot of headway, they had over 700 student-workers fill out a survey about cost of living, and they had a week of actions they called Wildcat Week, with a massive display by the steps, and even tested the strike waters with a sick out. They finally voted to adopt the UC Berkeley model of striking after a number of departments declared themselves strike ready, but that was right before Covid hit and took away all of COLA's momentum.

This comparative account of the different campuses shows that the stronger the relative presence of OSWP union leadership the harder it was to organize. Once COLA erupted at UCSC people all over the UC stepped up to organize COLA at their campus. Core COLA organizers at every campus had some union dissidents involved or were able to connect up with older union dissidents. The major difference between campuses, and which explains how successful the campus COLA movements were in quickly organizing a strike, has to do with the relative strength of the OSWP leadership at their campus. Santa Cruz, where COLA kicked off, had no OSWP at their campus. Santa Barbara had a weak OSWP leadership relative to the COLA core, and so union leadership took a mostly neutral stance, allowing the movement to flourish and be the first to join Santa Cruz in a full strike. Berkeley had a stronger OSWP presence, but the network in place from the Mussman Appeal and older union dissidents who were still around allowed them to organize a large base that was able to hold its own in the face of OSWP attempts to demobilize the movement, and after this OSWP at Berkeley focused mostly on maintaining its control over official union spaces, something that COLA wasn't strong enough to take over yet. The department organizing model took longer but was effective in getting the campus to declare it was going on a full teaching strike. However, at UCLA the situation was starkly different, OSWP never took a neutral stance, taking aggressive counter measures and making personal attacks which effectively prevented some base building by COLA organizers, slowing them down. UCLA never did rech strike readiness, but likely might have eventually if Covid hadn't shut everything down.

Mechanisms of Repression

So far I have explored some of the union leadership responses, particularly in the comparative analysis between campuses, but there is more to the story that needs to be analyzed. This section will take a closer look at the full response of the union leadership - the Organizing for Student-Worker Power (OSWP) caucus to the statewide COLA movement. What we will see is that the union leadership failed in its opportunity to support the campaign

From the very start the OSWP statewide leadership was opposed to the kind of on-the-ground organizing and militancy that we'd later see in the COLA campaign. In October of 2019 the Joint Council of UAW 2865 was voting on what kind of organizing approach the union would take. One participant recalled a Joint Council vote about the union's organizing approach- with the proposal being about focusing on electoral politics, with a small group of dissidents pushing for a grassroots organizing approach to building power

> ***Participant(2)****: So it was a way to solidify that our political priorities were around electoral politics. And [one union dissident] gave that speech or the sort of alternative saying that we shouldn't be focusing on that we should focus on grassroots organizing and everybody voted against it. I mean, most people voted against that. I had met [UCSB officer and future COLA organizer] I think that at the October JC. But I think it was the first time in a while that there had been a dissident at the joint council meetings.*

That the Joint Council shot down the very approach to organizing that the COLA movement was based on, just a month before the wildcat sprang into action speaks to the inability of OSWP to build that kind of campaign, the bureaucratic business unionism of UAW 2865 under OSWP was fully oriented to top-down approaches of change within institutional channels and was firmly against building the movement part of the labor movement.

A statement from UCSC dissidents was released, posted on facebook on October 27th 2019, after this meeting, before COLA kicked off and they resigned en masse,

'In order to structure our movement around the principle of self-organization, we had to fight an internal struggle against a bureaucratic leadership more interested in absorbing us into the Democratic Party.'
'All communications to the membership had to be vetted through the president of the union. Any time campus leadership wanted to email members, the president had to approve.'
'The executive board and the president controlled the budget. Every request for money, no matter how small, had to be approved.'
'This extreme level of micromanagement meant that our membership was completely disinvested from participation in the union.'
'When those of us who believed in self-organization discovered that we had no voice within our own union, we appealed to the annual statewide meeting of our union at UC Berkeley in 2005, and were dismissed.'
These are selections from an article written five and a half years ago about our Union by UC Santa Cruz activists. Reading this, those of us building and organizing at Santa Cruz had the very eerie feeling of our history repeating, an unhappy repetition of defunded campus-level activism and inhibited communication with our own members.
*And we wonder whether you share with me the uncanny sense of hearing our immediate *future* foretold: an appeal at UC Berkeley for our workers' union to avoid the bureaucratic trappings of the US Democratic Party, and to instead empower campus-level organizers to build a movement ahead of the next contract fight - an appeal dismissed by the statewide. I suppose we will shortly see how the prophecy holds up.*
Last year at UC Santa Cruz, we found it necessary to get ourselves elected to the Graduate Student Association so that we could access the resources we need to organize effectively. Specifically, we need funding for committed organizers, funding for events, and unrestricted access to communicating with our members.
You should not be surprised to learn that working within student government has significant drawbacks, ensnaring us within University structures and rules.
However, you ought to be surprised to hear, and frankly ashamed to hear, that working within these administrative structures is no more constraining than working within those of the statewide UAW.
Our GSA strategy revolves around a sustained campaign at UC Santa Cruz to win a Cost of Living Adjustment this year. This is a monthly payment of over $1400 to graduate students that would make our salaries equivalent to Riverside, adjusted for the cost of rent. We have emailed our Chancellor, and she is expecting a march to her office on November 7, when we will formally deliver this demand. This, of course is only the first step in an elaborate escalation strategy. Whether this strategy proves fruitful remains to be seen, and we would be happy to discuss it further at a later time.
*The reason to bring it up now is that it is the *kind* of organizing that our Union must prioritize in the lead up to the next contract fight. We need politicized struggles over wages and the cost of living to rage through the UC. We need graduate and undergraduate students to disrupt the UC Boss and the UC Landlord.*
It is the most basic principle of a labor union that its organization and its militancy is what wins benefits for its members. It is the most elementary history that labor unions were illegal and repressed, until they were too strong to be controlled.
It is only in complete theoretical and historical ignorance that we could ask our underpaid and rent-burdened members to spend their time and energy fundraising, canvassing, and registering voters to 'help facilitate a friendlier environment' for unions.
This 'strategy', if it deserves the term, takes in-direct action to new extremes of naivety. It chooses an electoral strategy over a union strategy. And it summons a restless ghost from the pre-2011 union. when the Joint Council was a 'bureaucratic leadership more interested in absorbing us into the Democratic Party.'
Our point is simply to ask whether we are a union or whether we are a bureaucracy.
If we are a union, we must rescind the plan to waste two years of our lives knocking on doors for politicians, and instead invest in political struggles on and across campuses.

We should note that this will make no difference either way to what we do at UC Santa Cruz. We will not spend one minute for the Democratic Party or for any electoral measure, because we understand, as workers, that our power simply does not lie there.
What matters to us is that the administrative and bureaucratic nature of this Joint Council has detrimental effects on campus organizing. We need urgently to change its political culture to facilitate campus organizing, rather than inhibit it.
We encourage any real labor unionists to reach out to us. And we call that this Joint Council rescind its delusional 'Two-Year Political Organizing Plan.'[83]

Not only are the same themes discussed in the previous chapter, but the very comparison of the OSWP union to the previous admin caucus union is being made, and the dissenters themselves compared to the early AWDU activists. These dissenters were caught by surprise at how quickly the COLA campaign escalated, but they certainly weren't unaware of the organizational problems of the union and the correct strategy to build a fighting labor movement.

Opportunism can compel people to support things they wouldn't normally, so what was the response by statewide leadership once UCSC started talking about a wildcat strike after the notorious "fuck you pay me" big email thread? It was to send the following anti-strike notice to members, which most people would certainly read as a firm discouragement of engaging in any type of wildcat strike,

To Whom it May Concern,

UAW 2865 has become aware that graduate students at UCSC are planning a campaign around a Cost of LIving Adjustment that may include a wildcat strike in December 2019. The Union supports all efforts to make working and living conditions better for graduate students at the University, though consistent with the contract we have not sanctioned this action. We must point you to the 2019-2020 UAW 2865 collective bargaining agreement and Article 19 in specific (per 19.C), which outlines the rights and obligations of all teaching assistants, readers, and tutors (uaw2865.org/know-your-rights/contract). A strike, per the contract is concerted activity in violation of Article 19. This article reads in part:

A. During the term of this agreement or any extension thereof, the University agrees that there shall be no lockout by the University. The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, stoppages or interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this agreement or any written extension thereof. The UAW, on behalf of its officers, agents, and members, agrees that it shall not in any way authorize, assist,

[83] From Vote No For a Better Vote No: For a Better UC Student-Workers Union Contract for All. 2019. Retrieved November 11, 2023 (https://www.facebook.com/plugins/post.php?href=https%3A%2F%2Fwww.facebook.com%2Fabettercontractforall%2Fposts%2F945163309202474&show_text=true).

encourage, participate in, sanction, ratify, condone, or lend support to any activities in violation of this article.

B. *Any employee who violates this article shall be subject to discipline up to and including termination of employment.*
C. *The UAW shall immediately take whatever affirmative action is necessary to prevent and bring about an end to any concerted activity in violation of this article. Such affirmative action shall include but not be limited to sending written notice to the home address of all employees engaged in prohibited activity informing them that the concerted activity is in violation of this article, that engaging in such activity may lead to disciplinary action, and stating that employees engaged in prohibited activity must cease such activity and immediately return to work.*

Please take note that section (B) states that employees in violation of this article shall be subject to discipline up to and including termination of employment. All bargaining unit members are required to abide by section (A) of this article, or they may face disciplinary measures. As such, we advise that you return to work. If the University takes disciplinary action against you, you should make sure to avail yourself of your rights per Article 8 of the CBA.

This was an attempt at containing the strike before it began, by discouraging mass participation so that only a few militants would show up and be isolated, and it was also at attempt at demobilization, getting those who were striking to stop. The defense of this strikebreaking is that the union leadership was required by labor law to send this out else it could be subject to a fine. No strikes clauses like this have been the norm of the labor movement since WWII, so there is nothing unusual about that. But what gets glossed over with this defense of legal requirements is that there is a choice - the union leadership gets to choose which is more important, supporting the members in their action or its own finances. The hallmark of bureaucracy is that it is focused on the reproduction of the organization over all else, even the goals of the organization are subsumed under reproduction. What capitalist labor law has done is to create a legal environment that phenomenologically does third party the union, by recognizing and separating the formal structure and its finances from the collective action of the members. OSWP chose to third party itself as “the union” separate from the members, just like they did in the 2018 contract ratification vote when it instructed staff to tell members to vote yes because that was the Union’s official position, despite the fact that the members hadn’t yet voted to decide what the official position was. That fact that most, if not nearly all unions in this country would do the same in this situation isn’t a defense of OSWP’s actions, it's a condemnation of

the dominant model of unionism in the US - which is of course the entire point of this dissertation.

Again, we find the three mechanisms of repression previously identified- contianment, demobilization, and credit stealing. This letter was the first instance of the union's pattern in attempting to *contain* the COLA movement. Recall the many examples from the previous section about diffusion of the union trying to simultaneously contain the strike at UCSC by engaging in demobilization tactics at other campuses - surveillance, interrupting meetings, personal attacks, scare tactics about what a wildcat would do to the union, and sewing confusion among potential rank-and-file COLA supporters. These actions were attempts to shut down (demobilize) the COLA movement at these other campuses, which in turn also would have functioned as containment, keeping the wildcat solely at UCSC. We saw in the section about escalation that without diffusion of the movement to other campuses the COLA movement would have been very vulnerable to being isolated and shut down by UC management. So in this case the attempts to contain the movement at UCSC by shutting down other campus COLA movements would have greatly harmed the UCSC wildcat.

Credit stealing was also a tactic used by the OSWP union leadership in response to the COLA movement. OSWP attempted to steal credit for the public image of the COLA movement by purchasing the COLA4all.com domain. The breaking down of bottom-up and decentralized channels of communication within the union was an effective mechanism of control for OSWP within the union, however, this attempt was of course a total failure. The union couldn't control the many unofficial COLA accounts on social media, in the same way it couldn't control the independent rank-and-file organizing happening outside the union at each campus around the COLA issue. All that this attempt did was anger the rank-and-file COLA supporters further. While it wasn't the primary grievance of any participant by any means, it was brought up by four participants, all negatively. One said,

> ***Participant(4):*** *And I can understand them saying, well, what do you want us to give you money? We can't help you with our official union structure because you're not playing by the rules. I guess that's fair. I just want you to go up and to not and to not buy the URL to the COLA movement and make it about the union. That was fucked up. I thought that stuff like that happened after, like after I became really popular then I felt like the union cashed in on that, as if they had been working on it from the beginning and they were not, they were adversarial to the movement before. It was an official thing and then it literally was like a COLAFORALL URL that got bought by UAW. And I was like, that's really bad. And the information on that website was wrong. I went to it and it was like outdated. And it did not have, like it wasn't getting updated. It was just like they just bought the site to say, like, look, the union supported this thing and then they did nothing with it. It was like a 2014 geocity site or something. It was really bad. It made me really mad because it's like, of course, I hate grandstanding and acting like you've done something when you didn't do something. But it also affects people because it was the first result in Google when you searched COLAFORALL. That made me so grumpy, because now you're directing people away from what's happening and away from any information that they need, just so that you could look like you did the thing.*

Another participant called it exploitative,

> ***Participant(16):*** At worst, they were just like exploiting it or like just. Waiting until it got big enough for it to be worth their time and then appropriating it to be what they wanted it to be, but you kind of saw it with like they launched their own cola campaign, like took COLAFORALL website or something like that domain name. And like once it became cool and big and was maybe going to be successful then we'll pretend like we've supported it all along.

