

LABOR UNIONS – CHAMPIONS OF SOCIAL JUSTICE

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ABSTRACT

Labor Unions have given much to America. The great middle class that is the economic and social backbone of the United States has prospered due, in large part, to the rights that were fought for and won by the labor movement. Today, Union membership is not growing to the extent that it did in the past. Some claim that Unions are not needed in the modern world. Why would this be the case? The modern worker may carry a portable computer rather than a hammer, but businesses still work the way they did in yesteryear. If anything they seem to be less compassionate. This indicates that Unions are needed now more than ever.

The Catholic Church has traditionally endorsed Labor Unions as a vehicle for advancing the plight of the worker. In this thesis, the papal

encyclicals that provide the Church's foundation of the labor movement are shown. Several examples of corporate exploitation are given in an effort to demonstrate why unions are necessary today. International solidarity is shown by way of example also.

The 2001 Right to Work (RTW) election in Oklahoma is analyzed in detail. The method employed was the daily monitoring of the two largest newspapers in the state on a daily basis for articles on the election. Also, peer-reviewed journals and major magazines were researched for scholarly articles on the subject. A comprehensive, 600-page dissertation by Fr. James Lee on the ethical and economic aspects of right to work laws was a primary reference source, along with two interviews of Monsignor George Higgins, a preeminent Catholic authority on the issue.

This election is significant because it is the first victory for the RTW in 15 years - and because enactment of RTW laws in an incremental, state by state fashion, could add up to a threat to the labor movement nationally. The tactics and propaganda employed in the election give an

insight into the rancor and hostility that historically has characterized the issue.

An unanticipated observation occurred in the course of research: nine of the top ten states in terms of incarceration rate, capital punishment rate, and number of private prisons are RTW states.

Examples are given of individuals who have been champions of worker rights and also, of prisoner rights. Philosophically it would naturally follow that states that are kinder to workers, would be kinder to prisoners. Just as good soil produces healthy crops, governments that are compassionate toward workers by being amenable to unions, would be likely to carry this compassion over into their dealings with regard to prisoners. And vice versa. In other words, Goodness is magnified. Labor unions remain the ‘best available technology’ for addressing the “Social Question” of which Pope Leo spoke.

*To my Mother, Helen Janning Guthrie– who taught me to work, and to
dream*

and

*Mr. James J. Norton, President Emeritus of the Graphic Communications
International Union (GCIU) and Vice-President Emeritus of the AFL-CIO
– a man of vision*

You shall not oppress your neighbor nor rob him; the wages of a hired laborer shall not abide with you all night until the morning.

Leviticus 19:13

One would have to be blind to history to assert that trade unionism did not enhance the right to work.

United States Supreme Court¹

Right to Work is not anti-union.

Oklahoma Governor Frank Keating²

You will find some people saying that they are for so-called “Right-to-Work” law, but they also believe in unions. This is absurd—it’s like saying you are for motherhood but against children –

Harry S. Truman³

While on earth, God’s work must be our own.

John F. Kennedy⁴

You don’t get hungry tomorrow.

Franklin D. Roosevelt⁵

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CHAPTER 1

INTRODUCTION AND OVERVIEW

Union membership has declined in recent years, particularly in private industry.¹ Perhaps it is the case that modern day American workers take the hard won rights which many enjoy for granted, assuming that they cannot be taken away. Benefits such as paid sick leave; paid vacation; an eight hour workday and forty hour work week; a decent wage; pension benefits; retirement security; a voice in management decisions; are rights enjoyed today because the labor movement fought for them in years past. The Wagner Act (National Labor Relations Act) was enacted into law in 1935, during the term of President Franklin Delano Roosevelt (FDR). This legislation favored the forming of Unions by allowing workers to organize without fear of retribution from employers, or at least without such retribution being protected by law. By demonstrating this sentiment, FDR set the stage for other social legislation such as Social Security and Medicare. In 1947 however, the Taft-Hartley Act would pass the House and Senate to become law. This legislation, designed to weaken organized labor, contains a part, Section 14(b), that

gives individual states the legal right to vote on whether or not employees should be required to pay union dues as a condition of employment. The legal right to not be required to pay union dues is referred to as “Right to Work”. This verbal “sleight of hand” is a phrase that has stuck in political jargon. Whatever the language – the fact is that “Right to Work” laws are a real threat to Labor Unions. Clauses in labor management agreements that guarantee that employees will pay union dues as a condition of employment are termed “security clauses” because they help unions to be financially secure – a requirement for strong unions. Otherwise, they will constantly be worrying about losing members and other administrative issues, and will not be able to focus on bargaining and representation . “Right to Work” ban the “Union Shop.” A Union Shop is an establishment where the employer is free to hire both members and nonmembers, but retains nonmembers on the payroll on the condition that they become Union members within a certain period of time. Currently, 22 states have enacted “Right to Work” laws. (see insert) The most recent to do so was Oklahoma – which voted in favor of RTW in an election held on September 25, 2001. That vote is being contested in Federal District

Court. Prior to Oklahoma's passage of RTW, the last state to do so was Idaho, in 1986. The significance of the Oklahoma election lies in the fact that no other state has passed such legislation in 15 years. RTW proponents hope to generate momentum from this victory and apply it to other states and even possibly try to enact Federal RTW legislation. For this reason, the Oklahoma campaign will be examined in detail.

