

## IS THIS WHAT DEMOCRACY LOOKS LIKE?

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When Occupy Wall Street (Occupy or OWS) emerged, it seemed that organized labor would be a likely ally. Both aimed at shifting the balance of power between the sources of capital and those of labor. But differences in organizational structure posed large obstacles for any collaboration between these two movements. OWS operated through a method of consensus-based decision-making, prizing participant access and direct democracy. Trade unions generally concentrate their power at the top, where leaders expected disciplined unity from the rank and file. Over the course of several months efforts were made by both sides to harmonize and collaborate, especially in the lead-up to organizing the May Day event of 2012.

This essay analyzes these efforts and describes what each movement had to gain from an alliance. By drawing on extensive field interviews with key voices from Occupy, trade unionists, and rank and file workers, I explore how a future labor movement could be shaped by involvement in OWS. Yet I found that the same limitations that historically kept organized labor from growing in radical and democratic directions also served to keep the OWS spirit at bay. Structural control prevented unions from spontaneous engagement, and cumbersome bureaucratic processes slowed them down when compared with the more fluid and fast-moving OWS activists. However, it was clear to me that union members who did have contact with Occupy saw the potential for change that lay within union culture. Occupiers and union members all came away from their encounters with OWS with a sharpened appetite for direct democracy and direct action.

Unions have long been envisioned to be the collective voices of workers, but many have operated in an overly top-down fashion by which leaders make all of the decisions that shape the lives of their membership. Yet there also exists an international lineage of labor syndicalism that includes the International Workers of the World (IWW), with roots in the same anarchist movements that so inspired OWS. The fruits gained from collaborating with OWS could inspire unions to restore some of the open, horizontal culture of that tradition, deploying solidarity as a vehicle for mutual aid and direct action.

The current state of organized labor is quite dismal. In the United States, union membership is at the lowest point in seven years, down to only 6.9% in the private sector in 2011. <sup>1</sup> Even union members, better paid than their nonorganized peers are drowning in debt. Workers everywhere are suffering from the impact of neoliberal anti-union campaigns, and unemployment rates in some countries are close to Great Depression levels. Globally, workers are being squeezed for the highest profit margin possible in a race to the bottom. Since the mid-1970s, the real value of wages has declined, leaving more families than ever below the poverty line.

In the US, public sector unions have come under renewed attack, and workers have fought back, in some cases, as in the 2011 Wisconsin protests, in large numbers. But the degree of cross-union solidarity and rank and file militancy displayed in Madison has been the exception to the rule in modern American industrial relations. Most unions have entered into partnerships with employers and embraced *business unionism*, a model of engagement that concentrated decision making and power at the leadership core. When labor took this turn, it oriented itself primarily toward cost-of-living increases and productivity goals while accepting the task of marshaling shop rules on behalf of employers. The outcome was an overall decrease in union democracy, as measured in direct engagement of the rank and file. This effect can be clearly seen in government records of annual strike activity. In the last several decades, the number of strikes has fallen off sharply, from 424 in 1950 to only five in 2009. In the interim, the business union model fell short on delivering those improvements in workers' lives that are part of the promise of free association. Indeed, the outpouring of populist expression in OWS and the other great insurgencies of 2011 (in Egypt, Spain, and Greece) demonstrated the power of free association in ways that took the American labor movement by surprise.

From early on, Occupy developed outreach campaigns to labor unions. The OWS Labor Outreach Committee (LOC) was an early member of the New York City General Assembly (NYCGA), and was active in establishing relations with city unions and the Central Labor Council. Meanwhile, Arts and Labor, a subgroup of the OWS NYCGA counterpart Arts and Culture, offered outpourings of creative support to worker struggles. With a shared goal of supporting worker rights and the 99%, collaboration between OWS and labor was seen as desirable to many Occupiers. Even in their weakened state, unions offered resources that OWS needed. Contemptuous of the antidemocratic conduct of most unions, some Occupiers, however, were skeptical that the collaborations would bear fruit. Suspicions arose about cooptation and control of the movement's message and energy, especially after its early successes.