The most egregious part of this attempt to become the public face of COLA through the purchase of the URL, was the use of the COLA4ALL slogan, which actually had started from an autonomous group at UCSC that was predominantly Students of Color. The COLA4ALL group was by all accounts the more militant wing of the movement that raised its own concerns about the whiteness of the COLA leadership and got the movement to adopt anti-police demands - as one chant that become famously popular was “Cops off campus and COLA in my bank account”. That these same OSWP leaders had undermined the demil/disarm demands brought forth by Black rank-and-file members (who were also aligned with the dissident CLEW caucus) during the 2018 bargaining and dismissed them as “non-material” shows how performative their support for these demands actually was.

Ultimately the credit stealing actions by the OSWP leadership was an attempt to channel the movement energy back into the institutional channels of contained contention that OSWP was in charge of. While OSWP was trying to sabotage the campaign at many campuses it was also vying for control over authority over the idea of the COLA movement. By this I mean not

that the union leadership was trying to obtain some position of power within the movement spaces, but rather that it was trying to claim itself as the legitimate party for the University of California management to have to negotiate with. A cost of living committee was formed and later the bargaining team was assembled, and done in such a way as to exclude anyone who had been supportive of the wildcat. Despite the strike being a wildcat, the UAW 2865 demands that UC management meet with them to negotiate over a COLA. UC President Janet Napolitano offered to meet and discuss the strike with the UC Graduate and Professional Council, a cross campus student government organization in late February. The OSWP union leadership sees this as a violation of labor law, as the union is legally the sole representative that management is supposed to negotiate with, they argue. This becomes the basis for the to file an Unfair Labor Practice (ULP) with the Public Employee Relations Board (PERB).

The OSWP dominated bargaining team on March 3, 2020 says that the union can begin the process of organizing for a ULP strike. While trying to effectively displace the bottom-up leadership of the wildcat, some wildcatters see a lawful strike as a way to gain more resources and legal protections and therefore a move that would strengthen the strike rather than tame it. A few days later the union starts gathering strike pledges. OSWP tells COLA strikers that they will go on a ULP strike after a certain number of pledges are signed. Many COLA strikers began putting their energy into gathering strike pledges, in hopes that this would strengthen their movement. However, once the threshold was met the goalpost was moved, and a ULP strike never manifested. Just like in 2018 the OSWP leadership has countless arguments why the union isn't strike ready yet, despite the fact that a significant strike has been spreading from campus to campus and is obviously disrupting things across the UC and has management freaked out. While sociological methods of analysis can provide lots of insight to social phenomena mind reading isn't one of them, so while I cannot speak authoritatively about the intentions of individuals in power, I think it is abundantly clear from the pattern of how OSWP

responds to the idea of a strike and how they responded to the idea of on-the-ground organizing, and how they responded to COLA that a ULP was never really on the table, I think it was something to take the steam out of the most passionate COLA supporters that were in the union spaces while appearing to be supportive. But discussions of intentions aside, what is undeniable is that this was an attempt to steal credit from the movement by taking control over it - by declaring the ULP strike the lawful and therefore legitimate COLA strike, one that they had control over when and how it was executed (or not). One participant spoke of this attempt to steal credit from the movement, “They were redirecting it, maybe, you know, I would say trying to quite, quite explicitly take it into, redirect it into the union apparatus.”

Another participant explained much of the process of how the organizing around the ULP unfolded, from the exclusion of wildcat supporters on the bargaining team to the shifting of the union priorities from organizing around COLA to being about Covid[84]

> ***Participant(2):*** *Then we tried to get a majority on the bargaining team. We tried to get people on the bargaining team that were wildcats to be alternates. But then [the union leadership] said that they had to vet everybody who was an alternate that might have been involved with the Wildcat. We can’t have any COLA supportive people or any wildcat supportive people on the bargaining team. So I think maybe [bargaining team rep and union dissident] was one of the first people that got like vetted and kind of like a public well, you know, on the email chain where everybody was saying like, well, [they] posted this tweet where they said that they support the Wildcat and with [their] at this General Assembly meeting and all this stuff like just like high surveillance of who was supportive of the Wildcat, not wanting them to be a part of the bargaining team under the I think probably the guise of saying that it would be harmful to the ULP if we had wildcat supportive people on the bargaining team. But, you know, it's like heavy handed clearly, like a little bit personal.*
>
> *Ok, so then I focused a lot of energy on, like, trying to get support through the ULP, I thought, well, people don't want to participate in the wildcats, because they just saw a bunch of people get fired. So if it's a ULP strike, you can't get fired. And so that's where we need to go. We need to do a ULP strike because it addresses the concerns against the wildcat. A lot of people, especially at Berkeley, were against a strike. And I went to a couple Berkeley meetings. There was a lot of tension at Berkeley. People were pretty upset. I think the geography department and maybe some ethnic studies department, maybe the African-American studies department were pretty pro-wildcat and really wanting to, like, hold out until the end and God bless them for that. I'm grateful. But at that point, we were like, we are bleeding. And so I was like, we need to focus on the ULP because that's the only way to get people to actually to get a large number. Again, that*

[84] Though the union would later not even demand to negotiate over returning to in-person teaching and would take an individualized/privatized grievances response to accommodations instead of centering safety and disabled workers by fighting for the continuation of remote work or at least the right to access remote work.

> *kind of security would allow us a large number. And that was kind of the line that the Bargaining Team was saying that that they would only strike if the strike and then they said they wanted five thousand ULP pledges by the first or second week of spring quarter, which was totally there was no way we were going to be able to do that. They're doing phone banking, but the phone banking started to turn more into like covid phone banking and not ULP phone banking, but that because they called ULP phone banking, they could say like, well, people just don't care about COLA anymore because they're only talking about Covid.*
>
> *But it's because, like the frickin OSWP people would bring up covid and not talk about ULP. Right. So we got twenty five hundred ULP pledges. Four thousand out of unit total.... It was just this constant struggle where the was pretending as though they were actually invested in a global strike, but would not follow through on any real ULP organizing either because they were not competent enough to actually get turnout or because they were tired of it or because it was the opposition caucus that wanted it. I don't know. They were they were against it, but pretending that they were in support, kind of like dragging us along. So we had to, like, put some faith into them that, of course, they could not deliver.*

The participant went on to explain that after the George Floyd uprising started that the COLA activists tried to get the union to take up issues of police violence and racial justice, and actually take up the Cops off Campus demand, as a way both to connect to the uprising that was inspiring people all over the country, and to breathe more life and energy into the ULP. Of course, they acted interested, but fell far short of actually using their position as workers at the UC to do anything to further racial justice, just as they had been dismissive of the demil/disarm demand in 2018. OSWP eventually voted against going on a ULP strike, using fears of lack of strong legal footing for a ULP strike, despite the strong claims a couple months prior, when the wildcats were in full swing and spreading fast. Of course, after Covid hit and that energy died down suddenly the ULP wasn't all that strong, and a strike went from the strongest way forward, to too risky legally, all the while moving the goalpost about how many pledges would be needed to actually go on strike in the first place.

Participants Views on Union Leadership

Of the twenty interview participants eighteen had no affiliation with any particular caucus within the union prior to the beginning of the COLA movement. This wasn't a partisan group of union dissidents. Their experiences through the COLA movement of dealing with the union

leadership led to all of them having very strong criticisms of the leadership caucus, Organizing for Student-Worker Power (OSWP). I think it will be useful to compare their own criticisms with the analysis developed in this chapter to see where there are or aren't areas of overlap. In this section I will briefly summarize findings from three questions asked at the end of the interviews: 1. How do you feel your union leadership has advocated for your interests as a teacher and as a graduate student? 2. How do you feel your union leadership has defended public education? And 3. How satisfied overall are you with your union? What changes, if any, would you like to see in it?

Answers from these questions were combined and coded to reveal the overall categories of dissatisfaction with the statewide OSWP leadership. Notably, participants from UCSC where dissidents run the union at the campus level analytically separated out the campus leadership from the statewide leadership, for example:

> ***Participant(11):*** *Yeah, I would say, Santacruz leadership, yeah, one hundred percent, they go hard, they've been doing the best possible on their, you know, I mean they represent a different model, right? They represent a sort of model around activating the rank and file as opposed to the statewide leadership that represents, you know. I would say trying to get maximum leverage out of pre-existing institutional arrangements through staffers and through legal hacks or something like that, they like they have I mean, yeah, I guess I would say that, the, that statewide, I mean, clearly, most clearly, they've they fucked everything up when they didn't call it strike vote in the spring, that was a major fuckup.*

There were a couple of times that people said something broadly positively about statewide union leadership, but this was always when talking about pre-OSWP years, for example:

> ***Participant(6)****: I mean, I think union leadership has done like I was actually pretty happy with the union when I came in, right when which is in 2014, right after there had been the last bit of organizing and winning a good contract. But so, like, I guess my my opinion of the union basically fluctuated with the contracts because I was not in the know about what was going on with the union outside of that. So I was happy with the contract that we came in with. But the contract that I left was that the 2019, I guess, contract I was pretty unhappy about.*

Of course it wasn't just contracts that were different, but the entire leadership caucus and the organizing model changed from 2014 to 2018, as described in the previous chapter. Many participants were very frank with their negative evaluation of OSWP, when asked how satisfied they are with the union: "Not very satisfied. I don't feel like I have one." (Participant 4) and "Not

at all. Yeah, the union sucks, like it fucking sucks." (Participant 8). None of the participants were overall satisfied with the OSWP statewide leadership, though some did try to say something positive or at least extend some empathy while still being overall critical, for example:

> ***Participant(11):*** *Yeah, I mean, I feel like they defend [public education] ideologically, I sincerely believe they believe that it's important and that they care about it. They did all the phone banking for it in practice. In practice, I mean. The only way to defend public education at the university level. Uh. Would be to have a university full of people that can assert their collective power to determine what the outcomes are and the union's electoral strategy has not done that, what would do that is as graduate students. You know, the capacity to act, you know, in the face of cuts, privatizations, et cetera. But the and I mean, the only way to do that is to get participation up and that participation is not going to come through phone banking for four candidates. You know, it's going to only come from, you know, engaging, you know, graduate workers in their own, you know, an activity for themselves*

In the above example, the participant is saying that OSWPs entire strategy is wrong and ineffective but at least they care and are trying, however misguided.

Only a few participants ever mentioned the International UAW in their responses, and never positively and nearly always in connection to the corruption scandal, for example:

> **Interviewer (DW):** And how do you feel that your union leadership has advocated for your interest as a teacher and as a graduate student?
>
> **Participant(3):** I think at the local level, [name redacted] is amazing and a godsend. And I am so happy that she exists as a person. She is the kind of person that, like if she was in charge of the whole UAW, the world would be a much better place. So I think at the local level, I think the leadership is great. I think at the national level it's terrible. And a bunch of them are in prison now or whatever. Right. Because they literally were like embezzling funds and colluding with the bosses and stuff. So, like, I have mixed feelings about who we're talking about. I think the closer you get to National, the more upset I am. The closer you get to the local, the less upset I am.

The corruption scandal and the lead up to the vote on direct elections aka "One Member One Vote" were big news at the time of these interviews, January through March of 2020.

Grievances were an interesting topic among the participants, with some seeing it as the only silver lining of OSWP leadership, while others felt that OSWP wasn't even good at doing that. During the COLA wildcat OSWP leaders worked with COLA leaders to file dozens of grievances to protest the disciplinary actions against striking members. Some participants mentioned this action positively previously in the interview while discussing the events of the

strike itself, including COLA leaders at UCSC that were interviewed. In response to these questions there were a few people (three) who said that OSWP was good at grievances.

However, the criticism of "they're only good at grievances" was brought up as well. And a couple respondents even said that OSWP wasn't even good at that, for example

> ***Participant(9)****: …there's like so many grievances that like you can if they want to be a business union, at least do the thing, like at least put forward when grievances. So I guess I'm upset that they're both bad at being a business union and that they're a business union.*

Combined with criticisms of the union being legalistic or technocratic this theme was brought up by a majority of participants (eleven). Eight participants brought up criticisms of the union's model ("business unionism" or the service model" or that paid staffers do all the work).

> ***Participant(9)****: Well, they invented all of these staff positions that are paid like two to three times more than any of the graduate students are, and they. There's no term limits. There's no like they're just going to be taking in like sixty five thousand dollars a year and definitely upsets me, not because I don't think organizers shouldn't be paid a living wage, but because this used to be money that was going to like not only the unit share, but like people who were doing organizing that semester, like it was democratically allocated to someone who is maybe developing good organizing skills to be a rank and file leader. So it'd be good to have that they took away the snack budget, which sounds stupid, but like the. There's no sense that the union is a space anymore where the well, where workers are welcome to share their experiences and organize to make their workplaces better.*

I think all of these responses can be combined to say that fourteen participants criticized the *bureaucratic/institutionally focused nature* of the union in these questions.

Furthermore, ten participants raised criticisms that fall along the theme of *union democracy* in this section of the interview. These responses include criticisms of the centralization of authority or lack of campus autonomy in organizing (3), lack of transparency (2), being too top-down (1), or the criticism of signing a contract that one campus had a majority vote against, such as happened to UCSC in 2018 (4).