This thesis will demonstrate that Labor Unions are needed in today's society and that Labor Unions and the worker's rights which they defend are indeed under attack. Furthermore, it will demonstrate that there is a deceptiveness and inconsistency that permeates the "Right to Work" movement. The phrase "Right to Work," is itself deceptive. RTW laws do not guarantee a right to work. They seek only to weaken unions by eliminating the requirement that all employees pay dues (the Union shop) even though a majority of the employees had originally voted to establish a union. The net result is that an undue burden is put upon the dues paying members of the union due to the fact that National Labor Law requires a union to represent all employees of an organization. Non-dues paying employees are commonly referred to as "free riders."

Unions are needed in modern society for a number of reasons. For instance, executive compensation is usually many, many times that of the rank and file worker; a worker who often is mired in debt.⁷ Unions seek to close the gap between labor and management – both in terms of wages and in representation or voice. Politicians are seen to be serving primarily their campaign contributors, with little or no time for constituents – who are growing increasingly apathetic, if not distrustful of their elected officials. It is not uncommon for only 20% of the population to vote in elections. The result is a disconnect – a gap between public officials and citizens. A strong labor movement may help to bridge this gap.

The Catholic Church has historically supported the forming of Labor Unions as a means of achieving social justice for workers. This contributes to the common good of society. Papal encyclicals such as “Rerum Novarum” of Pope Leo XIII; “Quadragesimo Anno” of Pius XI; and “Laborem Exercens” of John Paul II other proclamations declare the Church’s belief that the common man needs collective power in the battle between labor and capital. The notion of compulsory union membership is an idea which is contested by “Right to Work” advocates, who assert

that the real issue is one's personal freedom, rather than a desire to weaken union "security clauses" thereby weakening union stability. As mentioned, the Oklahoma RTW election of 2001 will be examined in detail. A number of states, including Oklahoma, have "employment at will" laws which make it legal to dismiss workers for any or no reason at all. Under these laws, workers have no recourse when laid off or terminated. Further, many minimum wage workers switch jobs, often with no training or benefits. This exacerbates the cycle of poverty, unemployment, and incarceration. Unions make a positive difference in workers lives by giving them a voice in the workplace and may also benefit employers by providing a channel of communication that can facilitate dialog between workers and management.

The American Federation of Labor – Congress of Industrial Organizations (AFL-CIO) represents thirteen million workers in sixty-six affiliated unions. Automotive workers, teachers, actors, professional athletes, government workers, iron and steelworkers, nurses and machinists are some of the occupations represented. Internationally, U. S. Unions provide a model for other countries to emulate regarding labor

relations, particularly in regard to trade negotiations. The AFL-CIO is seeking to ensure that the standards and requirements in the labor and human rights arena are kept by our trading partners.

The Church realizes that the individual worker needs the power that a union gives, that of a collective voice, in the battle between labor and capital. It is for this reason that the Church has often expressed, especially in social justice encyclicals, a preferential option for the poor.⁸ Unlike the wealthy, whose stock portfolio may be diminished when the market takes a downturn, when a low wage worker loses a job, the very foundation of his or her life is shaken and their existence is threatened. The Church further stresses that the poor should not be seen as a burden – but rather as our brothers and sisters. These are not expendable baggage to be discarded at a whim. As Oklahoma sociologist Robert Maril points out, contrary to popular opinion, the poor are not shiftless, immoral people looking for a free ride, but rather, take pride in their work and really want to do a good job and would like to make a contribution to society.⁹

Quite in contrast to the notion of a humble individual wanting to make a contribution to society is the case of Enron Corporation, the huge

Texas energy company, that cut 21,000 jobs and caused 11,000 to lose their life's savings invested in Enron stock. Employees were encouraged to buy stock with their 401(k) retirement money, but were forbidden to sell it when the company started to nosedive in October 2001. CEO Kenneth Lay and fellow executives were allowed to sell theirs – at tremendous profit. “To Enron CEO Kenneth Lay, employees were as disposable as Kleenex.”¹⁰ What about social responsibility? That is not business – it's legalized robbery. It is econo-terrorism. Is the corporation's responsibility exclusively to the to Board of Directors and the shareholder? Consider “Employment at Will” laws, Is it moral to be able to fire “anyone at any time for a good reason, a bad reason, or no reason at all?” In light of this, what kind of security does an uneducated, untrained worker have in a state where he or she is working without benefits, no union, and under “employment at will” and where there is competition in the form of a large labor pool in dire need of employment. Further, if the Church is reluctant to get involved politically – does not want to “rock the boat”; if the media is anti-labor; if politicians and lobbyists are beholden to anti-labor contributors, and a workforce that consists of individuals

desperately in need of jobs, this is a recipe for almost unchecked exploitation of workers. In regards to layoffs and plant closings, is it morally acceptable to let loyal workers know at the last minute via e-mail or some other impersonal means that they are out of work? These sorts of situations, which unfortunately are not rare, create and exacerbate the cycle of poverty, (and distrust of authority), which includes under-education, unemployment or underemployment that lead to crime and incarceration.

