

## ON THE SO-CALLED BANKRUPTCY OF CONTRACT UNIONISM

In their paper entitled "Mass Revolutionary Organization for the Workplace", Comrades Hammerquist and Ignatin posit the need for a "new" type of organization to supplant the trade unions. A new organization is needed, they maintain, because the trade union has failed in both its tasks in defending the economic interests of the working class and in making the necessary preparations for the seizure of power. In the course of their discussion Hammerquist and Ignatin go even further in their attacks on trade unions; they imply that unions are inherently class collaborationist and state outright that contracts are by nature bankrupt.

This response to the existing trade unions is not new; it was that of the Wobblies and of a group of German communists for whom Lenin wrote Left Wing Communism: An Infantile Disorder. It results from a situation where class collaborationist trade unionism reflects a general ideological deficiency in the working class. Seeing this rank trade union practice which is emotionally abhorrent to them, some honest and well-meaning revolutionaries seize upon a magical solution which somehow has been delivered to them out of the blue. Not pausing to consider how everyone else (including Marx and Lenin) missed this obvious and quite simple solution, our well-intentioned friends try to make the magical solution a real one. Usually this magic takes the concrete form of making a fetish of a given tactic and elevating it to the point of being a revolutionary strategy. One has only to examine the strike support coalition of the National Caucus of Labor Committees or the International Socialist and Spartacist trade union bureaucracy fetish to see how limited such an approach really is.

Nor is the Hammerquist-Ignatin position an accomplished one. The authors contradict themselves, employ slights of hand and generally demonstrate plain confusion more than anything else. They nowhere state outright that trade unions are inherently class collaborationist though they certainly imply it. In one place they state that contracts are inherently bankrupt but a few pages later they imply that their "mass revolutionary organization" itself would enter into contractual agreements (albeit limited ones). Why then is it necessary to critique their paper? For three reasons. First, their arguments play to an ~~emotional~~ emotionalism so characteristic of our New Left background. There is no analysis, merely a recounting of empirical data; dialectics has been lost in the rush and form and content (in the case of trade unions -- practice, organization, membership, etc.) are completely confused. Second, their position has been widely distributed and seems to have gained some adherents. Finally (and most importantly), their approach is sectarian and can lead to disastrous results in practice.

Let me begin with what I consider to be their most serious error -- the implication that the trade union is inherently class-collaborationist. While Hammerquist and Ignatin's position on this question is unclear, allow me to quote a few sentences which seem to indicate that this is the position that they actually hold privately. On the very first page of their paper they argue:

In the past, many workers, and especially many radicals, have looked to the labor unions to meet the needs of immediate defense and of collective preparation. It has become increasingly obvious that the unions fail in both regards. The reason for their failure is that they are guided by the principle of collaboration with the employers instead of struggle against them.

(It cannot be said that the ~~article~~ <sup>article</sup> "the" before unions is referring to the

labor unions in the U.S. -- these unions are not mentioned until the following paragraph). In addition they debunk caucuses (regardless of content?) for "offering only another variety of trade unionism" (of trade unionism in general -- not "existing trade unionism"), p. 3. And they state:

In short, what is needed is a mass revolutionary workers' organization, independent of the trade union structure, able to provide workers with a real alternative to the trade unions and eventually supplant them. (my italics) p. 4.\*

Obviously by a "real alternative to the trade unions" the authors do not mean just a revolutionized trade union or a reformed trade union.

Now our critique. In the first place, the evidence Hammerquist and Ignatin present is not adequate to convict the trade union of an inherent tendency to class collaborationism. They do not analyze the form "trade union" -- that is, what it grows out of, what are its realities and its potentialities -- they indict it merely on the basis of its content today. (This methodology is common to all those who hold to this position -- Andre Gorz included). It should be obvious to every one that the present U.S. trade union movement is rife with class collaborationism, racism, sexism and bureaucracy. It is quite obvious that our trade unions have neither effectively defended the economic interests of the U.S. workers nor have they made the slightest preparations for the seizure of power. But do these facts alone constitute sufficient evidence upon which to convict the form "trade union" of being structurally and inherently class collaborationist?