Thirteen participants raised criticisms of OSWP *not being militant* in this section. These included responses about OSWP not being "fighters" or not being "willing to strike" (twelve) as well as the "only good at paperwork/not fighting" responses (five). A great example of this response:

> ***Participant(2):*** *You know, they approach bargaining as like a kid asking their parents for candy or something like. They don't, even though they say we are equals at the table they like. Don't look like equals at the table, they have a lot of faith in labor relations and any administration to to take care of them, and they might not say that, but it becomes clear in their actions they don't follow up on their demands. If the university says no, then they say, well, you know, I just don't know how you'll do this. Maybe we can file a grievance or something like that, you know? They're not fighters. I think it's pathetic, I think our union is pathetic.*

When asked about defending public education two respondents said yes they were, while ten gave unequivocal no responses. Five respondents gave mixed responses, but those were still generally leaned negative, such as

> ***Participant(12):*** *[01:05:24] And I mean, it's a complicated question, I think, in their, like, earnestness and in their good intentions, they think the way to fight for the public is to engage in a kind of symbolic political campaign within the Democratic Party, that is more or less doomed to failure from my vantage point. So while it can't be said that they're, you know, against public education, the ways in which they go about defending it are not very robust. And from my point of view, if it's not even a matter of defending what's been eroded so considerably at this point, it's a matter of regaining the lost ground. Right? And that can only be achieved through a confrontational, offensive kind of politics, like taking not not constantly putting yourself in a defensive mode, but actually organizing concerted attacks on this employer, which is, you know, in some sense setting the tone for higher public at public higher ed in the US with their managerial strategies, with their labor practices. So I think, you know, yeah, that's what I think. I think their strategy is doomed to fail. Unfortunately, their reception of its continued failure is just treated as evidence for employing the same strategy once again. But like I said, I chalk that up to immaturity.*

This response which says that the OSWP strategy is doomed to failure, but says that at least that they are trying and that the problem is “political immaturity” is a sympathetic criticism compared to some other criticisms of OSWP that viewed them just as bad faith actors or opportunists, such as,

> ***Participant (8):*** *I do not think that the union leadership is interested in doing a lot for graduate students. I think some of them are really interested in becoming new deans or new gentrifiers and that is like how they see things, I will sort of also acknowledge that they are also graduate students and they're also not making tons of money. And so just like what people have the capacity for varies a lot. So I will sort of like leave a little space for that, but they aren't interested.*

Negative responses to the question about defending public education varied. Some said that there was no effort going to to that at all. Other said that they are pursuing the wrong strategy,

> ***Participant(9):*** *They have not. What they will say is that they are trying to lobby in Washington, not Washington, in Sacramento, which both in my mind represents a deep misunderstanding of how budgets work, but also just how power works, like their one lobbyist is going to spend like two hours whereas like all the other interests have, like professional lobbyists, where their entire*

> *job, like several jobs, are to advocate for the interests of power that you want public education dismantled. So it's not like they're not saying it. I just think that they, they just don't.*

And still others connected their pay and working conditions to the defense of public education,

> ***Participant(10):*** *Well, again, it's like the split, the other ones, I think, did a disservice by not because, like, we can't teach when we're hungry and precarious and concerned about our living situation. Like, I don't know. What do you think I'm going to have to motivate students or teach them, you know, but the ones that were COLA supportive were supportive, I think. Yeah, they were advocating for better education and like. Sense that appropriately pain and the people who are expected to provide that labor, especially when it's like we're already exploited in so many different ways, not even considered real instructors, you know, like I'm like I do the work that the professor doesn't want to do. Yeah.*

To summarize the findings of this section, respondents were overwhelmingly negative about the statewide OSWP leadership despite almost all but two of them being independent of internal union caucus politics before the COLA wildcat started, with one being involved in the dissident caucus CLEW in 2018 and one other being a former OSWP member. Their criticisms fit into three categories: 1. The union is too bureaucratic and institutionally oriented 2. The union is not militant and 3. The union isn't democratic enough because it is too centralized and top-down. These three themes are totally in line with the analysis from the previous chapter of the changes that OSWP made in the union when it came to power.

Conclusion

When Academic Student Employees (ASEs) at UC Santa Cruz declared a grading strike in the Fall of 2019 they demanded a cost of living adjustment (COLA) that they defined as a raise that reduced average rent to below 30% of their income, putting the average academic student employee out of rent burden. The increasing cost of housing in California, especially near university campuses and the lack of planning by UC administrators of how to deal with a student population and a workforce that has to deal with that growing crisis are the underlying conditions that the movement is responding to. However, it is also important to highlight that the form the resistance took to the housing crisis wasn't determined by just those two factors. ASEs could have pursued change through the legislature, or organized a tenants union, or through the

official bargaining process laid out by labor law, but instead they chose a wildcat strike unprotected by labor law and without the legitimacy of official union backing. Ultimately many did try numerous channels of making change, but they ended up organizing the COLA campaign. The chance to fight for a reduction in rent burden through the contract negotiations processes was lost in 2018 as OSWP pushed through a contract that would ultimately not keep up with inflation and would lock ASEs into rent burden until the next round of negotiations in 2022. While the contract did pass (in no small part to the many ways in which the vote wasn't fair and to OSWP violating numerous union rules and bylaws) it wasn't massively popular, it was the first contract since 2010 to have an organized no vote, and it just barely passed with roughly 40% of votes against it and the vast majority (83%) of UCSC rejecting it. Given their lack of recourse through official union channels, UCSC activists experimented around in the next 6 months after the ratification vote - pursuing change electorally, doing homeless camp organizing, and more. Ultimately they decided to focus on organizing a COLA campaign with the plan of building up the structure for a wildcat strike. The wildcat wasn't inevitable, the core organizers could have committed to other avenues of change, but the lack of a possibility for change through the official union processes was a necessary, but not sufficient, condition for the rise of the wildcat.

As shown, the relationship between organization and spontaneity and their dependence on either other is key to understanding the wildcat's emergence. The core COLA organizers had planned a long term, year-long campaign that they had hoped could potentially yield a wildcat. They won leadership of the Graduate Student Association and made use of its resources, especially its ability to communicate to the entire student body, and began organizing around COLA. However, it was the large email chain between the UCSC administration and the graduate student body, and the spontaneity of the "FUCK YOU PAY ME" email and calls for a wildcat strike on that thread that dramatically changed the planned campaign, providing

suddenly for an opportunity that the core organizers had only hoped would be a possibility many months down the line. The core COLA organizers were able to use their high visibility as the GSA leadership and the organizers of the COLA campaign to then call for a strike assembly and vote. The organization and planning created the situation where the spontaneous opportunity could arise, and then they were able to use their organization to take advantage of that opportunity. What is important here is that the leadership was flexible and open to the changing conditions, they didn't extinguish the opportunity by calling for structure test after structure test, or telling people what couldn't be done, instead they pivoted and adapted to the new circumstances.

Key to the wildcat was increasing its associational power (Wright 2000; Silver 2003; Chun 2009). The shift from grade withholding to a teaching strike allowed for ASEs at other campuses to join, even if initially just through temporary sickout days while building toward a full teaching strike. The UCSC core leadership understood this and actively encouraged other campuses to join them. Each campus that joined in added more pressure to management to give into the COLA demands. Undergraduate support was also crucial for both the grade strike and the teaching strike, as they are directly impacted by these actions, so their support or lack of can signal to management just how much repression is allowable. Undergrads not only supported the strike, they participated in the picket line and other actions like building takeovers and cafeteria liberations that added more pressure on UC management to give into the COLA demands. Furthermore, through their participation in the movement the very understanding of what a COLA is and who deserves one was contested and redefined - demands around campus police were added to what was originally just about pay/rent and the idea of a "COLA for all" meant not just ASEs, but all campus workers and students. Some pointed to the potential of the strike to develop beyond a narrow labor action as it connects issues of housing, education, and

social reproduction and imagines developing a new type of society organized around care instead of capital accumulation (Nemser and Whitener 2020).

As it seems is often the case, it was missteps by UC management that provided many of the escalation points for the movement. From the police brutality at UCSC during the first week of the picket line, to firing 80+ ASEs, the administration's missteps and heavy-handedness polarized many people and increased support for an participation in the COLA movement. Participants largely cited these actions as undermining admins efforts and helping the COLA cause win more support.

The wildcat didn't just emerge from the campus with the strongest opposition to the new contract, it was also the only campus without a presence of OSWP. Members at this campus described their relationship with the OSWP dominated statewide union leadership as one of neglect, as if the leadership had failed in its duties to represent their voices. However the presence of OSWP at other campuses showed a different kind of relationship, one where the officaldom wasn't neglectful in its role of representation, but where the union leadership and its supporters were an obstacle to actual COLA organizing, with UCLA being the most extreme example of this, where OSWP engaged in very direct and confrontational counter organizing, and participants described the relationship between COLA and OSWP as abusive- the inverse of wanting a stronger representation from the statewide union they wanted the leadership to get out of their way and let them organize. UCLA showed that the presence of the dominant caucus was actually an obstacle to COLA organizing. Diffusion of the movement followed the paths of least resistance, and was supported by pre-existing networks of union dissidents. UC Berkeley was the most interesting case because it was also an OSWP stronghold, but it was also the center of the Mussman Appeal organizing, so while dissidents didn't outnumber OSWP they were too great in number to back down from attempts to demobilize and counter organize,

leading to a stalemate where OSWP let them be, unlike at UCLA where the imbalance of power was much greater and COLA members were constant targets of OSWP counter organizing.

Diffusion is the opposite of *containment*; where diffusion happens it reveals a failure of containment, which is any attempt to build a firewall to stop the movement from spreading by bringing in new participants and widening to more locations. Participants spoke about official union communications not mentioning the wildcat at all. This is a form of containment - by not informing members of other campuses of what was going on at UCSC the union leadership was effectively preventing the recruitment of new members into the movement. Eventually communications that did acknowledge the wildcat were made to members, but these discouraged wildcat participation, which is also a form of containment because it works against spreading the movement.

The personal attacks and stigmatizing of wildcatters and dissenters as “anti-union” or as irresponsible cosplayers who will ruin the union, or any other number of ridiculous talking points works to both *contain* - the stigma prevents others from joining their movement - and *demobilize* - the personal attacks and generally toxic atmosphere is enough to push many people away certain organizing spaces, including the movement they are currently in, just to avoid this toxicity for the sake of their mental health, if not in the short turn for the current movement they are in then for the long term for the broader struggle for union reform. This was true for the most central organizers at UCSB when UAW 2865 was voting to affiliate with the UAW (Sullivan 2003), as well as after the contract ratification in 2018 and 2022, where stigmatized and targeted communities of dissidents saw many actively involved rank-and-file members gave up on that kind of work altogether after their toxic experiences.

Demobilization was also a tactic used by the OSWP leadership against the COLA movement. The counter-organizing efforts can be described as two different types of

disruptions, hard and soft. *Soft disruptions* are ones aimed at getting individuals to internalize an alternate set of values or perspectives that sees the wildcat behavior as harmful to the goals and strategy of the official union structure. *Hard disruptions* are when people are directly harassed, physically confronted, or otherwise intimidated into stopping wildcat activity. OSWP relied heavily on soft disruption through mass emails to counter-flyering to get wildcatters to stop. However, hard disruptions like being yelled at or verbally accosted did happen, disproportionately at UCLA it seems.

After the wildcat achieved popular support, on campus and beyond, the OSWP leadership engaged in activities that are best described as credit stealing. The most blatant attempt to take credit for and claim leadership over the COLA movement was when the union bought the COLA4all website domain and directed it to the official UAW 2865 website, however this was also the least impactful. The biggest attempt at credit stealing was when OSWP seemed to back the movement by declaring that a Unfair Labor Practice (ULP) strike could be declared. This possibility was a huge relief for many COLA leaders who understood that the movement needed to grow to be more successful, and getting official backing to become a legally protected strike would draw in many more people who for a variety of reasons hadn't joined the wildcat. COLA organizers were told that a ULP strike would be declared if enough strike pledges could be obtained, however the goal post was moved and the ULP never materialized. Effectively this meant that a number of COLA organizers were drawn into phone-banking on behalf of the union which had been trying to break the strike. This was an act of credit stealing as they were being absorbed into the official union activities and working on behalf of the union as a way to prevent the threat of a political challenge to the leadership, all while never giving up power but sharing responsibility for this potential future ULP strike. In this way the leadership could benefit from the image of "fighting for a COLA" without actually having to actually back the strike or take any risks.

The Covid-19 pandemic's sudden disruption of everyday life also brought the strike's momentum to a screeching halt. While the picket line and the strike are not synonymous[85], as people withholding labor may not show up to the picket line for any number of reasons, and those who show up to the picket line to support the strike may not be employed in the jobs that are being struck, or may not be workers at all but supportive students or community members, given the unofficial nature of the strike for many the picket line was a space where everyone went to show that the strike was still happening. The ableism of the labor movement and the organized political left more broadly meant that many resistance movements were unprepared for how to organize under these new conditions, as previously too much about organizing was about showing up with your body, something some disabled organizers had been working around for decades (Li et al 2018). COLA wildcatters experimented with hosting virtual teach-ins through Strike University[86], pivoting to mutual aid work and the "social welfare strike" at UC Irvine, and more, but too much momentum was lost and the pandemic overshadowed everything. It was under these conditions that some wildcatters saw the possible ULP strike as a way to revive the movement, but the business unionists running UAW 2865 made sure that was a dead end- the union leadership said that "Covid organizing" was the main priority over getting ULP strike pledges, but it seems like the main focus of that was on a monthly internet bill reimbursement for the switch to remote work. The union leadership's claim that covid was a priority would be shown to be a farce when UC admin forced everyone back to in-person teaching, at the expense of immuno-compromised and other disabled workers, workers who care for people with disabilities, and workers with small children ineligible for the vaccine, and the union leadership didn't really fight to keep accessible work, and in the next round of contract

[85] For a great discussion of this distinction and what it means for disabled workers and care takers see Jirmanus Saba, Mary (2022) LA Progressive. https://www.laprogressive.com/labor-social-justice/uc-academic-worker-strike.