The John Steinbeck novel, *The Grapes of Wrath*, is set in California during the Depression days of the 1930's. In it the Oklahoma migrant workers ("Okies") struggle to eke out an existence after having been forced off their land during the "dust bowl days." In this story the wandering preacher, Casey, is beaten by police for trying to form a Union. Wandering folksinger Woody Guthrie wrote many songs in praise of the Unions. Author Upton Sinclair, in the novel, *The Jungle*, describes life as an Eastern European immigrant meatpacker in Chicago at the turn of the twentieth century. His work moved politicians to enact legislation that helped the working conditions in meatpacking plants.

Relentless voices of those who dare to dream of a better world for the common man; the voices of a Steinbeck, a Guthrie, a Sinclair and fellow strugglers like Union activist Mary Harris, a.k.a. “Mother Jones” who fought for social justice for coal miners – all these voices must have reached a crescendo that reverberated the psyche of a reform minded politician like Franklin Delano Roosevelt. Theirs were the voices which planted the seeds that grew into the “mighty oaks” of social legislation: “New Deal” programs like Social Security, Medicare, Medicaid, and the National Labor Relations Act (The Wagner Act) of 1935. More recently, President Lyndon Johnson’s “Great Society” agenda and Dr. Martin Luther King’s “I have a dream” speech helped bolster worker rights.

Unions not only help workers, but also benefit employers by establishing an open channel of communication between labor and management. This is good business and, ultimately, good citizenship. As the head of General Motors said, “What is good for GM, is good for America.”¹¹ In fact, of the top 100 Companies listed in Forbes magazine in 2000, 28 had unions, including top ranked Southwest Airlines, which is 80% unionized.¹²

Throughout the twentieth century, labor unions helped advance the cause of the working people and, with the blessing and help of the Church newly arrived immigrants who toiled in the meatpacking plants of Chicago, coal mines of West Virginia, and vineyards of California, struggled to find their way in a new world. They built the middle class that built America. Today, many workers have moved to cities and wear suits and ties, but the struggle against economic exploitation continues. Most definitions of “social justice” center around the notion of the “common good.” Social Justice may be described as the obligation upon individuals to participate, according to their ability and position, in group action, designed to make the institutions of society conform to the common good in the socioeconomic sphere.’¹³ The unions are rooted in the guilds of medieval Europe. The guilds incorporated social ideals into economic life. The craftsmen – masters, journeymen and apprentices, worked in an atmosphere rooted in religion. This social construct included commercial businessmen also, the ethical norm was the common good of society. Prices could not be so low as to deny a livelihood for the producers, nor too high to deny the consumers. In practicality, then, a

socially just society would provide the greatest good for the greatest number. In terms of socioeconomics, this would be manifested in a large middle class who is neither rich or poor, but rather, who is making a decent living - a fair day's wages for a fair day's work - along with benefits, health care and retirement pay. This is social justice - not charity. Indeed, Pope John Paul II, in "On Human Work" says that charity is not enough, that workers need justice. In other words, a fair wage, adequate working conditions, job security, collective bargaining, decent working hours, and benefits such as sick leave and health care - all these - should not be considered as extras to be "given" to workers at the discretion of employers, but rather should be inherent in a just working arrangement. Unions are needed in modern America because they help secure employment and because they ennoble the common worker.

America is running the risk of becoming polarized – two tiered society. In 1890, the richest twelve percent of the nation owned eighty-six percent of the nation's wealth. In 2001, according to the author Dineesh D'Souza, the 30 wealthiest individuals in America had a net worth greater than that of all the black people in America.¹⁴ In addition, 42% of the

“Forbes 400” richest Americans were born on home plate, i.e. inherited enough wealth to put them on the list. Five of the top 10 richest are members of the Walton family, owners of Wal-Mart (which is notoriously anti-union.)¹⁵ Contrast to this is the fact that in 2001, 23.3 million Americans nationwide sought and received emergency hunger relief from the “Second Harvest” charitable network - nearly two million more than those who sought similar services in 1997.¹⁶ And this, on the heels of one of the longest periods of economic growth in recent history.