Of the unions that were most engaged with Occupy, those with the greatest degree of democratic structure were the Transport Workers Union (TWU) and the International Longshore and Warehouse Union (ILWU). Others that operated on the undemocratic or nontransparent end of the spectrum were also represented in OWS alliances and their involvement spoke to the perils of working with parts of the labor movement whose values differed greatly from the Occupy ethos.

The Service Employees International Union (SEIU), whose large membership is controlled by an employer-sided, top-down core, seemed to offer a good example of this conflict in values. Through my research of May Day planning and action, evidence emerged that the union's staff took steps to usurp the democratic process established by May Day organizers. The sidestepping of process by SEIU staff and paid consultants to the Central Labor Council was in keeping with SEIU's top-down model, and presented a stark contrast to OWS accessibility and transparent processes.

In what follows, I focus on moments in OWS history that displayed the natural affinities between the two movements, and also suggest that the impact of Occupy customs, rules of consensus, and decentralized organization could have a beneficial effect on restoring the radical roots of labor. In particular, the Occupy ethos increased the visibility and viability of direct democracy, revived militancy, and cross-shop support through acts of mutual aid across the labor movement. While the SEIU experience seemed to present the worst scenario among the attempts at alliance, there were many strands of collaboration between labor and OWS that played out far more positively and with mutually beneficial outcomes.

## Origin Stories

Amin Husain, a key Occupy organizer in New York City, remembered the early interactions with unionists in this way:

Early on, unions saw something new and exciting, but didn't know how to relate to us. We were asked repeatedly what we stood for, what were our demands, and above all for us to name a leader. That was not what we were about or how we were operating.

Nonetheless, solid connections were made, as Jackie DiSalvo, a founding member of the OWS Labor Outreach Committee, attested:

Within the first week of the Zuccotti Park occupation, I set up the Labor Outreach Committee with others. Our goal was to build solidarity between labor and Occupy. We began to reach out to unions and I was shocked at how enthusiastically they responded.

Some unions responded immediately, most notably the TWU (Local 100). John Samuelson, union president, described the natural fit, from his union's perspective, of labor and Occupy:

Occupy's messaging around the growing wealth disparity in the economy resonated with us as did Occupy's focus on joblessness and on the big banks for crashing the economy. The Occupy message dovetailed perfectly with the fight we were in the middle of taking on.

While it appeared to serve labor's interests to ally with OWS, the union movement in New York City was far from unified this sentiment. Ed Ott, former Executive Director of the NYC Central Labor Council described the landscape in this way: "No one speaks for labor in New York City on any issue. In a way, New York's labor movement is comprised of fiefdoms."

OWS's own approach to the unions was as diverse as the Occupy community itself. Some Occupiers were acutely focus on potential alliances and others were completely disinterested in working with unions. Yet early efforts produced a first coordinated action only five days after the Zuccotti Park occupation began. Members of OWS joined up with the Teamsters, who represented forty-two locked-out art handlers at Sotheby's, in planning and executing direct actions aimed at the employer. Occupier DiSalvo reflected on the level of freedom OWS had when compared to traditional unions, "The union loved it when Occupy people came around because we could do things that they couldn't do."

Unionized workers were so limited by the culture of their locals and by the rigid parameters of labor law that many saw Occupy as an unencumbered vehicle that could help them get where they wanted to be. Indeed, most unions in the US have been legislated out of the ability to act except in very circumscribed and highly regulated ways. In the case of public sector workers in New York, they have no right to strike at all. Whereas Occupiers could pull off actions with relative impunity (thousands have been arrested) unions faced more severe consequences for rattling the iron cage of labor law, including enormous fines for the union as an organization, incarceration for union leadership individually, and, for workers, the absence of legal protections for job security for unlawful actions.