[86] Strike University can be found at: https://strikeuniversity.org/

negotiations would refuse to even introduce a proposed public health article written by disabled members and allies that would ensure accessible work and mandatory masking, testing, and contact tracing along with ventilation improvements.

CHAPTER 5 – THE SEATTLE MAP TEST BOYCOTT

“You can't fatten a pig by weighing it. Right? And it's that idea that you can solve whatever problem by testing. I used to have an article cut out of the newspaper, way before the MAP test boycott, up on my wall over my desk at home that was oh, you know “We have solved the problem with math. We’re really gonna be able to help kids now because we have a new test.” And that’s all they have is a new test. And the mindset that thinks that that’s ok to have those people in charge of children is actually child abuse. They don’t understand children, and what they’re doing is abusive.” - Interview Participant

Beginning in 2013, with the announcement by teachers at Garfield High School in Seattle Washington in defiance of district mandates that they would no longer be giving a test called the Measures of Academic Progress (MAP), there was a wave of resistance across the United States against high stakes standardized testing (HSST), and the policies that have enshrined and institutionalized these tests, The Bush Administration’s No Child Left Behind (NCLB) and The Obama Administration’s Common Core and Race to the Top. This anti-testing movement should be seen as part of a larger movement that is fighting decades of “school reform” that includes austerity (budget cuts), school closings, high stakes testing, and the loss of local democratic control over schools in many districts. Racial equity and social justice have also been central in much of this movement, as the defunding of schools and school closing have disproportionately affected Black communities, and the school-to-prison pipeline has been under increasing scrutiny as resistance to mass incarceration increases. This fight for more democratic local control and social and economic justice has been dubbed by some as the “Education Spring”, after the anti-authoritarian Arab Spring movements of 2011 (Bryant, 2013a; Bryant, 2013b; Bryant, 2014; Cody, 2014).

Marches, pickets, strikes, building occupations, petitions, refusing to give or take tests, or altogether opting their kids out of the test, and other such actions have taken place by teachers, students, parents, and the broader public. In some places teachers are leading the

way, in others it is parents; however students themselves have become an organized and vocal force for change too. As one writer about the Education Spring noted, “From all corners of the country – North Carolina to Philadelphia to Louisiana to Chicago – students as young as eight years old are organizing and taking part in a variety of actions including zombie protests, school walkouts and sit-ins, and [other] acts of defiance…” (Bryant, 2013b). Two nine year olds have gone viral speaking out about the conditions of austerity and high stakes standardized testing, being in the spotlight in both social media and in the mainstream media- Chicago Public Schools student Asean Johnson (Hicks, 2013) and Florida student Sydney Smoot (Strauss, 2015).

The Seattle MAP test boycott started at Garfield High School after teachers there voted unanimously to stop giving the test, which is given out at three points throughout the school year to measure students' improvement throughout the year. Despite threats from the district and no support from their union leadership Garfield teachers refused to back down. They were joined by parents who opted their children out and by students who refused to take the test. The boycott received support from the community at large, and eventually made national news where messages of support from teachers all over the country came flooding in. Garfield faced off with the district for months, trying to hold the line and spread the strike to other schools, and were eventually joined by a couple other schools. Their refusal inspired a wave of opting out of HSST across the country, with a legacy that lasts even a decade later as many parents are still opting their children out - such as in New York state where it is estimated that one in six children have been opted out by their parents (Harris 2015) and in some schools the majority of children have been opted out (Zimmer 2022).

While the Education Spring’s scope is broader than just HSST, and there were important moments of resistance in education before the Seattle MAP test boycott such as the Chicago Teachers Union 2012 strike, the Seattle MAP test boycott was a watershed moment in that it

sparked a new form of collective action - resistance to high-stakes testing - that swept the country with parents opting their children out of these tests. Seattle was also a special case, as most of the opt-out movement is parents opting their children out of these tests, but in Seattle we also saw students refusing to take the MAP test and teachers refusing to give the test. It is the labor element that makes Seattle such an interesting case because while the movement as a whole was called a boycott, the actions taken by teachers were technically a wildcat partial strike.

The wildcat strike against high-stakes standardized testing by some Seattle teachers raises the questions of why it took a dozen years after the passage of NCLB for a movement against test resistance to pop up, and why it did pop up when and where it did, at Garfield High in Seattle in 2013. This chapter attempts to answer those questions and in doing so raises new questions about movement diffusion and labor union structure that latter chapters will address.

Grievances and HSST

Grievances have long been discussed in the social movement literature (Gurney and Tierney 1982), and their explanatory power long debated (Opp 1988). Freeman (2014) argues that a "sense of grievance is the precondition for a movement – but it still has to be organized… It should be obvious that movements don't happen by themselves. There must be grievances *and* organization." So grievances are a precondition but may not be sufficient on their own for the development of a social movement, therefore first we must examine the relationship between teachers and HSST and then the role of organization can be examined.

While public schooling systems have always been on the receiving end of political struggles over visions of how society should function, the current struggles over the

restructuring of education can be traced back to April 26, 1983, when the Reagan Administration released a report titled “A Nation at Risk”. This scathing assessment was full of alarmist language, “Our Nation is at Risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world…. The educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people” (The National Commission on Excellence in Education 1983). The report had a heavy political impact that has only grown stronger over the years, with the enactment of No Child Left Behind and the increasing prominence of charter schools. The ideas in the report echoed the ideas of a previously fringe right wing reform effort, however the fact that the report was coming from the White House legitimized and gave momentum to the effort and coalesced it into a movement (Berliner and Biddle 2000: 510).

The business community then joined the reform movement and released their own series of reports. The remedies they called for were based on the assumption that there was a crisis of “human capital”, and the labor force needed to be modernized for the information age. Businesses saw schools as training grounds for the workplace and so wanted more job-placement programs, and more focus on technical skills and proficiency with the latest technology (Berliner and Biddle 2000). Notably missing was a focus on critical thinking skills, arts and humanities education, and ethnic/cultural studies.

Business leaders in the technology sector would come to the forefront of this movement for a “modern education”. They not only wrote the prescription, but they also sold the remedies. Bill Gates, through the Gates Foundation, would be seen as an “educational leader”, as he was introduced on a PBS TED Talk focused on education, and an authority on the needs of students (PBS 2013). These needs of course were focused on a high-tech and multimedia classroom, and computerized assessment systems. The medium through which technology firms have

intervened in educational politics has been through foundations and nonprofits like the Gates Foundation.

What is key about this political shift was not just that the right wing/corporate school reform movement had come to the mainstream from its previous position on the fringe or that in doing so it had become an coalition of various right wing movements, the neo-conservatives in the White House, and the business community – especially the tech sector, but that professional authority of teachers was under attack under the guise of a national security crisis. This allowed not only politicians but billionaire CEOs to have legitimate opinions about a field that once was dominated by teacher's authority. One of the characteristic features of a profession, as opposed to an occupation, is that professional workers have a monopoly over the knowledge of the production process and the sole legitimate authority over this process.

Despite research which shows that standardized testing is harmful to the educational process (Kohn 2000) the standardized testing movement has only gained ground since "A Nation at Risk". Two major federal policies, one enacted by a Republican White House and the other by a Democratic White House, have since further eroded teacher's control over their work. In 2002 the Bush administration signed the No Child Left Behind Act (NCLB) into law, tying federal funding to the states for education to the states developing and meeting standards. In 2009 the Obama Administration made a move to centralize NCLB through its Race to the Top initiative by creating a competition between states for extra funding, which comes from a pool of over $4 Billion annually just for this one initiative, tied to their compliance with Common core standards. While adoption of Common Core is technically optional, some critics argue that it is an unfunded "trickle-down mandate" (Barnhart 2013).

The mandating of high-stakes testing throughout the country has been a lever through which a privatization agenda has been pushed, busting teachers unions by displacing them, as well as justifying school closures and takeovers. HSST has also exacerbated the racial inequalities in schooling. US schools are heavily segregated and severely underfunded (Kozol

1991, Au 2009) and critical thinking and culturally relevant curriculum has been displaced by teaching to the test (Au 2007; Au and Bollow-Temple 2012). School closures happen disproportionately in Black neighborhoods, and have been shown to increase the probability of gentrification (Pearman and Greene 2022).

Abrams et al (2003) combined numerous state level studies conducted in the late 1990s and early 2000's on teachers opinions toward high stakes testing and found that while teachers supported state standards they found that compared to teachers who only had to deal with low stakes standardized testing teachers who had to deal with HSST reporter higher levels of pushing aside non-tested areas of study to spend more time on tested areas of study and that they set aside more time for test preparation. Furthermore HSST has a greater effect on teacher stress and job dissatisfaction. Teachers covered by HSST were twice as likely as teachers covered by low stakes tests to request a transfer to a grade where tests weren't administered, and they are more likely to report on negative impacts of testing on their students.

We can conclude then, that a significant portion of the profession has been dissatisfied with HSST since before NCLB made them mandatory. Since the Education Spring didn't begin for over a decade after the passage of NCLB it would seem that grievances aren't enough, and we must look into the organizational structure of teacher's unions to figure out why the 2013 Seattle MAP boycott happened when and where it did.

Organization: The Failure of Professionalism and Business Unionism

Organizationally teachers are an interesting group, as they have pursued unionization as a strategy for bettering their pay and working conditions as well as professionalization. Teachers are often considered quasi-professionals, because they haven't been able to fully professionalize (Larson, 2013). *Professionalization* is the process of gaining a monopoly over

the production of the producers of a specialized type of knowledge in order to reap greater social and economic rewards, which ultimately leaves professionals "outside and above the working class… Their relative superiority and distance from the working class is… one of the major characteristics that all professions and would-be professions have in common" (Larson, 2013: xvi). Historically, for teachers, professionalization was a disciplinary strategy pursued by administration and business elites pushing for centralization as an "ideology that separated teachers from the community, reinforcing their differences from the communities they came from and making them the hirelings of a new superintendent of schools who alone would determine their success…" (Murphy, 1990: 23) Professionalism was appealing to teachers because of the promise of prestige and better pay in an occupation where most teachers were young women who boarded with someone in the community and had little privacy/autonomy in the community. Murphy argues that professionalism offered the choice to switch one patrimonial relationship (with the community) with another (with administration). This was partially achieved through requiring teachers to have a college degree, which often weeded out women from the working class and brought in a new type of teacher, "who shared a culture of middle-class values—the culture of 'professionalism'…[c]ontrol, efficiency, and reasonableness… [t]his new teacher would be self-sufficient and somewhat removed from community life" (Murphy, 1990: 35).

Professionalization therefore should be seen as both a *reform project* –to reform the socio-economic system to provide social and economic benefits to a certain group while leaving the overall system intact and unchallenged - and as a *project of distinction and self-disciplining*. A project of distinction, in the Bourdieusian sense, from the working class, as Larson argues it is a "means of distinguishing oneself from the status-less proletariat into which whole sectors of the pre-industrial occupational hierarchy were being engulfed" (Larson, 2013:77). A self-disciplining by following standards of professional behavior, which as Larson (2013) points out in her example of professors and engineers, often translates to a conservative individualism

rejecting unionization and solidarity and refusing to go on strike or engage in other "unprofessional" behavior. In order to achieve this monopoly control credentials are needed, and thus this whole project relies upon engaging in a patrimonial relationship with elites, through the state apparatus.

Teachers have been pursuing unionization for over 100 years, and the AFT is the national organization with the longest history of unionization. Whereas the NEA is now also a major teacher's union, in its early days it was dominated by administrators and was defined by a rejection of unionism and solely focused on professionalization (Murphy 1990). The history of the dual strategies of professionalization and business unionism in the AFT and NEA has left behind an organizational structure that mirrors the bureaucratic structure of other labor unions today, with a disempowered rank-and-file whose main role is funding the leadership who work within given institutionalized channels to try to effect change on behalf of their members.

In the 1980s fringe rightwing ideas about school reform were mainstreamed under the Reagan administration after the publication of "A Nation At Risk", an alarmist report that concluded that lax educational standards were a national security threat. Initially both major teachers unions, AFT and NEA, didn't organize an opposition to this new agenda. The NEA eventually took a mixed stance of opposing some of the agenda while supporting other aspects, while the AFT under the leadership of Albert Shanker supported the new push for "standards and accountability" (Koppich 2005).

The failure of business unionism to defend industrial workers against the neoliberal turn should have been a wake up call for public sector unions, but the union bureaucracy has only grown bigger since the 80s, and the two big teacher's unions have totally wedded themselves to the Democratic Party and centrist/liberal politics. Average teacher pay in the US in 2012-13[87]

[87] I use the 2012-2013 school year because this is background to the Seattle MAP Test boycott of 2013.

was $56k/year, and has been stagnant around that level since 1990, in 2013 dollars (NCES 2013). While business unionism has been a disaster for workers, it has been quite the boon for union bureaucrats, the average union executive is in the 5% of income earners in the US while many top union Presidents are in the top 1% (Brenner 2010). From the 1980's to 2013 the percent of teachers covered by a union contract declined from almost 70% to about 55%, and the percent of teachers who are union members declined from about 57% to under 50% (Antonucci 2015). Union members and unions are hurting because of neoliberalism, but union bureaucrats are doing better than ever. One would usually describe a relationship like this as "collaborator", not "leader of the resistance".