Most Americans believe that a full-time job should keep one out of poverty. But at \$10,712 a year, a full-time minimum wage job keeps many Americans below the government's official poverty line and well below more realistic minimum needs budgets. A mom and dad with two children would have to work a combined 3.3 full-time minimum wage jobs to make ends meet. That's 132 hours a week. Minimum wage workers earn 35 percent less than their counterparts did in 1968 -- adjusting for inflation. The advocacy group “Raise the Floor” recommends raising the minimum wage to \$8.¹⁷ That's what a single worker needs to

meet their minimum needs working full time. That's what it takes just to match the minimum wage of 1968, adjusting for inflation.

The AFL-CIO is lobbying to increase the minimum wage, as it has for years. President John Sweeny in his book entitled, *America Needs a Raise*, says:

The problem isn't just money. It's a sense of powerlessness - and voicelessness - in a new economy where the old rules no longer apply. Traditional ties of loyalty between employers and employees have been cut, and too many working people know they can't count on regular raises - or even on secure jobs. Working Americans know they have little say over their jobs, their paychecks, or even how they divide their time between earning their livings and raising their children.¹⁸

In her book, *Nickled and Dimed - On (Not) Getting by in America*, social activist author Barbara Ehrenreich goes undercover as a single welfare mother by becoming a human subject in an effort to see how the underprivileged get by on minimum wage - \$6-\$7/hour. She describes the humiliation, lack of benefits, of life as a waitress, cleaning woman, nursing home assistant, and a Wal-Mart rep. All the while, listening as the upper class congratulates themselves for giving her a job.¹⁹

Every year charitable organizations such as the United Way and the Combined Federal Campaign (CFC), raise more and more money – yet the number of people using food pantries is increasing, and the homeless is as common as pigeons in down-towns across America.

For example, “Second Harvest” reported that in Oklahoma some 56,000 citizens were hungry at Thanksgiving 2001. This in a record breaking year for the “United Way” in which \$14 million plus was raised in the state.²⁰

CHAPTER 2.

THE CHURCH'S SUPPORT OF LABOR UNIONS

The Papal Encyclicals

Four papal encyclicals are noteworthy in so far as labor unions and social justice are concerned. These are: Rerum Novarum (New Things) written by Pope Leo XIII in 1891; Quadragesimo Anno (Fortieth Year) written, as the name implies, on the 40th anniversary of Rerum Novarum, in 1931 by Pope Pius XI; Laborem Exercens on human work, written in 1981 by Pope John Paul II, on the ninetieth anniversary of Rerum Novarum, and Centesimus Annus(100th Year), also written by Pope John Paul II in 1991, on the Centennial of Rerum Novarum.

These papal letters describe in detail why the Church advocates Unions as a means of addressing “Social Question.”

Rerum Novarum – 1891

Pope Leo, in this encyclical “on the condition of workers,” was addressing the “Social Question.”¹ Simply put, the social question is this, What can be done to rectify the social injustice of a world in which the riches are held in the hands of a powerful few, while the laborers, whose

toil produces that profit which goes to the rich, live in poverty, with little or no means of advancement? Labor versus capital.

Pope Leo XIII, states in *Rerum Novarum*,

For man is permitted by a right of nature to form private societies; the state, on the other hand, has been instituted to protect and not to destroy natural right, and if it should forbid its citizens to enter into associations, it would clearly do something contradictory to itself, because both the state itself and private associations are begotten of one and the same principle, namely, that men are by nature inclined to associate. Furthermore, if citizens have free right to associate, as in fact they do, they also must have the right freely to adopt the organization and the rules which they judge most appropriate to achieve their purpose. . . . In summary, let this be laid down as a general and constant law: workers associations ought to be so constituted and so governed as to furnish the most suitable and most fitting means to attain the object proposed, which consists in this, that the individual members of the association secure, so far as possible, an increase in the goods of body, of soul, and of property. (Leo XIII *Rerum Novarum* 1891).

Quadragesimo Anno – 1931

Commemorating the fortieth anniversary of *Rerum Novarum*, Pope Pius XI wrote the encyclical letter, *Quadragesimo Anno*.² In this encyclical he stated the following.

They were with criminal injustice denying the natural right to form associations to those who needed it most to defend themselves from ill-treatment at the hands of the powerful. There were even some Catholics who looked askance at the efforts of workers to form associations of this type as if they smacked of a socialistic or revolutionary spirit.

For toward the close of the nineteenth century, the new kind of economic life had arisen and the new developments of industry had gone to the point in most countries that human society was clearly becoming divided more and more into two classes. One class, very small in number, was enjoying almost all the advantages which modern inventions so abundantly provided, the other, embracing the huge multitude of working people, oppressed by wretched poverty, was vainly seeking escape from the straits wherein it stood.

Quite agreeable, of course, was this state of things to those who thought it in their abundant riches the result of inevitable economic laws and accordingly, as if it were for charity to veil the violation of justice which lawmakers not only tolerated but at times sanctioned, wanted the whole care of supporting the poor committed to charity alone.