John Borsos, Secretary-Treasurer of the National Union of Healthcare Workers (NUHW), approached the limits on worker struggles this way:

If there's any hope, it's going to be from workers who have gotten to a place where they were just fed up. I thought that was what Wisconsin was, where workers broke out of the limitations and institutions of their own union and created a movement. People acted beyond the boundaries of their institution because the institution didn't have the capacity at the moment to do anything. This left the institution in the position of running to catch up with its members.

As Borsos implied, it was not the union as an organization but individuals within it who had the mobility to force change, and this was especially the case when and because unions were legally constrained in their ability to act. Lola Dietz, a New York City public school teacher, observed:

Occupy offered my coworkers and myself a way to put up a fight unlike what I had seen from any union in my lifetime. So unions could take away a lesson about standing up for what is right, regardless of the law or our union's relationship with employer.

### **The May Day Test**

By opting to coordinate around the large-scale event of May Day, unions were called upon to participate in something they had not witnessed in many decades—what, in OWS circles, was called a "general strike." Occupy Los Angeles was the first to put out the call. TWU president Samuelson, who would have faced incarceration if he led his 40,000 members out on strike, spoke to the politics of the union landscape at the time of the strike call: "Even if I pull my union, we would be one of maybe only three unions in the movement who would potentially strike." As OWS looked to unions to respond to the call for strike, those that were most likely to participate, including TWU, felt themselves under intense pressure, even from just being considered among the very small "coalition of the willing."

Occupiers, for their part, had to newly envision what a general strike might look like for union members who were unable to walk off the job, for immigrant workers who feared deportation, and for precarious workers who had no protection from

employer retaliation for collective action. Marina Sitrin, sociologist and OWS organizer, expressed the vision this way:

Even if we didn't succeed in having a general strike, we put it back into people's imagination as something that could be possible. For this May Day it was more a day where it was not business as usual. It opened questions about who can shut down production and how we could shut it down.

Structural differences between the main groups involved in May Day organizing—OWS, labor, and the May 1st Coalition Worker and Immigrant Rights—posed considerable challenges to the task of overall coordination. Each of OWS's working groups had decision-making autonomy and embraced the kind of direct action that was outside of the comfort zone of the other two groups. When used to confront the power of the state, direct action puts the individual on the front line of any conflict. For example, when Occupiers held actions in banks, in parks, and at the statue of the bull outside the New York Stock Exchange, the police response was often violent. Barricades, "kettling" (corralling protesters into specific areas for arrest), pepper spray, and physically combative tactics were deployed against the overwhelmingly peaceful protestors. Occupiers responded with jail support, more direct action trainings, and outreach for support.

In January 2012, an exploratory committee was formed in the NYCGA to discuss the response to the call for a general strike. DiSalvo and many others participated in these early May Day conversations. At first, she reported, "the Labor Outreach members of that committee didn't feel that a general strike was feasible because we knew that none of the unions would support it." Occupiers who worked for unions or came out of active union member-leadership most commonly held this point of view. And, as Samuelsen intimated, this was an accurate assessment of the union landscape at that time.

Husain articulated another perspective on this dilemma:

The biggest tension we had with organized labor was that they didn't want to call a strike. We found that frustrating, but we went ahead with the solidarity project because we wanted to reclaim the word "strike."

Notwithstanding the obstacles, the exploratory group decided to move forward and work with unions and immigrant rights groups in planning a mass solidarity action. At the end of this committee's arduous process, a heavily compromised outcome was reached. Since it took six weeks, many of those involved were happy to come away with anything they could say was concrete. Much was conceded on all sides, especially on OWS' part, to get to the final language. Marisa Holmes, a core OWS organizer, put it this way, "I felt that 'A Day Without the 99%' was a de facto way to call for a strike. If people aren't going to work, school, or engaging in other forms of production, you essentially have a strike."