Neoliberalism in public schools has manifested through two major ways, austerity and standardized testing, which work together to exacerbate and further reproduce racialized and class inequalities as well as erode the amount of control teachers have over their work. Initially the AFT and NEA have took different positions on NCLB - the NEA vocally opposed NCLB and claimed it could counter the Act through a lawsuit, as it was an unfunded mandate while the AFT took a critical stance toward implementation while still praising the ideals behind the Act (Koppich 2005). While these responses are certainly not the exact same, both unions pursued top-down change strategies, the NEA with its lawsuit, and the AFT through lobbying for amendments to change the parts of the law it disliked the most. In 2008 the AFT elected Randi Weingarten as president, who was originally supportive of testing (Sawchuk and Heitin, 2014).

The lack of an effective opposition by national NEA and AFT leadership to the No Child Left Behind (NCLB) Act created a vacuum, which could have been filled by new leadership or new tactics, but given that the practices of business unionism are tied to its organizational structure there is a conservatism in maintaining practices, and furthermore because there was no other national level organization this meant new strategies would have to surface at the local level. This is precisely what we saw in Seattle in 2013.

After the MAP boycott in Seattle in 2013 showed an alternative strategy, and I think even more importantly, that there was hope that teachers, students, and parents could resist the "testocracy"[88] and win, this is when the Education Spring began. Seattle was a flash point that ignited a movement across the country[89], much like how Occupy Wall Street ignited the Occupy movement across the country, or how the uprising in Ferguson sparked the Black Lives Matter movement across the country. The burning question then, the main question that this chapter hopes to address is to understand that key point in Seattle. It seems plausible that the kind of resistance that was seen in Seattle could have happened elsewhere and then inspired the Education Spring, if opposition to high stakes standardized testing were there in the rest of the country and all that was needed was a spark to ignite a movement. So the question then is, why did Seattle happen first?

The following pages will explain the important factors that gave way to the rise of the Seattle MAP test boycott. I will argue that conditions were strongest in Seattle; i) there was a burgeoning reform movement within the union, affiliated with the caucus Social Equality Educators (SEE) - ii) this alternative leadership had a history of building connections with students and the community through anti-austerity work, and iii) a scandal of conflict of interest connecting the superintendent to the non-profit organization the North West Education Association (NWEA) which created the MAP test opened up a political opportunity to challenge the legitimacy of that specific test, which opened up the discourse to questioning the legitimacy of all high stakes testing.

[88] As Seattle teacher and MAP boycott organizer Jesse Hagopian calls it. See for example: Hagopian (2016) https://www.youtube.com/watch?v=gL64chNiuJQ

[89] The Chicago Teachers Strike of 2012, led by a reform caucus in power was also a major inspiration, but wasn't explicitly about standardized tests, so it wasn't the spark of test resistance.

Race and Austerity in Seattle Schools

In order to understand Seattle schools, and specifically Garfield High School, we must also understand the history of the city in regards to its racial and economic make-up and dynamics. The defense industry brought jobs and a population boom of mostly whites to Seattle during World War II, particularly to the Southeast Seattle region. However between the early 1960's and the 1980's there was another major demographic shift, a boom in the Black and Asian population followed by white flight. In Census Tract 101 the percent of the population identifying as white was nearly 100% in 1940, around 90% in 1960, and just over 40% in 1980. Some schools experienced extreme segregation, such as John Muir Elementary, which was nearly 90% white in the late 1950's and around 30% white in 1970 (Woodward 2011). Aside from moving to another geographic area, many white parents pulled their children out of public schools altogether and enrolled their children in private and parochial schools.

In 1962 the NAACP Seattle chapter sues the school district to end its racial segregation. An out-of-court settlement was reached in 1963 in which the district agreed to allow individuals to voluntarily transfer to another school through the "Education for Understanding" program; however the city didn't back this up with mandatory or special transportation until 1972. In 1977 Civil Rights Groups sued threatened a law suit in order to speed up the desegregation process. The district responded with the "Seattle Plan", "a district-wide busing plan, which involved about 12,500 of the district's 54,000 students. By doing so, Seattle became the largest city in America to implement a district-wide desegregation plan relying on busing without a court order." (Judge 2007). The plan used questionable metrics, that would have declared an all white school "desegregated", furthermore, Tate (2002) notes that white parents manipulated the system to avoid undesirable schools or left the public schools altogether. White segregationists resisted with a ballot initiative that passed but was struck down by the Supreme Court in 1982.

During the 1980's there was massive white flight from the public schools to a private system that was legally immune to desegregation mandates. In the first year of busing the white student population dropped 12%, and it continued to steadily drop every year that mandatory busing remained (Tate 2002). Near the turn of the century Seattle still faced a segregated school system and legal challenges that would lead to the end of desegregation policy. In some high SES and white neighborhoods about half attended these private schools, as opposed to about 10% of students in poorer and racially mixed parts of the city (Tate 2002).

Finally in the late 1990's the school board voted to end all mandatory busing for desegregation purposes in 1996 and in 1998 I-200 passes, which bans the use of race in education and employment. The School Board implements a new way of assigning schools, based on siblings, proximity, and in the case of a "tie" between applicants race is used as a deciding factor. Even this minor form of desegregation met hostility and it was challenged in 2000 in court, and after a serious of rulings and appeals made its way to the US Supreme court where the program was struck down in 2007 (Judge 2007). In 2010-2011 the district shifted to the community schools system and all remnants of a choice system were eliminated other than the existence of a lottery based "option" school in each middle school region which the system doesn't provide transportation to (Woodward 2011).

There have been struggles over facilities as well – site closures and building capacity have been controversial if for no other reason than because of the racial implications of these policies. South East Seattle, with a historically racially mixed population, had had its share of resistance to school closures as well as expansions which would demolish nearby houses to make space for the expanded facilities. There was a near-boycott in 1984 when parents demanded that Whitworth Elementary be renovated to be earthquake-safe. In 2005 and 2007 there were a series of school closures, all of which were in Central and South East Seattle, which are regions with the highest non-white population (see Map B). School closures met

resistance from organized and mobilized communities, but in the end they were still shut down. (Woodward 2011).

Garfield High School is in the central district of Seattle, was established in 1920, and has been a predominantly Black high school since after World War II, becoming a majority-Black school in the early 1960s. In the time between voluntary desegregation and mandatory busing the city explored using “magnet schools” to attract white students to racially mixed schools. Garfield became one of these schools, it is in the central region, is near downtown Seattle, and borders both white neighborhoods and Black neighborhoods.

The problematic formula used to determine which schools should be desegregated and the manner in which this was done created situations where magnet schools like Garfield created tracking programs, special classes with more advanced curriculum, to keep white students in order to stay ”desegregated”, however this just created a new stratification between the programs within the school. Black students were kept out of these programs, because every White student they displaced was one that the school lost (Woodward 2011). So here we have the big picture – in Seattle, a Civil Rights movement fought for desegregation of the schools for many decades using legal measures and boycotts but at its best achieved a public system in which mostly-White schools were not tampered with significantly or at all, and when white students were brought into schools in racially mixed neighborhoods they were often given more advanced curriculum and programs that minority children were mostly excluded from, and all of this was coexisting alongside a heavily segregated private system which was immune from any desegregation orders, and today all attempts by the city, state, or school board to bring about racial equity and desegregation in education have been abandoned.

It is important to keep in mind that there are two systems, a predominantly White private system and a disproportionately Student of Color public system when thinking about the effects

of the national restructuring of schooling, as explained in Chapter 2. No Child Left Behind (NCLB) and Common Core do not apply to the predominantly White private system. It is the public system which has had to adopt this testing culture. It is teachers, mostly women and disproportionately Women of Color, in schools which teach disproportionately Students of Color who have had their pedagogical authority eroded by these policies. Communities of Color have been facing the brunt of the attack on schooling. On top of the color-blind racism of the restructuring of schools around high stakes testing and the proliferation of two tiered school system - autonomous private (read: first class) and heavily scrutinized public (read: second class) school systems – it is communities of color and teachers working in this community who have had to fight austerity politics. Seattle schools were heavily defunded, by around $2 Billion in the years leading up to the MAP boycott.

To summarize: In Seattle there are two systems of schooling, one of which is mostly inaccessible to People of Color, and the school system they are funneled into has had its budget slashed all while students and teachers are under heavy scrutiny from a testing-industrial complex led by a small number of large corporations backed by the Federal government and the state which are poised to blame an occupation dominated by women for the shortcomings which stem from larger structural economic inequalities embedded in a white supremacist capitalist hetero-patriarchal society. The Gates Foundation may be a leading actor in school reform, but Bill and Melinda Gates, Seattle residents, don't send their children to the public schools, and therefore their own children and their children's teachers and their mostly white and upper class peers don't have to deal with High Stakes Standardized Testing.

Burgeoning Social Movement Unionism in The SEA

Despite three years of the legislature cutting over $2 Billion from the education budget, Governor Christine Gregoire proposed a budget which planned to cut another $2 Billion from education and healthcare. Seattle schools had already faced teacher lay-offs, school closings, increased class size, reduction in support staff like school counselors, and the elimination of student transportation (Hagopian 2011). Members of the social justice oriented reform caucus Social Equality Educators (SEE) within the Seattle Education Association (SEA), an affiliate of the National Education Association (NEA), went to the state Capitol building on November 28, 2011 while the vote on the budget was being taken and tried to citizen's arrest members of the legislature. They "mic checked"[90] the legislature and delivered notice about the failure of the legislature to fulfill their duty as written in the Washington state constitution to fund their schools. Garfield High School teacher and SEE member Jesse Hagopian[91] raised up a pair of handcuffs and asked the legislators to come with him. However, it was Hagopian who would be arrested for disrupting the legislature.

After news of the teacher's arrest spread, students organized solidarity campaigns, including Facebook pages like "Free Mr. Hagopian". When Hagopian was released the students turned their organizing effort into a walkout to defend public education. On November 30, 2011, 500 students from Garfield High School walked out of their classes and their school. One of the student pamphlets encouraging the walk-out read

> *-- Students who want full schedules have been denied them due to a lack of teachers. Many seniors were denied a science class due to a complete lack of state science funding.*
>
> *-- Other academic courses, such as advanced math classes, have been repeatedly cut from our school.*

[90] This is a practice that was popularized during the Occupy Wall Street movement where the person speaking breaks up their speaking into short bits and the crowd repeats each bit immediately after it is said. The purpose of this practice was to amplify the speaker's voice without the use of electronic equipment.

[91] Jesse would later run for union president in 2014 and narrowly lose by 45 votes (Higgins 2014)

> *-- The removal of summer school and night school has removed resources that allowed many students to graduate on time, therefore effectively increasing the amount the state must spend on those students.*
>
> *Join the movement. Spread the word. Get active.* (Hagopian 2011)

The students marched to City Hall chanting “No more cuts!” and “Fund our future!” They were met by the mayor who declared that the students were right. Students published an op-ed in the Seattle times declaring

> *We call for our legislators to provide a responsible and reasonable solution to the state's budget problem that doesn't put the weight on the shoulders of students. Whether that solution is new taxes, cuts to other programs, or a comprehensive re-evaluation of the current public-education system, we need a plan that will actually improve the quality of education our students receive.*
>
> *Across-the-board cuts to vital education funding may seem like the easy solution at first, but they are nothing more than a poison-soaked Band-Aid.*
>
> *By cutting the education of the present, we are pawning off our future, rather than funding it.* (Bronsdon and Heft-Luthy 2011).

Then in January 2012 all nine justices of the Washington State Supreme Court ruled that the state was not meeting its obligation to fund basic education. This obligation was based on the state constitution Article IX, Section 1. "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex."[92] and the ruling of a 1976 lawsuit brought against the state by the Seattle School district after a levee broke and school funding was reduced. It was ruled that the state had the obligation to provide schools with a reliable source of income.[93]

These teachers, who were union reformers and members of SEE, stood up for education as a basic right and as an issue of social justice and when one was arrested students responded with a solidarity action which escalated the campaign to fund education. This

[92] See: Washington State Legislature Office of the Code Reviser (unknown year) https://leg.wa.gov/CodeReviser/Pages/WAConstitution.aspx

[93] See O’Sullivan and Brunner (2015) https://www.seattletimes.com/seattle-news/education/supreme-court-orders-100000-per-day-fines-in-mccleary-case/

connection between students and teachers fighting austerity in Seattle laid the groundwork for the upcoming boycott of the Measures of Academic Progress (MAP) test just a few months later.

The relationship between teachers and students, teachers and parents, and teachers and the community varies wildly historically, from outright antagonism, such as the hostility we have seen recently around alleged CRT being taught in schools and teacher support for trans and gender non-conforming children to mask mandates and other public health measures, to the kind of support or coalition work we saw around the Chicago Teachers Union strike of 2012 and the MAP boycott of 2013. Infamously teachers in New York City went on strike in 1968 in a conflict that from their perspective was about teacher vs administrator control but that the mostly Black and Puerto Rican community they served felt was about self-determination in a school district that had a long history of excluding them from decision making. Today some teachers unions are trying to lead the way in dismantling structural racism by including abolition of school police in their bargaining demands. Some chapters of the NAACP supported high stakes standardized testing because they view test scores as a credible measurement of just how much predominantly Black schools are being underserved and in their perspective removing these tests is getting rid of the data that they need to advocate for their community. Given that the relationship between teachers and those they serve isn't set in stone and can be very volatile, the community support for the MAP boycott wasn't necessarily a given, and one can imagine the MAP boycott being an issue that divides rather than unites these groups. Coalitions are formed through a process of struggling together, and the action at the capital and the organizing support for the arrested teacher were a process through which these connections were either created or reinforced.