The same feeling those many Catholics, both priests and laymen shared, whom a truly wonderful charity had long spurred on to relieve the unmerited poverty of the non-owning workers, and who could in no way convince themselves that so enormous and unjust an inequality in the distribution of this world's goods truly

conforms to the designs of an all-wise Creator. (Pius XI
Quadragesimo Anno 1931)

Laborem Exercens

His Holiness John Paul II formally gives his support for Labor Unions in two encyclicals: *Laborem Exercens* (On Human Work) written on the 90th anniversary of *Rerum Novarum*, in 1981; and *Centesimus Annus* (One Hundred Years) written, as its name indicates, on the Centennial of *Rerum Novarum*.

In ***Laborem Exercens***³, the Pontiff writes in Section 20, entitled, the Importance of Unions,

All these rights, together with the need for the workers themselves to secure them, give rise to another right: the right of association, that is to form associations for the purpose defending the vital interests of those employed in the various professions. These associations are called labor or trade unions. . . . In a sense, unions go back to the medieval guilds of artisans insofar as these organizations brought together people belonging to the same craft, and thus on the basis of their work. . . . However, unions differ from guilds on this essential point: the modern union grew up from the struggle of the workers . . . especially the industrial workers . . . to protect their just rights vis-à-vis the entrepreneurs and the owners of the means of production. . . . organizations of this type are an indispensable element of social life, especially in modern industrialized

societies. . . . They are indeed a mouthpiece “for the struggle for social justice, . . . for the just good. But not for the struggle “against” others. . . . It is characteristic of work that it first and foremost unites people. In this consists its social power: the power to build a community. In the final analysis, both those who work and those who manage the means of production or who own them must in some way be united in this community. In the light of this fundamental structure of all work – in the light of the fact that, in the final analysis, labor and capital are indispensable components of the process of production in any social system – it is clear that, even if it is because of their work needs that people unite to secure their rights, their union remains a constructive factor of social order and solidarity, and it is impossible to ignore it . . . union activity undoubtedly enters the field of politics, understood as prudent concern for the common good . . . however their specific goal is to secure the just rights of workers within the framework of the common good of the whole of society. . . . One method used by unions in pursuing the just rights of their members is the strike or work stoppage as a kind of ultimatum to the competent bodies, especially the employers. This method is recognized by Catholic social teaching as legitimate under the proper conditions and within just limits. In this connection workers should be assured the right to strike, without being subjected to personal penal sanctions for taking part in a strike. . . .It must not be abused. (John Paul VI *Laborem Exercens* 1981)

Centesimus Annus

Like *Rerum Novarum*, this encyclical addresses the injustices that occur in modern capitalistic society, in which labor has become a commodity and where the wages resulting from labor, in absence of some form of social security, are the modern workers only means of fighting the “specter of starvation.” What kind of dignity can a person have, given this situation. The individual needs help in the class struggle between labor and capital. Peace is built on justice. The pope again states that, by virtue of the natural human right to form associations, workers have a right to form unions. The worker also has a right to: a just wage; a limitation of working hours; and other rights. Unions help workers by negotiating just minimum salaries and working conditions. In addition to negotiating salaries, unions give workers a forum or voice to express their concerns to management. The empowerment fostered by this solidarity, led to gains in social security, pensions, health insurance and compensation for workers. “The freedom to join trade unions and the effective action of unions, the assistance provided in cases of unemployment, the opportunities for democratic participation in the life of society – all these are meant to

deliver work from the mere condition of “a commodity” and to guarantee its dignity.”⁴

United States Catholic Leaders

In the United States, some Church leaders stand out as active, vocal proponents of Labor Unions. One of these is Cardinal Roger Mahony of Los Angeles. The Cardinal said, in his Labor Day Address of 1999:

On this Labor Day Americans have much to be grateful for: economic freedom, low inflation, and economic growth. But our prosperity is not being widely shared. Too many have been left behind and the gap in family income continues to widen. The top 5 percent of the population takes a larger share of personal income today than similar people did 30 years ago, (a 16 percent share in 1968, 24 percent in 1996). While the share of income going to people in the middle 60 percent has declined by nearly 10 percent over the same period, the decline is even sharper for those in the bottom 20 percent. This trend is part of the reason why we need a strong, active, democratic labor movement. Workers, particularly members of organized labor, have given much to America over the last century. Through their efforts the great American middle-class was born. Yet American unions never capitulated to the concept of "class" struggle that found such fertile ground in the rest of the industrial world. Union leaders instead saw their organization as part of the American experiment in democracy and urged their membership to seek social justice for all instead of class struggle. Many of the values imbedded in the labor movement's search for

social justice reflect our own faith values, as we seek public policies that protect and promote strong families, expand a stable middle-class, create decent jobs, and reduce the level of poverty and need in our society. Unions seek such policies even when their own members do not directly benefit from the legislation. An early example of this is the historic legislation that became the Social Security Program.⁵