The very decision to attempt a tripartite coordination for May Day was in itself historic. Sitrin summarized it thus, "We succeeded before we began." Each constituency was able to have four representatives in a process that mirrored the dynamic of union contract bargaining, in which proposals were sent around a large table. Holmes expressed a common Occupier reaction to the union-led committee,

Their representatives were paid staff people who were assigned to go to the meetings and make decisions for other people, and had decided on this structure without asking Occupy. We had gone through the process of an exploratory committee with union members where we had made compromises. Then unions as institutions neglected to ask us how we wanted to relate, and instead the unions formed a coalition where there would be four representatives from each group coming to the table. They wanted us to choose representatives in order to participate in their system.

Presenting a predetermined framework, and expecting Occupy to neatly fit the mold, highlighted how unions saw their new allies in the solidarity process. DiSalvo observed that while "OWS decided that it would function as cooperatively as

possible," Occupiers did not want to erase their identity and their principles for the sake of reaching common agreement. A primary condition for OWS, for example, was that no marshals or police liaisons would be used in the street marches. This was in reaction to the November 17, 2001, rally in Foley Square hosted by unions to protest police brutalizing of Occupiers. On what became known as "N17," the presence of union marshals, and their aggressive management of the crowd, was by Occupiers to be excessive.

The coalition body, called "4x4" was made up of four constituencies: OWS, unions, immigrant groups, and the May 1st Coalition, a group that had been organizing May Day rallies in Union Square since 2006 under the name "A Day Without Immigrants." Much to OWS' surprise, the 4x4 accepted its preferred Spokes Council model of process, whereby one individual acts as a spoke (not a representative) in the presence of her comrades, who can refute or add to her comment. The spoke has no authority to make decisions. The labor contingent even began to use the spoke terminology, although I have found no evidence that its members actually began using a spokes council in their own structure of decision-making. Occupiers operated as they had always done, believing that no one could represent the ideas of the whole group, with the understanding that anything presented in the meetings would be brought back to OWS May Day planning groups for consensus.

The alliance between unions and OWS was further tested on matters of transparency and access. According to Summer, one of the OWS participants:

Staff people from SEIU 1199 were very involved with the 4x4. This raised a conflict. Having paid staff was not the issue; it was all about usurping our democratic process. The SEIU staff person and consultants hired by the Central Labor Council made some decisions outside of the 4x4. I felt that while we claimed to function democratically, how could we do so when things were being decided outside of our committee? Most often things came to the 4x4 committee, but not always. That worried me.

Summer went on to explain how this dynamic played out around media:

While there was a media team that included Occupiers, the SEIU staff person redirected media requests to a staff person with United NY, an organization that handles much of the New York labor press and has a cozy relationship with the Democratic Party. I felt this tarnished our ability to carry on democratically and to get our message out in a way that was filtered. It put those of us from OWS in an awkward position because we wanted to cooperate within the 4x4 but the practices of SEIU, in this example, conflicted with our own values as a movement.

If there was an ulterior motive behind the SEIU/Central Labor Council push for control, it may have been the desire to control the message from the 4x4 to the press. Having acquired a reputation for lack of democracy, SEIU demonstrated just that in the proceedings that led up to May Day.

The politics involved in working with the largest labor unions brought costs that OWS might not have fully predicted. Learning from the past could have better prepared the expectations of organizers. Borsos spoke to this from his own experience,

If SEIU offers money, people may want to consider taking it. But understand that it comes with strings attached; they don't run their organization in a transparent, collaborative way. They are going to want to be able to call the shots.

Even so, the Occupiers did not enter the process naively. As Husain put it:

I wasn't surprised at all by the undemocratic practices of some unions, and we tried to make this known, but in the end you must trust in your process. People wanted to give it a shot and so it was in debrief sessions that they were able to share their disappointment.