The MAP Boycott

The Measures of Academic Progress (MAP) test is a series of computerized tests given in Seattle elementary through high schools three times per year, fall, winter, and spring. The test is adaptive, meaning that how a question is answered determines what questions come next. Correct answers bring harder questions, and wrong answers bring easier questions. According to the Northwest Evaluation Association (NWEA), the non-profit organization which made the test, these assessments are to be a great tool to teachers who can immediately use the results to find their students' strengths and weaknesses.

Before the boycott had begun there were already numerous criticisms of the test. There were concerns about the inadequacy of the assessment as a pedagogic tool, especially since there were some questions on the test which weren't on the curriculum until higher grades and that some teachers report that it's not helpful because it doesn't show which questions the students had, and with every student getting different questions it's hard to figure where they went wrong (Seattle Education 2011). One study even concluded that the MAP test had, "no statistically significant impact" on achievement in reading for the grades studied, fourth and fifth (Cordray et al 2014). The very scientific nature of the test was also challenged by the fact that the test has a margin of error which is larger than the expected gains, meaning that the data is of questionable value. Also as one participant explained, the test was really bad dealing with the upper percentile scoring students.

> ***Participant 2:*** *There were stories about kids who went from a ninety-eight on the test to a ninety-nine on the test and got remedial letters saying "Your student needs testing because they didn't go up two points." You know like "You need to get your student a tutor. You need to work on homework after school." You know they had a whole long list in the letter of things you need to do; so just not useful. I guess It was generated by a computer and not, you know, no human sat down and did that. That's ridiculous. You know the testing software just didn't handle kids at the upper levels.*

There were also social justice based concerns; since the test grades on a curve there will always be a number of students who are set-up to fail, it is highly likely that these students will be from disadvantaged backgrounds. Then there was also the concern that kids are being over-tested and that time is being lost for real instruction and one-on-one checking in with students. The test was also problematic for teachers because despite the NWEA stance that it is supposed to only be a student assessment meant to help guide instruction the test was potentially going to be tied to teacher evaluations. Teachers didn't think that they should be assessed by a test not designed to assess their work, especially given all of the concerns that were raised about the test.

One of the interview participants explain their point of view and the problem of school reform being fixated with high stakes standardized testing,

> ***Participant 2:*** *None of it [HSST policies like NCLB, RttT, and ESS] turned out to be very beneficial for children. The only silver lining that I ever saw for any of that was bringing attention to adolescents who struggled with reading. Up until that point no one noticed or cared, could not see that there were adolescents who did not know how to read and were suffering from that and once those various initiatives that you described came into play people started noticing and there was a little more money for it, but really it was mostly money to uncover it not money to do anything about it. So this- that's exactly what the high stakes testing, the downfall of it is, is it purports to solve the problems when really all it does is uncover the problems and sometimes it can't even do that, accurately.*
>
> *The story that comes to mind is about the of weighing the pig. You've heard that metaphor? You can't fatten a pig by weighing it. Right? And its that idea that you can solve whatever problem by testing. I used to have an article cut out of the newspaper, way before the MAP test boycott, up on my wall over my desk at home that was oh, you know "We have solved the problem with math. We're really gonna be able to help kids now because we have a new test." And that's all they have is a new test. And um the mindset that thinks that that's ok to have those people in charge of children is actually child abuse. They don't understand children, and what they're doing is abusive.*

I had never heard the metaphor "You can't fatten a pig by weighing it" before and I was actually quite struck by the participants' use of it and how apt it felt as a critique of so much of test-based school reform. It's not that these communities don't know that their schools are underfunded and that their children aren't getting the same small class size, latest technology, counselors,

and other resources that richer communities are getting, and its not that they don't see that what they are getting more of is more and more testing and more school police and metal detectors and things that make schools feel more like prisons while rich schools feel more like universities. Instead, high stakes testing seems to be obfuscating these inequities and blaming schools and students for their "low performance" and they become the reason why schools are shut down or "taken over".

Students themselves had been engaging in their own version of test noncompliance years before the MAP boycott, as one of my participants explained,

> ***Participant 2:*** *And there were stories of "Oh well I discovered that if you hit answer C then, every time, you will get what a seventy-five percent right." Which is often true of other tests as well, um but it was evidently quite successful as a strategy for the MAP test and so kids were telling each other and they would do this [taps finger on table repeatedly and quickly] with the key. "I did my test in six minutes." or "I did my test in fourteen seconds." And they would brag to each other about finishing the test in a short amount of time..It had been in previous years. It got really bad the year those stories, not bad, those stories proliferated the year of the boycott because so many people were willing to talk about their experience with the test instead of just internalize it…*

These stories of noncompliance make sense when you understand the impact the MAP test had on the mental health of some students. Students complained about the MAP asking about topics they never learned, or feeling "stupid" afterwards, or even saying, "I come out of this test and I hate myself." There was one kid who said, "You know I sometimes don't want to be alive and right now is one of the times that I don't want to be alive because I feel so bad after taking that test."(Participant 2). My other participant explained how some students saw the test through a social justice lens, "They saw the test as biased. They saw it as interfering with learning time. One of the things that we thought was problematic with the test, any lack of computer access or the internet disproportionately affected our kids who live in poverty. Our rich kids, they've got a laptop." (Participant 1). The other teacher also brought up the fact that the test ties up the computer lab and library for weeks. So the issue isn't just contained to the test itself, but also how the test forces the school to use its resources in a way that harms students and the inequity

in which students are harmed the most. By calling a boycott the teachers at Garfield High the student noncompliance was able to transform into organized resistance - with some refusing to take the test or having their parents opt them out while others still just stuck to the “answer C to everything” strategy, but when they did so they were now part of a broad movement that vocally challenged the legitimacy of the test.

Furthermore, in 2011 there was a controversy over then Seattle Schools Superintendent Maria Goodloe-Johnson’s failure to disclose her position on the board of NWEA during the time that the district signed a multi-million dollar contract with NWEA to provide “assessment services” to the district. The Seattle Educators Association voted no confidence during its contract negotiations and she responded by signing a contract with Teach for America (TFA), a move which showed that administration was willing to go around the teachers’ union and the certification process to bring in potential strike breakers with no long term stake in the schools or community, as TFA is meant to be a temporary experience building program of no more than 3 years of teaching. This again was perceived by some to be a conflict of interest because she sat on the board of directors of the Broad foundation alongside TFA founder Wendy Kopp. Furthermore she was implicated in an embezzlement scandal and “[e]ven though the state auditor did not charge Goodloe-Johnson or her chief financial officer, Don Kennedy, with having directly embezzled the money, an outside attorney hired by the district found that both were aware the money was being siphoned out of SPS but did nothing” (Trocolli 2011). Amidst the investigation into her conflict of interest she was fired, by a unanimous vote by the school board, a decision spurred by much grassroots outrage at the superintendent's legacy. The scandals around the superintendent, and her connection to NWEA only bolstered criticisms of the MAP test. While it wasn’t the reason the test boycott began, it seems to have been a contributing factor for supporting the movement against the test. Some teachers who were concerned about

this controversy wondered if by administering the test that they would be administering an ethics violation.

The MAP boycott started when one teacher decided that they didn't want to administer the test because they felt it was a waste of their student's time so they spoke to a colleague about just not proctoring the test this year. The colleague pointed out that such a move would have to be public, as this was the first year that a system was put in place to check that all teachers had given their students the test. Going public with their refusal would be much stronger as a collective act, and so they wrote a list of all the teachers Garfield who taught subject areas covered by the MAP test, "language arts teachers, math teachers, special education teachers, and English language learner teachers" (Participant 2) and each took half of the list to talk to about potentially not administering the MAP this year. During this initial organizing they also reached out to their building rep and said they were going to need union support. The rep, who was a union reformer and member of SEE, was supportive and became one of the most outspoken leaders of the boycott. Next, there was a meeting of these teachers, who would be referred to as "the necks", as one participant explained, "So there was some nomenclature, we were the necks that is our necks were on the chopping block for refusing to do our job, and the rest of the staff were the backs, they had our back"(Participant 1). At the meeting the necks decided they needed the rest of the staff onboard as well, so they brought the proposal to boycott the MAP test to their coworkers in a building meeting in December of 2012. After some discussion the teachers of Garfield High voted unanimously, with one abstention, to boycott the next round of MAP tests. It was also decided that since they were taking the biggest risk that the necks would essentially have veto power, though in practice this never was needed or used.

The first thing they did after the staff of Garfield voted to boycott the test was to go public and begin to organize support. They put out a press release and organized a press conference,

which was held in a classroom in Garfield. Then there was a community meeting where "different stakeholders from the community there were some politicians, I believe the NAACP was there, and you know it was a question answer session - we were announcing what we were doing and why." (Participant 1) They quickly garnered support from the Parent Teacher Student Association (PTSA) at Garfield High, which put out their own press release and began organizing support from parents. The Student body leadership was also quickly onboard, passing a resolution to support the boycott.

A district-wide committee was formed to try to spread the boycott to other Seattle public schools. This committee was made up of teachers from numerous schools, even though Garfield was the only one boycotting so far. One of the ways they tried to reach out was by sending a Garfield teacher to other school's faculty meetings to tell the story of the boycott and ask them to join. One boycott leader from Garfield reached out to their union leadership, the Seattle Education Association, and ask for contact information for all the building reps at other schools. This information was never given out, except for a single school, despite numerous phone calls and emails over the course of a couple months.

In response to the boycott announcement, on January 14, 2013, Superintendent Jose Banda released a statement saying that he expects all teachers to administer the test before the winter testing session officially ends in February. When the boycott continued despite this warning, the district administration decided to increase the pressure and on January 23, superintendent Banda asked principals to inform teachers that anyone refusing to administer mandatory tests can be punished, and could even be suspended without pay. Teachers responded that same day with a rally attended by students and parents and community members.

The Garfield teachers grabbed national attention and received statements of support from teachers and parents from around the country. Garfield teachers received gifts of pizzas and chocolate and roses and countless emails of support from other teachers and the general public. A few other unions wrote official statements of support. They received statements from teachers in other countries like England, Ireland, and more and even were invited by teachers in Mexico to give a talk, but because of the distance and their schedules no Garfield teacher was able to do so. One participant explained how important the outpouring of support was to the boycotters,

> ***Participant 2:*** *I mean we got so many [messages of support] that there was no way we could, we would spend all day long every day responding. Um, and you know we, I at one point I was keeping track of them so that when it was all over we could respond and that became unmanageable, it you know, it was just not possible to do. So um, I fear that people didn't hear back from us and didn't know what it meant to us. I mean I can get tears in my eyes just thinking about it,, because we were so on edge, and so fearful, and you know feeling particularly since our union wasn't supporting us, we felt so vulnerable and then to have all these people take the time to tell us what they thought, um, and support us made all the difference in the world… You know it was like "We can't give the pizza back, we have to keep doing this! We can't give in." [laughs] "Because we got roses and chocolate and popcorn." you know? It would be letting all those people down. And so it was an enormous support to us, even though I fear we were unable to communicate that to them."*

While it was only a couple dozen teachers that were part of the necks and they were yet joined by any other schools, and were not receiving support from the union leadership for this action, it was clear that Garfield teachers were not acting alone and this likely prevented the district from following through on their threats, as its much harder politically to attack a popular cause than it is to punish a few isolated radicals.

Parents and students became not just supporters but important participants on the front lines of the battle. The PTSA made a flyer that parents passed out outside the school about their rights to opt their children out of the test. Students also passed out their own flyers, and used the backpage of one of the issues of their weekly newspaper to print out-in forms in numerous languages spoken in the Seattle area. After the district instructed the school administrators to proctor the exam they would go classroom to classroom calling on individual

students to come take the MAP. Those students who hadn't been opted out by their parents still had a few options to support the boycott, they could refuse to go with the administrator and just not take the test or they could just sit in the computer lab and not press any buttons at all or even sabotage the test by purposely responding with all wrong answers - for example just hitting "C" for every answer. This three-pronged approach, parents opting-out, students refusing or sabotaging, and teachers refusing to administer made for a powerful boycott that on Feb 4th out of four hundred students who should have been taking the test three hundred had been opted-out and only 97 took the test- though it is unclear how many of those who took the test actually tried to answer questions correctly and how many "sabotaged" the test with false answers.

After the successful boycott of the 2nd round of the MAP test the pressure was on the district to see if they could resolve the issue before the 3rd round of the test was support to begin, because if the test could still be administered in the third round the data could still be compared with the first round (which took place months before the boycott), and the student growth for the year could still be measured. In March the district announced it would be relaxing the mandate for 9th graders who have passed the state reading exam and said it would only use the algebra test for those students enrolled in algebra- instead of as a general math test for all students - this is despite the NWEA and school administration saying that the test is lined up with curriculum that the students are learning. The district also formed a task force with representation from teachers to look into assessment and the MAP specifically. One of the participants described the taskforce, "it just was exactly what you would expect it to be…they stacked it and then they had to take people from Garfield but other than that they stacked it and um in the end even with stacking it even with all of their opportunity to propagandize people in these meetings they still came out with "Well people should schools should be able to decide" (Participant 2).