No, they do not. As Marxists and dialecticians we recognize that a thing cannot be judged by its formal manifestation. Do we believe that we can understand capitalism and its highest stage, imperialism, merely on the basis of how they appear to us in day-to-day life? Do we believe the bourgeoisie's assertions that it can bring harmony and happiness to the world's toiling masses? Dialectics demands that we go much further -- that when we examine a thing we examine all its facets and inter-relationships. We abstract the thing from its concrete setting, examine it, and then return it to reality so we will be able to understand how the thing affects its surroundings and vice-versa. In addition, we take into consideration development and change, recognizing that everything, no matter how static it appears, undergoes change.\*\* And further, we try to take into consideration the history of human experience with the object. On this type of analysis we base our judgements, not on one-sided empirical examinations.

This specific empirical examination leads our comrades into the common error of confusing form and content. Just as one can understand very little about the form "money" from even the most detailed examination of the dollar bill (see Capital, Vol. I, Part 1) one will not understand the form "trade union" from examining IUE or the UAW. Nothing we have said should be taken to indicate that we see no connection between form and content. Quite the contrary -- certain forms are inadequate to express certain levels of content, e.g. the trade union cannot be the embryonic

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\* We must remember that Hammerquist and Ignatin are discussing what kind of organization is adequate to the two tasks of a trade union (which they outline correctly) i.e. defending the economic interests of the workers and making preparations for the seizure of power. They are not discussing which form of organization is adequate to the tasks of the actual seizure of power (eg Soviets).

\*\* In the case that Hammerquist and Ignatin would argue that trade unions were not originally, but have become, inherently class collaborationist, it would be necessary  
(cont. next page)

form of the dictatorship of the proletariat (the CP notwithstanding). What we're trying to expose is that content alone is not enough on which to base a judgement. Would one debunk the "revolutionary party" because the C.P.S.U. and the C.P.U.S.A. are bureaucratic?

While it is not our intention to present a dialectical analysis of the trade unions, allow us a few brief comments on the subject. As long as trade unions have existed they have been held by communists and revolutionary workers to be organizations which have the two tasks that Hammerquist and Ignatin express so concisely. Marx and Engels and Lenin mentioned repeatedly both these tasks in their writings on trade unions. But what they also mentioned (and understood) is that the fact that an organization has tasks does not deny that it can fail to fulfill them. Whether or not the tasks are met will depend first and foremost on both the depth and the breadth of its membership. A disorganized, isolated and ideologically backward working class will tend to reflect its weaknesses in all its institutions, and this quite naturally. To the extent that an institution is truly representative (the less representative the less it will express the masses' real collective mind) it will express all its members' strengths and weaknesses whether their organizational form be a trade union, soviet, or a vanguard party.

And just as long as communists have looked at trade unions there have been those (more or less well-intentioned) who have seen the root of the backwardness in the trade unions themselves. While some have made quite plausible arguments (at least on the surface), where they all show their weakness is in the alternatives they present. Some like Proudhon have suggested labor banks, others (the more responsible) have suggested a combination of the tradeunion and the soviet. But most often the alternative arrived at -- and this is the case of comrades Hammerquist and Ignatin-- is just a new label attached to the old trade union form.

One has only to examine Hammerquist and Ignatin's discussion of their "mass revolutionary organization" to see that they have written, with a few slight deviations, an excellent presentation of the essense of class struggle trade unionism. This kind of trade unionism is a unionism which would:

derive its strength . . . from the cohesiveness (sic) and the willingness of the workers to take action at the point of production. (p. 3)

and these revolutionary trade unions would be:

open to all working people based at the workplace and carrying on a constant struggle relying on all means of (direct) action, in the interest of workers as a class. (p. 3)

("Direct" is in parenthesis because it narrows the field of action too much. There is no reason to be fetishist about "direct" action.)  
and would also:

Intervene in the daily life of the industry in which it is based, concerning itself with production standards, safety, organization of labor, the use of automated equipment and other questions which are now considered beyond the scope of the (class collaborationist) union. (p. 3)

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\*\* (cont. from page 2) for them to show how the material conditions in which the working class finds itself have changed such that this is now the case (which they do not).