Another giant of the Labor Movement, Cardinal John O'Connor of New York said, in a Sunday homily at St. Patrick's Cathedral:

What of the middle-aged 'bag lady' who may, at this very moment, be sitting on the steps of my residence next door to this cathedral? What of the family evicted by a landlord who is terrified to go to a shelter? These are persons, flesh-and-blood persons, made in God's image. They are not statistics. They are not abstractions or collective nouns. . . . Second Harvest, the country's largest chain of food banks, fed almost 26 million people last year -- nearly 10 percent of America's population. Even so, it had to turn away an estimated 2.3 million hungry people because of a lack of food." This is 26 million plus 2.3 million, 28.3 million hungry people during this economic boom. What is wrong with us! The picture on homelessness is a disgrace.

Miss O'Toole tells why she wrote her book, "Money and Morals in America."

In the summer of 1989 I was in Washington on a magazine assignment. I got up early one morning and took a walk through Lafayette Park, which is just across

Pennsylvania Avenue from the White House. I was stunned to see two or three dozen people sleeping in the park. Homelessness was a familiar sight by then, of course, but I hadn't expected to see it on the doorstep of the White House.

Back in the fancy hotel room, I ordered breakfast, ate well, and had lots left over. I put the food in a hotel laundry bag, walked it over to the park, and gave it to the first two people I saw--two men on a bench. I will always remember the deadness of their eyes. They didn't look as if they'd lost their joy, they looked as if they'd had it bombed out of them.⁶

This is in America, a disgrace! It is because of conditions like these, the conditions that were even more abominable and even more widespread years ago, that unions first came into existence to insist on the right to collective bargaining. An awful lot of us enjoy a measure of dignity and decency and certain prosperity because of the union movement. We should not forget that. Were the right to collective bargaining to be abolished tomorrow, in my judgment, it would not be too many years before such conditions would prevail again in many quarters. I am not sure everyone realizes that, as I am not sure everyone realizes that we still have grave economic and social problems in this country. I am told that because I have supported unionism so strongly for my 14 plus years as archbishop, some parties have been reluctant to contribute to archdiocesan needs. That hit me, for example, when I went over to 42nd Street for a rally for newspaper people on strike. I spoke at that rally, and I was later warned very bluntly, 'You are hurting the charities and the educational efforts of the Archdiocese of New York.' Well,

obviously I regret the loss to the archdiocese, but I will defend the right to collective bargaining in good faith until the day I die. That is Church teaching. I am supposed to teach Church teaching.⁷

Cardinal O'Connor mentions attending a rally of striking workers. The Church upholds workers' right to strike, when negotiations fail. This is the "bottom line" of the labor movement and it is morally legitimate when it cannot be avoided, or at least when it is necessary to obtain a proportionate benefit. It becomes morally unacceptable when accompanied by violence, or when objectives are included that are not directly linked to working conditions or are contrary to the common good. Unemployment almost always wounds its victim's dignity and threatens the equilibrium of his life. Besides the harm done to him personally, it entails many risks for his family.⁸

Monsignor George Higgins, America's Labor Priest for over half a century, reiterated the words of Msgr. John Ryan in the book, *Organized Labor and the Church*, "Effective labor unions are still by far the most powerful force in society for the protection of the laborer's rights and the improvement of his or her condition. No amount of employer benevolence, no diffusion of a sympathetic attitude on the part of the

public, no increase of beneficial legislation can adequately supply for the lack of organization of workers among themselves.”

Higgins adds, “Neither, may I add, can the great proliferation of church-related ‘justice and peace’ programs adequately supply for the lack of organization of workers themselves.”⁹

CHAPTER 3

WHY AMERICA NEEDS UNIONS

Why are unions needed today? In the introduction to an article, Former Secretary of Labor, Robert Reich writes:

Consider these situations, all real: Sweatshops American clothing manufacturers subcontract with Asian or Latin American companies who employ underage workers, 13 years old and up, they work 12 hour days and are paid a fraction of U.S. wages; Golden umbrellas - Big corporations lay off many rank and file workers, while increasing pay for top executives; Corporate associations finance an advertising campaign against a Congressional bill that would expand health care coverage to all Americans; Corporate contributions to political candidates who indicate that they will tend to vote against worker protection; and the seeking of tax incentives, often to the detriment of education or social programs, from states by corporations. All of these examples are legal, though not socially responsible.¹

Corporate Irresponsibility – Case Studies

Seaboard Corporation

The subject of a Time magazine feature entitled, “Empire of the Pigs,” Seaboard Corporation is owned by Harry Bresky of Boston and the

milling and swine farming operation is run out of Shawnee Mission, Kansas.