OWS sought to ensure a free space for discussion and dissent, while supporting the process throughout. They worked through the trust issues that shadowed so much of the 4x4 process. According to Holmes:

The unions just thought we were cute. They needed the Occupy brand, they needed to be cool and they needed to be seen as legitimate to their own members so they were tolerating us.

When May Day dawned, tens of thousands of people arrived at locations around the city for a day of action. The Occupy numbers were strong, but the same could not be said of the turnout from union members. Holmes remembered:

Union members did not turn out in the numbers we expected, at least not compared to the union participation in another event like N17 where you saw huge groups in their SEIU shirts, and where it was obvious the unions had a presence at the event. But when it came to May Day, even with all the negotiation and planning throughout the coalition, unions had not made the effort to turn out members.

It is possible that the union staffers who were not associated with the 4x4 were not fully in contact with those on the committee. In any event, many of the unions that did endorse May Day did not mobilize their rank and file to the full extent of their capability. Exceptions to the rule included TWU, whose strong showing reinforced their early commitment to Occupy. But members of other unions reported that they did not receive emails encouraging them to attend May Day. Despite the 4x4 participation of its paid staffers, SEIU had an especially weak presence.

## Lessons for the Future

Did the union leaders decide that Occupy's version of direct democracy was a threat to their culture? DiSalvo observed, "Occupy may scare union leaders because, like the recent postal worker union leadership change, where the new person leading that union is not only a reformer but an Occupy person, union leaders see Occupy as a force that could support opposition caucuses within unions." If workers are interested in changing the cultures in their own unions, then mounting challenges to the leadership is necessary. According to Borsos: "You saw labor leaders the most engaged when their own presence was threatened, not when their membership was threatened, but their own positions."

On the evidence of my interviews, union members and Occupy respondents alike craved an increase in worker activity, which was one of the primary goals of the OWS Labor Outreach Committee. Amy Muldoon, Communications Workers of America (CWA) Local 1106 member, OWS LOC member, and CWA District 1 Liaison to OWS expressed that sentiment in this way, "We thought it was time to try something bold, maybe roll the dice and try some shit we haven't done in fifty years." Bob Beckett, a Con Edison worker, reflected on how he came to understand Occupy's message after being locked out of his own worksite (OWS actively supported him and his peers), "Before this whole thing I really didn't understand the Occupy movement, I used to think they should all just go get jobs—but after standing out here in the street with them, I get what they're talking about." Scholar, journalist, and long-time trade unionist Steve Early described how Occupy recharged the batteries of labor activists, long disillusioned by the lack of vigorous resistance in the union movement:

There was a layer of activists who were deeply committed to collective activity and had a level of education through union actions and activism who were frustrated with their own experience of corporate power. Occupy definitely got some people thinking about how to shake things up.

Occupy's model of solidarity was to offer opportunities for mutual aid. As Husain explained: "Mutual aid was the thinking behind Occupy. Once we identified primarily as human beings, we could help each other. This was not meant to be sentimental but rather to see economic relations as human relations." Under the aegis of mutual aid, Occupiers got involved in several campaigns, engaging union membership in a variety of trades and industries: transit, communications, the port

the art world, utilities, education, retail, laundry, and clerical workers. In turn, many of these workers participated in an OI initiative called "99 Pickets," a mutual aid labor project launched on May Day to create opportunities for workers to support struggles outside their own unions.

The most effective industrial actions took place when Occupiers effectively closed the port of Oakland, CA, in November, and then again in December of 2011, when they did so with minimal risk and without union sanction. On December 9, employees made a safety complaint to Oakland port management due to thousands of protestors blocking port operation. When the complaint was activated, the port was effectively closed. Some Occupy participants were arrested, but there were no organizational consequences for the International Longshoremen Workers Union (ILWU). Indeed, the evidence is that the action helped the union to prevail in contractual negotiations. In Early's view, "the threat of Occupiers descending on Longview, everyone seems to agree in varying degrees, helped the union get a settlement that they wouldn't possibly have gotten without the outside pressure of Occupy."