Everywhere, when the question is asked "What shall we put in the place of class collaborationist unionism?" the answer is CLASS STRUGGLE UNIONISM. And this is because the trade union is basic to the existence of the workers. The trade union springs directly from the market conditions in which the laborer as a seller of labor, over finds himself. The union is the organizational response (and an appropriate one) to the day to day existence of wage labor under capitalism. It is a necessary organization as long as capitalism exists and after, during the entire period of the transition to Communism. As Lenin said in 1920, "the time when the trade unions (as far as existence is concerned) are actually called into question is a long way off: it will be up to our grandchildren to discuss that." (Lenin, On Trade Unions, p. 379).

There is another but related error made by our comrades which we wish to critique. They state in their paper that:

The NATURE of the contract demands that the union do what no workers' organization should ever do -- maintain labor discipline for the boss. The unions become part of the companies' disciplinary apparatus. . . (my italics) ,

This, they say, is a result of the fact that a major part of a union's ability to win a contract is dependant on the employer's faith in the union's ability to "prevent interruptions in production during the life of the contract."

In addition to this liability, the authors also enumerate two other liabilities of "contract unionism". First, that because contracts have a specific time limit they allow the corporations to stockpile for strikes and consequently force the unions to build up large treasuries of strike funds which make the unions liable to injunctions and legal suits. Secondly, contracts often have seniority clauses which lock in white and male supremacy.

Now it should be obvious to anyone who chooses to look below the surface that these three points do not, whether taken seperately or together, prove the "bankruptcy" of contracts. While it is true that most contracts in the U.S. at this time do show serious weaknesses in these areas, the "root cause" is again not in the contract itself but in the organizational and political backwardness of the U.S. working class. And here again they confuse form and content.

What has to be demonstrated on their part is that all these liabilities are a necessary part of every contract and not either that they exist today or that they are necessary in a given set of circumstances. This they fail to do, whereas the opposite is fairly easily shown to be the case. Let me begin with the second two liabilities. It is quite true that U.S. monopolies stockpile for strikes and that they are often aided by compulsory overtime clauses that exist in most major contracts. It is equally true that the economic position of the major unions today necessitates the gathering of large treasuries in the anticipation of extended strikes. But it is certainly not the case that reforms within a contract cannot be made which will weaken the corporations' ability to stockpile and strengthen the workers' hands. Obviously compulsory overtime clauses can be eliminated (there is none in the IUE-GE National Agreement) and workers can refuse overtime in anticipation of a strike. The real problem here is of arousing and organizing the rank and file workers to the point where they will act to undercut the monopolies.

As far as strike funds making unions legally vulnerable -- what about a change in the law? One ought also to remember that they also "happen" to be a functional asset. At present there is no other way for workers to insure that they will have some meagre income during a strike. If the working class was more unified and better organized there are any number of alternatives such as welfare, unemployment benefits, donations from non-striking workers. But this is still an "if" and will remain so unless we get to work. One might just as well argue that workers shouldn't have families because they become more dependant on their wages or that they shouldn't buy on time and so on.

The same general line of argument can be used for the Hammerquist-Ignatin assertion that "contract unionism divides the working class". Ah, finally, the truth, the magic key -- it is not racism and sexism that divide workers but the contract. Merely dispense with contract unionism and . . . Obviously the ideological and political backwardness of a working class is going to be reflected in its institutions whether they be unions, contracts, soviets. Equally obvious is that what must be done is carry out an ideological struggle against this backwardness and drive it back to the bourgeoisie from whence it came -- not give up on these institutions. Once this is done the appropriate changes in contracts can be made.

Now we come to the strongest point in this 'bankruptcy' argument. Hammerquist and Ignatin argue that contracts necessarily force unions to become part of the company's disciplinary apparatus. In the first place their discussion of a trade union's ability to win a contract is theoretically wrong. As one Antonio Gramsci explained:

This legality (ie legal existence of unions expressed in contracts) is conditional on the trust the entrepreneur has in ~~the~~ the SOLVENCY of the union and in its ability to ensure that the working masses respect their contractual obligations. (his italics) Soviets in Italy, p. 14.