Seaboard Farms relocated its pig finishing and slaughter operation to Guymon, Oklahoma from Albert Lea, Minnesota to avoid, among other things, a unionized workforce.² Since the Boston owned corporation moved to Guymon, 20 per cent of the faculty of nearby Northwest Oklahoma University have left.³ Seaboard was one of the first hog finishing operators to enter the panhandle area of Oklahoma and was given millions of dollars in subsidies to locate there, along with the promise of a non-unionized workforce. Today, the area is beset with environmental problems from the numerous pig farms, or Confined Animal Feeding Operations (CAFO's) that have located there, and the waste could contaminate the Ogallala aquifer, the areas primary source of precious groundwater in this parched area. The smell downwind of a site can be nauseating. Other operations include Cargill, Smithfield (Formerly Murphy Family Farms), Tyson, Land O'Lakes. Environmental activist and social reformer Robert F. Kennedy, Jr. – head of the Waterkeeper Alliance – organized a “Hog Summit” that was held in January of 2001 in

New Bern, North Carolina to deal with the problem. The Waterkeepers are sponsoring a second, “Hog Summit” to be held in April of 2002 in Iowa. In addition to environmentalists, Labor Union representatives are in attendance to voice their concerns regarding this mega-industry which threatens the economic viability of the family farmer – as well as the environment.⁴

Tar Creek Superfund Site

As with huge corporate hog farms on the opposite side of the state, the abandoned lead mining district in the Tri-state (Oklahoma-Kansas Missouri) area features another industry of last resort – lead and zinc mining. Perhaps necessary nationally or internationally, but devastating locally.

Lead mines in the tri-state area of Oklahoma, Kansas, and Missouri produced ore for many years - from the early 1900’s, and on through both World War I and II. The industry was at its peak in the 1930’s. Huge operations were extracting lead ore in mammoth proportions near the town of Pitcher, Oklahoma. Many attempts were made to organize unions of the mineworkers, and these attempts were often met with violent

resistance by the mine owners. On various occasions, the National Guards of Oklahoma and Kansas were activated to put down striking mineworkers. Today the mines are nearly all gone, played out, leaving behind huge piles of “chat” (gravel) and acid drainage that has poisoned the ground and the inhabitants. Many children in the area have abnormally high levels of lead in their blood.⁵ The earth under the town of Pitcher subsiding to the point that politicians have proposed moving, actually relocating, the entire town to more stable ground. It was the subject of an ABC ‘Nightline’ News special on March 1, 2002. The U.S. Government through the Environmental Protection Agency (EPA) has designated Tar Creek a Superfund site, and has spent millions of taxpayer dollars trying to clean up the acid drainage that has poisoned the creek. One wonders if this situation, an industrial boom post-mortem, could have been avoided or lessened, had the mine owners cooperated with the unions back when the mines were producing.

Left behind were the towering chat piles, the concrete pillars of old mills, the rusting machinery, and the worn-out men and women, stark reminders of a vigorous industrial past that consumed the energies and lives of thousands of workers and their families. Left behind,

too, was a mind-boggling environmental time bomb for future generations to defuse. In November, 1981, the Environmental Protection Agency placed the Tar Creek area of the district among the ten “most serious hazards” sites in the United States because of the industrial pollution resulting from past mining and milling. Whether a powerful union movement could have helped to ease the inevitable decline and to enhance the quality of life for all Tri-Staters, then and now, must remain an unanswered question.⁶

In announcing the closing of a lead-acid battery plant in Grove, Oklahoma on February 20, 2002, Eagle-Pitcher Industries’ spokesman, Carl Holmes said, “Eagle-Pitcher can buy manufactured batteries from China cheaper than we can produce them.”⁷ Eagle-Pitcher has operated in the area since the 1920’s.

Ironically, among the currently marketed products from Eagle Pitcher is water purification materials. Governor Keating is presently lobbying Congress for more money to clean up the area and convert it into a giant wetland.

Delta Airlines

In a major defeat for organized labor and the Association of Flight Attendants (AFA), flight attendants for Delta rejected a union in February

2002. The vote was 5,520 for and 89 against joining but federal law requires that the union get a ‘yes’ vote for bargaining recognition vote from a majority of Delta’s 19,033 covered employees. Under federal labor law, a ballot that is not cast is counted as a “no.” Delta management developed a ‘rip it up’ campaign which encouraged employees to simply rip up their ballots rather than vote. The President of the AFA, Patricia Friend, said, “Delta’s entire campaign focused on creating fear and uncertainty in flight attendant’s minds.” The Union plans to file a lawsuit claiming that the company illegally interfered with the election.⁸

Union Busters

In an effort to quash unionization drives, businesses often retain the services of management consultants such as the Burke Group of Newport Beach, CA who specialize in “union avoidance” (a.k.a. “union-busting”). Union-busting is a \$500 million a year industry, with 80 percent of the companies in America waging anti-union campaigns once they learn that organization efforts are underway.⁹

Burke’s website features a scorecard of victories in union battles. Also posted on the website is a reprint of a news article which indicates

that Cardinal Egan of New York is not nearly so strong a proponent of unions as was his predecessor Cardinal O'Connor.¹⁰