Indeed, this view was officially endorsed in the union's publication, the *Portside Moderator*:

This is a victory for Occupy in their involvement in forcing negotiations. "Make no mistake —the solidarity and organization between the Occupy Movement and the Longshoremen won this contract," said Jack Mulcahy, ILWU officer with Local 8. "The mobilization of the Occupy Movement across the country, particularly in Oakland, Portland, Seattle, and Longview was a critical element in bringing [Export Grain Terminal] to the bargaining table and forcing a settlement with ILWU Local 21."

The way in which the port was occupied evoked the Wobbly spirit of direct labor action. Like the IWW of the 1920s and '30s, Occupiers were not deterred by the limits of the law or what was supposed to be "politically possible."

Based on her own experience, Amy Muldoon reflected on the potential to build a movement out of members who had been exposed to the ethos of OWS:

The more people can see the union as the rank and file, the workers, and look to build relationships with rank and file, the better. That is why I am committed to the LOC rank and file group in OWS.

In turn, the LOC rank and file group was dedicated to bringing Occupy to the workplace, and especially to labor struggles that developed there. Though members identified more and more with OWS' ideas as these worksite struggles intensified as in many union struggles, the boss was the best organizer, and no boss was more identified with the 1% than Michael Bloomberg.

In many cities, there is little daylight between industry leadership and the politically powerful but, in the case of New York City's Mayor Bloomberg, there is none at all. From City Hall, he led a campaign of organized police violence against OWS, boasting vaingloriously about the power of his office, as at a press conference on November 30, 2011:

I have my own army in the NYPD, which is the seventh biggest army in the world. I have my own State Department, much to Foggy Bottom's annoyance. We have the United Nations in New York, and so we have an entrée into the diplomatic world that Washington does not have.

In his executive capacity, Bloomberg carried on the campaign of violence, suppression, and fear that capital owners had long waged on labor. He was able to provide Wall Street with state intervention on their behalf, and he delivered. More than anything, the unleashing of police brutality on Occupiers served to highlight OWS' lineage to labor history.

The case study of Occupy's first year of collaboration with labor underlines the powerful potential for change within union culture, even in the short term if Occupiers remain open to the prospect. Clearly, OWS' promise of profound transformation and mass radicalization is a challenge for union leaders who resist any ideas that might directly engage and radicalize the rank and file. While the potential is clear, the record showed that few unions voluntarily moved outside of their comfort

zones, and many took steps to ensure the model of direct democracy espoused by OWS did not contaminate their members.

The limitations exposed by the pairing of OWS and unions are familiar to labor historians. Obstacles in the form of labor's structural hierarchy, legal confinement, and a culture of passivity kept OWS coordination attempts at a distance. A prolonged engagement with OWS, particularly from the younger generation of rank and file, is one of the best hopes for labor to reform its more undemocratic elements. The use of mutual aid as a vehicle of self-liberation may be the most tangible and empowering avenue for working class members to do so. Many rank and file members, unorganized workers and union staff came away from their contact with OWS with a transformed outlook. That alone will not reverse labor's losses on the field of organizing, but the OWS mentality is one that demands the active participation of all in their own struggles. Union members, so driven to act on their own behalf that they and their peers would lead their own fights, will learn to act without permission from union authority, forcing the leadership to align itself with the will and collective inspiration of workers themselves.

#### Footnotes:

1. S. Greenhouse, "Union Membership in U.S. Fell to a 70-Year Low Last Year," *New York Times*, January 21, 2011, <http://www.nytimes.com/2011/01/22/business/22union.html>. ↩
2. "Longshore Workers Name Occupy Movement as Crucial in Settlement With EGT," *The Portside Moderator*, February 11, 2012, <http://lists.portside.org/cgi-bin/listserv/wa?A2=ind1202B&L=PORTSIDE&F=&S=&P=26929.html> ↩