Please note that Gramsci does not include in his presentation a word about preventing disruptions of production! The point to be made is that whether "preventing disruptions in production" will be included in a contract will depend on the concrete situation in which workers find themselves relative to capital at the particular moment that the contract is being negotiated; it is quite easy to imagine a situation in which there would be no such clause. Thus such 'no-strike' clauses are no more inherent to contracts than compulsory overtime or double seniority trails.

Ignatin and Hammerquist's errors illustrate not only a misunderstanding of contracts but an incorrect approach to industrial legality in general. Here is a dialectical (and a communist) approach:

The emergence of an industrial legality is a great victory for the working class, but it is not the ultimate and definitive victory. Industrial legality has improved the working class's material living conditions, but it is no more than a compromise -- a compromise which had to be made and which must be supported until the balance of forces favors the working class. If the officials of the trade union organization regard industrial legality as a necessary, but not permanently necessary compromise; if they devote all the means at the disposal of the union to improving the balance of forces for the working class; and if they make all the indispensable moral and material preparations for the working class at a given moment to be able to launch a successful offensive against capital and subject it to its law, then the trade union is a revolutionary instrument and union

discipline, even when it is used to make the workers respect industrial legality, is revolutionary discipline. (Gramsci, Ibid, p. 15)

Obviously the ideal contract is no contract at all and the ideal legal situation is one in which the bourgeoisie is illegal, but after all we live in the real world and deal with a real situation. As communists we attempt to analyse the situation, establish a goal, consider the tactics appropriate to the situation, choose the most appropriate and go to work. We do not discard useful institutions and useful tactics simply because they are presently being used badly; our discussions are based on analysis not impressions. And this is how we should approach the contract and industrial legality. There is no question of the fact that there are liabilities involved in contracts, that the situation can force us to agree to things which are in principle repugnant. The contract is a double-edged sword but the working class can learn to wield it.

That it is possible for trade union leadership to behave in the manner that Gramsci describes can be illustrated in the following example. This spring there were a series of strikes over the issue of compulsory overtime at the Philadelphia General Electric Switchgear plant. While the IUE - GE national agreement carries no compulsory overtime clause there is a modified "no strike" clause. This clause allows for strikes during the life of the contract but only after a grievance has cleared third level and a period of a year has elapsed. Nevertheless our local was on strike within a period of two weeks from the arising of a grievance.

GE management in Philadelphia gave out forty warning notices to workers who refused to work one Saturday. They were legally able to do this because arbitrators have consistently held that a company has the "right" to a reasonable amount of overtime even if there is no compulsory overtime clause. The union's position was that a reasonable amount was none at all and they decided to take action. The course decided upon was subterfuge; formally strikes were called on grievances that had already fulfilled conditions for legal strikes. The company was informed as to the real reason of the strikes and the demand was made that they rescind the warning notices. After four successive Saturday-Monday strikes GE decided to withdraw the warning notices.

None of this is meant to give the impression that IUE local 119 is a class struggle island in a sea of class collaborationism. We are trying to demonstrate the possibility and only the possibility of a trade union leadership acting in a way that Gramsci describes; we are trying to illustrate how a contract can be used. What happened here at GE shows that a local need not subordinate itself completely to the national weakness of its section of the US working class and its leadership; it can, if it has the will, act to change the balance of forces and win concessions.

Thus we see that the arguments of Hammerquist and Ignatin take to the air as soon as we look below the surface and as soon as we apply dialectics. But it is not true that they have contributed nothing to the trade union discussion; they have played an important role in breaking out of the encrusted perspective of the C. P. This is vital and for this we should thank them.

ADDENDUM: The purpose of this article was merely to show the holes in the Hammerquist-Ignatin discussion of contract unionism. We were not attempting to set out a revolutionary perspective on the trade union question. ~~\_\_\_\_\_~~

~~\_\_\_\_\_~~. Such a perspective is being prepared and will contain the following points:

1) Why the existing trade unions are the most important mass organizations of the working class and (therefore) why it is compulsory for communists to work within them while not subordinating themselves to them.

2) Why nevertheless the trade unions are inadequate to the tasks of proletarian power and a new form has to be created (Soviets) for which class struggle unionism is a prerequisite.

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