In April Garfield teachers announced that they would continue the boycott for the third and final round of testing that year and that teachers from four other Seattle schools would join the boycott- Orca K–8 School, Center School, Ballard High, and Chief Sealth International High (Hagopian 2013). The SEA president came to Garfield and announced that they had won and that they should not boycott the third round of MAP tests because they already won. The boycotters didn't agree with this perspective, as they felt the taskforce was neither their goal nor would it have any teeth if not backed by the continuing boycott.

Finally on May 13 2013, the Superintendent Goodloe-Johnson announced that the MAP test would not be required in Seattle high schools. After threats of suspension or worse, after attempts to demobilize them through the use of a task force, the Garfield teachers held the line and eventually won a victory against the MAP, but more importantly sparked a movement against HSST that would resonate for at least the next decade as parents all over the country are still opting their children out in 2022.

Analysis: Mechanisms of Repression

So what caused the MAP boycott? Grievances, failure of leadership at the national level, the history of coalition building between teachers and students at Garfield High School, and the presence of a budding social movement unionism in their local area were all important factors.

High Stakes Standardized Testing in general wasn't the specific focus of the boycott, but much of the criticism of the MAP can be applied to HSST - with teachers across the country showing dissatisfaction with the ways in which HSST takes time and resources away from instruction, forces them to alter their instruction content or method in order to get students test ready, the way in which tests have been used to justify austerity and anti-democratic takeovers of schools or school districts, and with the exacerbation of racial inequality by a supposedly

neutral measurement that was supposed to help lessen that inequality. While there are grievances that were specific to the MAP, the fact that teachers, parents, and others across the country who don't take the MAP and probably had never even heard of it before were so supportive of the boycott and inspired by it to take action against their own testing regime speaks to ways in which the MAP was representative of the "testocracy" that teachers, students, and communities have found themselves under the rule of. While the issues that are specific to the MAP such as the lack of statistical validity at the High School level and the scandal surrounding the Superintendent may have been cited by many critics of the test, it could be that the most egregious issues were the most vocalized, but that the resentment toward the general system of HSST went deeper than those issues specific to the MAP.

The MAP boycott was a result of the failure of the two big teachers unions (AFT and NEA) to effectively fight back against HSST for about a decade and the right-wing school reform agenda ushered in by President Reagan back in the 1980s. The AFT and NEA, dominated by business unionism, pursued top-down institutional strategies of lobbying, electoralism, and lawsuits, instead of on-the-ground rank-and-file centered resistance. The ineffectiveness of those strategies created a vacuum, which was filled by teachers deciding to take action themselves, without waiting any longer for change to come from leaders.

Without a recent history of coalition building between teachers, students, and the community it seems possible that the anti-MAP action could have started, but it seems likely that that history laid a foundation of coalition work where teachers and students engaged in on-the-ground collective action in response to austerity together was important for the MAP going so quickly from something being done by the teachers of Garfield alone to something that students and parents were also a part of. The framing of the action as a boycott, may have also played a part in helping center the actions of a coalition of participants. If the teachers of Garfield called it a partial strike, which by labor law it was technically a wildcat partial strike, that

may have been interpreted by some as a signal that the teachers saw themselves and only themselves as central to this action, but by framing it as a boycott they made it easier for students and parents to imagine themselves having an active part in, instead of being delegated to a supportive role. While there may be criticisms on the labor side of things for this framing displacing the worker centered concept of a strike, it seems like it was overall a net positive for this movement.

The repression that boycotters faced mostly came from the district/superintendent level of the administration, not at the local school level. From my interviews it was clear that there was a lack of antagonism between the principal of Garfield High School, who followed his orders from the superintendent and was never publicly supportive of the boycott, but he never went beyond what he was instructed to do either. It is easy to imagine that if the principal and other local school administrators were more openly hostile to the boycott it could have splintered the movement or made organizing more challenging, so in this regard the terrain for organizing was in their favor.

Another important factor was the burgeoning Social Movement Unionism in the SEA. Union reformers in SEE had led the way in the fight against austerity, with the big capital action that led to the arrests which then sparked the coalition work with students which laid the foundation for the MAP test organizing. While the leadership of the MAP boycott wasn't only SEE members, from what I can tell from interviews they were politically closer to SEE than the union leadership, and Garfield teachers in general were more progressive or leftwing than the average teacher in SEA. Both participants mentioned that the high school level teachers were generally to the left politically of other teachers, but also that Garfield was pretty progressive. One participant mentioned that in the last contract dispute Garfield staff didn't support ending the strike and that, "Generally I perceived most of the faculty, certainly not all, at Garfield as advocating for slightly more leftist policies than the union [leadership]." They explained further,

> ***Participant 1****: It always felt like it was either Garfield against the district or Garfield against our union. Within and against, right? So, you know, it's always better if you have an enemy to rail against, so, it may have been something that made it stronger. Cause generally the idea at Garfield, I left there last year so I'm not sure the situation now, has always been a little oppositional with the union. We're part of the union but we're always pushing it to take a stronger stand.*

So the picture we have of the Garfield staff is one that generally is to the left of union leadership and has a history of challenging that leadership and dissenting from it, and furthermore that some Garfield teachers have taken it upon themselves to organize independent rank-and-file action without approval of the union leadership. The SEE led action at the capitol was an independent rank-and-file action, one that took place outside the existing channels of advocating for change set up by labor law (such as filing grievances, filing ULPs, contract negotiations, and legally permitted strikes). While the union leadership was stuck within the bureaucracy of institutionalized contention, SEE teachers were beginning to take matters into their own hands. Students followed suit and organized their own support for the teachers' action, just as they would again a few months later for the MAP boycott, and this time they would be able to join in, not just as supporters, but as participants in the test boycott. This is a very clear example of burgeoning social movement unionism within that local and how it prepared teachers and students for the upcoming MAP boycott.

It has been argued that the dominant model of business unionism was unable to lead an effective resistance to HSST at the national level, but the MAP boycott also shows that business unionism not only seems to be unable to help facilitate important emerging social movements within their ranks but that the leadership of the union was actually a hindrance to this activity. In a brief memoir about her experience of the MAP boycott, Mallory Clarke, a reading specialist at Garfield highschool, writes

> *Although it is difficult to discuss, I feel compelled to write about the role our union, the Seattle Education Association (SEA), played in the boycott. There was a clear division between the wonderful support we received from rank-and-file SEA members and the lackluster support from the elected leadership…*

> *On the other hand, the SEA president also moved to block donations for supporting the boycott, out of fear that the organizing effort would move beyond his control. Twice he inexplicably took credit for starting the boycott. Moreover, union officials blocked access to contact information for union reps from other buildings by promising to deliver them but never getting around to it—no matter how many times I asked. Further, SEA officials met with [teachers in tested subjects that were required to administer the test] to suggest we back down. They wanted us to declare victory in response to the national attention the issue received, and the district's decision to create a boondoggle "Task Force on Assessment," counseling that with these "wins" we should consider resuming administration of the MAP test until the task force made its recommendations. (Clarke, 2014: 55)*

From this testimony the limitations of business unionism become clear. Elected leaders who employed not only were unable to lead the boycott, but it engaged in three types of actions that are counterproductive to facilitating social movement activity: containment, demobilization, and credit stealing.

First, the union leadership engaged in *containment*, by preventing the spread of the movement by refusing to provide contact information of SEA members in other schools. This is why the boycott only spread to a couple other schools, and in the end, likely why the superintendent decided to exempt only the high schools from the MAP test. Had the union leadership helped the movement spread to other schools, maybe the district would have scrapped the MAP altogether for all grade levels, but we'll never know for sure because the elected leadership of the SEA stifled the movement, containing it to as few schools as possible.

Second, the elected SEA leadership engaged in *credit stealing*. In the meeting between the local union president and the Garfield teachers the president tried multiple times to take credit for starting the boycott. One respondent explained that in that meeting the president was essentially trying to get them to drop the boycott in exchange for possibly being given a seat on the School Board or District Leadership Team,

> ***Participant 2:*** *And during that meeting, the president of the union said "Well, you know in other districts the unions and the district administration have a very different kind of relationship than we do, they have a collaborative relationship and that's what we are working toward now, is to create a collaborative relationship with the administration." And of course brought to our mind the other definition of collaboration. And we were stunned. [laughs] Um, the way the French collaborated with the Nazis, I mean you know like… some French. "We would get, if we were able*

> *to create this kind of relationship basically" says the president, "I would get to sit on the school board" like what? Or, it may not have been school board, it may have been district leadership team or something. It was just appalling.And we felt unsupported and vulnerable, and on our own. Ok we're going to have to do this on our own. And he lost any kind of respect, he lost it then.*

The union president tried to leverage their position as the official representative of the union into the official representative of the boycott movement, and then use that position to gain more institutional power. The participant continued to explain other ways that the union president tried co-opting the movement by claiming credit for it,

> ***Participant 2:*** *But he also And in several instances he got up and said "I started the MAP test boycott." he would say. And I, the second time he did it, I went up to him and said "Why are you continuing to say that when you're not even fully in support of it? What did you do that started the MAP test boycott in your mind?" And he said "Way back last September I went around to all the classrooms, or many of the classrooms in all the schools, and asked "What do teachers need the most help with, what is the biggest problem that people see, and by far it was the MAP test." So he had the information that that was our major issue district wide, but he never did anything with that information. So, I'm sure he wasn't surprised when the boycott happened, it shouldn't have taken him by surprise. But he never took any action, to make it happen or support it."*

The union president didn't start or even support the boycott in any meaningful way, yet wanted to take credit for it after it became popular. This is an attempt to maintain legitimacy and to score political points, while erasing the very hard work of union dissidents who actually made the boycott happen.

Lastly, the union leadership attempted to *demobilize* the MAP boycott. The union president in that meeting with the Garfield teachers tried to get them to stop their boycott before the third round of testing would begin - a move the school district administration badly wanted because then despite the loss of data from the second round of the test they could make use of the data from the first round, which happened before the boycott began, and still have data on yearly progress gained for each student. The attempt to redirect the teachers momentum into institutional channels mirrors the same strategy to demobilize the rank-and-file taken by the emerging union bureaucracy during the WWII era labor peace where unions and union members were disciplined into using the labor relations system for all conflicts instead of

wildcats and other social movement activity. Had the Garfield teachers called off the boycott at this time it would have undermined all their organizing up to this point.

The SEA union leadership engaged in containment, demobilization, and co-optation to break the independent rank-and-file organizing and steer all momentum into institutional channels, all for the possible chance of having a say on some leadership team where they could work collaboratively with management. When union leaders misunderstand where power is located, and they think it comes from official positions within institutions and not from rank-and-file solidarity, collective action and withholding labor, they will engage in actions that undermine these movements from below.

CHAPTER 6 – CONCLUSION

"The heart of Socialism-from-Below is its view that socialism can be realized only through the self-emancipation of activized masses in motion, reaching out for freedom with their own hands, mobilized "from below" in a struggle to take charge of their own destiny, as actors (not merely subjects) on the stage of history." - Hal Draper, The Two Souls of Socialism[94]

The US labor movement was once so well respected that workers, labor organizations, and anti-capitalists all over the world commemorate May 1st as International Workers' Day in honor of martyred US labor organizers. The last few decades however has seen a nearly apocalyptic decline in the US labor movement. Union membership is at a fraction of what it once was. The number of workers on strike each year is also just a fraction of what it once was - even the massive increase of workers involved in major work stoppage in 2018 and 2019 which reached levels not seen since the 1980s was still significantly less than the yearly average during 1947-1977.[95]

What explains this precipitous decline? Some blame deindustrialization and globalization, arguing that unions drove the price of labor in the US too high, forcing companies to relocate manufacturing to countries with cheaper labor markets (Epstein 2020). However, "bounded industries" like janitorial work, carpentry, and trucking have all experienced similar levels of deunionization without deindustrialization or global competition as Milkman points out (2006). Others blame labor law, arguing that "right to work" laws and other anti-union legislation has a negative effect on union membership (Fortin, Lemieux, and Lloyd 2022) and that the increase in subcontractor usage and independent contract status has helped employers evade labor law norms (Bernhardt et al. 2008). However, public sector unions face similar labor laws

[94] Draper 1966.

[95] See Campbell, Alexia Fernandez. 2019. "2018 strikes: A record number of US workers went on strike in 2018." Retrieved Aug 12, 2023 (https://www.vox.com/policy-and-politics/2019/2/13/18223211/worker-teacher-strikes-2018-record)

as private sector workers who aren't in "right-to-work" states and yet have had membership rates consistently for decades that match the highs of private sector unionism decades ago. Furthermore, the *Janus v. AFSCME* Supreme Court ruling made the entire public sector "right-to-work" in 2018 and there hasn't been a massive decline in public union membership in the last five years. There are also those who argue that unions have come to normalize sets of organizing practices that have failed the labor movement; the most popular advocate of this argument is probably McAlevey (2016). This argument focuses on teaching and practicing specific ways of organizing that it is argued will be sufficient to rebuild a fighting labor movement.

There is a final school of thought which I have called the critical labor perspective because, like McAlevey, it is critical of the current practices of unions, however, unlike McAlevey, it is also critical of the form of organization of unions. They look to history and how the union bureaucracy developed after the passage of The New Deal and through a political compromise with the state and the capitalist class during World War 2, agreeing to halt all strikes to support the war effort. Through this compromise we got the War Labor Board, the predecessor to today's grievance system and bureaucratic labor relations. A wave of wildcats struck industry during this era, and union leaders made the choice to shut them down and cast out the leaders and participants of these wildcats. Union leaders sided with capital and the state against the rank-and-file and firmly established their position in the economy. A special class of union leaders and full time staff organizers developed that was somewhat insulated from rank-and-file democratic power as it consolidated and centralized power. As contracts and grievance systems ruled labor relations, union reps needed to be more like lawyers than like shopfloor organizers. This model functioned well for a while, as the "labor peace" helped smooth Fordist industrial planning, and while union leaders could deliver real wage gains it kept union members happy enough. After union leaders helped put down another wave of wildcat strikes during the "long 1970's" they found their organizations incapable of having to suddenly fight back against

the restructuring of manufacturing around neoliberal “just-in-time” production, deindustrialization, and the employer offensive that Bernhardt et al. (2008) refer to as the “gloves off economy”.

What I think is strong about this argument is that it includes the central elements of the other arguments in its explanation, while being very clear that a political struggle within unions has impacted the larger struggle between workers and management. The deindustrilaization and labor law arguments come across as deterministic arguments, whereas this critical labor perspective centers workers agency to have potentially shaped history in another way. The McAlevey argument has this potential too, but its indifference to the union bureaucracy hides this intra-union conflict and instead centers the decisions of union leaders to alter history by voluntarily adopting new organizing practices. Rank-and-file dissidents who were repressed by their own union leaders will likely find this depiction of organized labor a bit naive. The McAlevey argument also doesn’t explain why this conflict or repression has happened historically.

Advocates of the critical labor perspective call for a new type of unionism, usually calling it something like social movement unionism or class struggle unionism. They argue that the dominant top-down bureaucratic model of unionism, sometimes referred to as business unionism, is incapable of leading the kind of fightback that is needed, and in some cases they go so far as to argue that the union bureaucracy is an obstacle to that organizing and as evidence they point to this history of repression of radical rank-and-file movements. However, there is no systematic analysis of the repression that rank-and-file workers have faced.

Three Mechanisms of Repression

My intention was to fill in that gap through an analysis of numerous cases and intra-case comparisons. I identify three mechanisms of repression: containment, demobilization, and credit stealing. *Containment* is a form of prevention, like a firewall, put up against dissident and

autonomous rank-and-file organizing to prevent them from influencing other rank-and-file members. The purpose of containment is to stop the spread or growth of these activities, ideas, or movements. In my case studies one major way that containment worked was through communications. Union leaders institutionalized containment through the centralization of official communications, often also requiring the approval of communications from the highest authority, preventing elected officers with less authority from subverting official communications. When communications were more horizontal but the means of communication were still administered by higher ups, such as in email listservs, then rules could be imposed on what was acceptable discourse and what wasn't. The professionalization of communications, by hiring a full time communications staffer who reports directly to top officials, was also used to gate-keep official messaging. Another way that union leaders contained dissident voices was through the use of full time field organizers being told they had to advocate for one side in a contested vote. When dissidents were able to win some concessions to have their voices represented union officials found other ways to contain them, such as the instance of the official contract ratification ballot that contained the full text of the Vote Yes perspective but only a hyperlink to a different website that contained the text for the Vote No side, keeping the official voice centered while dissident ideas were out of view and opt-in to be exposed to. Official communications can also contain autonomous rank-and-file organizing by simply being silent about events transpiring, keeping other rank-and-file members in the dark. Alternatively, official communications can be used to tell members to not get involved in dissident or autonomous activity- either directly through explicit instruction or indirectly through stigmatization of dissidents, their ideas, or their actions. Another way containment manifested was through union officials changing meeting times or locations at the last minute without informing dissidents, preventing other rank-and-file members who are attending the meeting from being exposed to dissidents. Finally, containment can be achieved through refusal to perform official functions. For example, in one case autonomous rank-and-file organizers requested the contact information of building representatives at other

schools so that they could reach out to other schools and hopefully spread their movement, but union leaders effectively refused to pass this information along.

Demobilization are those actions that work to suppress or stop the actions of dissidents. If containment is like a firewall then demobilization is like a fire extinguisher. Sometimes union leaders walk the line of controlled militancy, mobilizing the rank-and-file around a certain demand so that they can appear to be fighting for an issue, while making sure not to let things get out of their hands and lose control of the rank-and-file that they mobilized. In one instance union leaders unilaterally ended a strike by calling for a 90 day cooling off period, despite not having the right to do so according to the constitution and bylaws of the union. This felt like a betrayal to many rank-and-file members, and it made them disengage with the union in the long run. A more subtle way to do this is through the managing of rank-and-file expectations. Union leaders will go from agitating workers around a demand to suddenly shifting communications to explain why the demand is unrealistic or unachievable at the moment. In one instance union leaders suddenly shifted from agitating around demands to declaring that a continued fight for these demands would lead the union into bankruptcy. In another instance some demands that the leadership had been mobilizing around were suddenly dismissed as ideological and immaterial.

When autonomous rank-and-file organizing erupts into its own movement, such as a wildcat strike, union leaders may engage in counter-organizing to demobilize this movement. I break this kind of demobilization down into two categories, soft disruption and hard disruption. Soft disruption are those appeals to dissidents to get them to internalize the views or values of the union leadership and ultimately stop their undesired action. Union leaders used mass communications to appeal to wildcat strikers to get them to view the strike as personally risky and/or harmful to the union. In another instance, after covid struck, the caucus in power had its members in the History department bring a proposal to end the strike to a rank-and-file meeting at UCSB. Hard disruption is those actions that more directly confront dissidents, intimidating

them into stopping. This form of disruption was used far less frequently than soft disruption. In a couple instances union leaders physically went to wildcat strike meetings and tried to confront the strikers to get them to stop. In one case the union leader was driven out of the meeting and in another the harassment continued and led to counter flyering at a wildcat sponsored event by union leaders and their supporters. In the most egregious case of hard disruption I came across, union leaders called the police on a Black dissident and had him removed from the bargaining room. This was an act of anti-Black violence that could have ended in tragedy.

Stigma was a major factor noticed in numerous cases, and it is a special mechanism of repression because it functions as both containment and demobilization. Stigma demarcates the bounds of acceptable discourse and behavior, and through stigmatization of dissent union leaders are able to contain a movement by signaling what is unacceptable to other rank-and-file members. Stigma went hand in hand with personal attacks to marginalize dissenters. Dissenters were called “union busters”, “anti-union”, “anti-democracy”, and dissent was described as “shitting on the union”. These personal attacks and the associated stigma heavily increased the personal cost- emotional, psychological, and social- of being a dissenter and drove many dissenters out of the union altogether. In this way it was also a form of demobilization.

Lastly, we have *credit stealing.* This last form of repression is when union leaders take the credit for successful work they didn’t do, and often opposed. It can also be when union leaders try to assert themselves as the legitimate authority of an ongoing movement that they weren’t supportive of. In one instance, UAW 2865 leaders bought the web domain COLA4All and had it redirect to the official UAW 2865 website, despite UAW 2865 not supporting the COLA wildcat strike, and the COLA for All demand was raised within the movement by People of Color as a more radical demand for a living wage for all campus workers and undergraduate students. Someone hearing about the movement and searching for it on the web might come across this site and get the impression that it was an official union campaign, and they wouldn’t get the perspective of the dissidents who were actually leading the COLA movement. In two

instances credit stealing also doubled as demobilization. When UAW 2865 leaders proposed a possible Unfair Labor Practices strike it drew support from some within the COLA movement as a possible way to quickly grow movement participation as well as gain some legal protections for participants. 2865 leaders said that if enough signatures could be gathered on strike pledges then they would declare a ULP strike. This drew some COLA participants and leaders away from other COLA organizing and they put countless hours into getting these signatures instead. However, when enough signatures were gathered UAW 2865 leaders moved the goalpost and said it wasn't enough. By doing this, UAW 2865 leaders got to assert their authority over the legitimate way to fight for COLA, while pulling time and resources away from the actual movement. The other instance was when the Seattle Education Association president declared the test boycott to be over because the district had promised to add him to some citywide education leadership committee. This was not what the boycott was fighting for, and participants saw through it. However, had it worked, it would have demobilized the movement while asserting the official union leadership as the ones who get to represent the movement on this committee.

Challenges to Revitalization

As the critical labor perspective argues, labor movement revitalization will not happen through top-down legal changes, or through top-down bureaucratic unions adjusting their practices but leaving their professional staff organizer-centric models intact, but rather it will come from rank-and-file challenges from below. However, it needs to be stressed that it is not just the inaction of bureaucratic union leaders, or the failed strategies of these leaders (such as focusing on lobbying and electoral change), that has overseen the decline of the US labor movement. It is also the active sabotage of rank-and-file movements through repression by their own union leaders that can explain some of labor's decline.

In my intra-case comparisons I found direct ties to bureaucratic unionism and repression. In the case of UAW 2865, which went through three distinct periods of bureaucratization, democratization, and re-bureaucratization, repression was only present during the bureaucratic periods of the union, and was absent during the democratization period. In the case of the COLA wildcat strike I found that the movement had more success growing if the dominant leadership caucus had less of a presence at a campus and if there was a preexisting network of dissidents for the movement to spread through. At UC Santa Cruz the participants I interviewed tended to describe their relationship to the leadership as one of neglect, they didn't do enough to listen to them or advocate for them. However, there were no members of the dominant caucus, OSWP, at this campus. At UCLA, a stronghold for the OSWP caucus, participants I interviewed described their relationship in a very different way, describing it more as hostile and abusive than neglectful. It was their harmful actions, not their inactions, that these participants focused on. This is important because it highlights not just that business unionism is an insufficient model for fighting back against neoliberal capitalism, but that it can act as an obstacle to burgeoning movements that could successfully fight back.

Identifying these three mechanisms of repression may be important for rank-and-file dissenters as it can help prepare them for what to expect from their union leadership. Dissenters may make different strategic decisions, such as reaching out to other work sites, before going public, to minimize containment for example. Stigma and personal attacks seemed to work best when dissenters hadn't consolidated a strong community to support themselves. The instances of attempts to steal credit that I documented weren't very successful, but this is a possibility that dissenters should be aware of. One thing that seems vitally important for any rank-and-file movement is the written word and polyvocality. Reformers in UAW 2865 made use of many blogs to spread ideas and perspectives[96] which allowed them to reach a much broader

[96] The Admin caucus used blogs during elections to spread their perspective, but then these blogs were mostly fully taken down leaving no historical record. The erasure of history by union bureaucrats is one

audience than a private group chat and created a historical record for future dissidents to learn from.

Finally this research project has a limited scope. It isn't always the case that radical rank-and-file members launch a movement from below and are opposed by a deeply entrenched bureaucratic leadership. US labor history is rife with examples of conservative union members looking to defend the status quo, especially around issues of race and immigration, sometimes this defense even gets violent. What is likely more common is that union members view unions as an organization that advocates on their behalf, instead of something that they must participate in. This is likely influenced by the top-down advocacy model pushed by unions for decades. The "militant minority" is definitely in the minority in the labor movement in general. However, they are still important because they have been leading some of the most popular and militant fights of our current time, and as such the repression that these movements face cannot be ignored. How many more movements would we have had if they hadn't been repressed before reaching enough size and momentum to lead a successful public fight? Chun (2009) discusses "public dramas" as an important element in winning a fight for marginalized workers. This public drama element does seem to have importance for labor and social justice movements as a whole, as the act of visibly fighting back seems to inspire others to do so too. This is why so many unionists in education cite the Chicago Teachers strike of 2012 as an influence, or why Red for Ed spread across the country, or why the Occupy Wallstreet movement sparked copycat Occupy encampments across cities and towns across the country. One can only wonder how much brighter and hotter the fire of the labor movement would be burning right now if those embers hadn't been extinguished so quickly.

way that allows them to not be held accountable for things said in the past and for them to more fully control the narrative of the present when they are in power.

Looking Ahead

For a short period the union reform movement seemed mostly contained to the education sector - with notable cases like CORE in the CTU, EDU in MTA, MORE in UFT, and AWDU in UAW 2865, Columbia, UMass Amherst, and NYU. However, in recent years reformers have won International leadership in the UAW and Teamsters. While many union reformers are excited about what these leaderships will do in bargaining, I am more excited about the potential for more radical movements from the rank-and-file of these unions to be able to develop without facing repression from above. The role of radical rank-and-file members in these unions needs to be more than organizing to hold these leaders accountable to the visions they put forth and pulling them left politically; they need to to take advantage of this opportunity and push the limits of what is possible at their local level.

Education has seen a number of wildcat strikes in recent years, from Red for Ed to Strike down Sam at UNC, to of course COLA. If the private sector follows the education sector in this regard we may see more wildcats in years to come. Already during the first year of covid there were a number of small walkouts and wildcats by workers concerned for their safety across the private sector (La Botz 2020). Furthermore the fight for Black liberation and social justice known as the Black Lives Matter movement has had some impact on labor, and there was a wildcat strike in 2020 by NBA players and other professional athletes after the shooting of Jacob Blake. The COLA wildcat strike at UC Irvine transformed to incorporate mutual aid into its work when Covid 19 first struck, providing assistance to community members in need due to the social and economic conditions created by the pandemic. As the pandemic rages on and continues to kill and disable and state officials declare the emergency over, as climate emergencies continue to increase every year, and as state violence toward marginalized communities - Black, immigrant, LGBTQ, etc- continues to increase we may see more wildcats concerned with issues beyond the typical bread and butter that most strikes center.

A labor movement that is more militant and more concerned with social and environmental justice is possible, the sparks have been lit, however many of those officially responsible for kindling the fire are actually acting in ways that will suffocate it. Being aware of the mechanisms of repression that they will face may just help these movements develop new tactics and new methods of organizing. Future research on this topic should look into what types of actions are best at evading these mechanisms of repression and which are ineffective.

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