In his book *Confessions of a Union Buster*, Martin Levitt says,

There are thousands of people out there, consultants, attorneys, and businessmen, who would like to shut me up. Since my first public talk on union-busting – the speech at the Carpenters convention in March 1988 with which I open this book- I have spoken to hundreds of thousands of union workers, university students, and members of the general public about the viciousness and insidiousness of the war on unions. The word is getting out about what management consultants and business executives and labor attorneys have been doing to employees all these years under the benign label of “union avoidance,” and the folks who make money off that system are getting nervous.”¹¹

McDonnell Douglas

McDonnell Douglas (MD) operated an aircraft manufacturing plant, under an Air Force contract, in Tulsa. In December 1993, MD unexpectedly closed the plant and in so doing, saved itself \$24.7 million in pension and medical benefits that would have been paid to workers, along with another \$11 million in pension fund assets. Approximately 1,200 workers were affected. In late 2001, federal judge Sven Holmes ruled in Tulsa that the giant defense contractor, which merged with Boeing in

1997, violated the Employee Retirement Income Security Act (ERISA). Testimony at the trial revealed that McDonnell Douglas had hired a consultant to perform a demographic profile of the staffs of its plants and determined that workers at the Tulsa plant were collectively older, i.e. closer to retirement age, than any of the others. Based on this study, an internal memo presented as evidence at the trial, told of plans to close the plant.

In the words of International Association of Machinists and Aerospace Workers (IAMAW) President Thomas Buffenbarger, “This is the kind of games companies play with pension funds they control. It’s the strongest argument I know for having an independent plan like the IAM National pension fund.”¹²

Marks and Spencer

British based Marks and Spencer Stores informed 1,200 loyal employees in their Paris operation that they were being terminated. The pink slips were delivered via e-mail, a half hour prior to store opening on the day the news was made public.¹³ The workers protested vehemently, and much press was given to their insult. The issue prompted European

Union Labor Minister, Anna Demetripoulou to convene a special meeting on employer-employee relations. In the U.S. part of the fallout was that Brooks Brothers, clothier to Abraham Lincoln, J.P. Morgan and Clark Gable, was bought by the owner of the Casual Corner women's clothing chain for \$225 million in November 2001, less than a third of the price that U.K. parent Marks & Spencer PLC paid 13 years ago. Perhaps this unfortunate situation could have been avoided, had Marks and Spencer management given sufficient notice to employees that they intended to lay off workers. Most collective bargaining agreements require a 60 day notice regarding plant closings.

Payless Cashways

This Missouri based hardware, lumber, and building supplies store gave no overt signs of distress before it filed for bankruptcy in the summer of 2001. At that point, employees were promised a retirement of \$1000 for every year of service. Ultimately, however, after creditors were paid, benefits were capped at \$4800, even for employees who had been there for 25 years. In the end, employees who had worked for the company less than 10 years got nothing.¹⁴ To add insult to injury, the Springfield,

Missouri store still bears the “Payless Cashways” sign above the “84 Lumber” (the purchaser) sign. Not only is the new owner, 84 Lumber, (which is relatively new to the area) “buying” a company that went belly up due to poor management; it is also gaining the apparently positive (why else would they leave the old sign up?) reputation built by the loyal employees of bankrupt Payless, loyal employees who took a back seat to “unsecured creditors” when liquidation time arrived. If the employees would have belonged to a union, terms of separation would have been spelled out in advance, in the collective bargaining agreement which is negotiated between workers and management - and they would not have been left in limbo.

Exhausted Truckers

In a feature story, the Kansas City Star, “Low pay pushes truckers past limits, into danger,” described the plight of the modern day truck driver.¹⁵ The average non-union trucker works 66 hours per week and is exhausted a good deal of the time. The law that limits the number of hours driven is not the problem, rather it is an economic system that features “pay by the mile” that pushes drivers to the point of exhaustion.

Drivers often cover 130,000 miles per year and are away from home most of the time – some for up to a month at a stretch. Fuel costs, repairs, and “idle time”, where drivers sometimes have to wait at docks for hours to unload, eat up profits. Unsanitary truck stops with coin operated showers and the long times away from home make it a “dogs life,” according to one driver interview. The life of a trucker is described in a recent book, *Sweatshops on Wheels*. The very same day as the above story appeared in the Kansas City Star, Dec., 16, 2001, another news story was released on Reuters news service, that told of the profits made by the trucking company, J.B. Hunt. Credit Suisse First Boston upgraded its shares to “buy” from “sell” as shares ended up 14.96% or \$2.90 to \$22.29 on the Nasdaq market.¹⁶ Based in Lowell, Arkansas, J.B . Hunt is a non-union company that frequently hauls loads as a third party contractor to Wal-Mart, another non-union organization.¹⁷ Arrangements such as these, though incredibly profitable for the companies, put Americans at risk by overworking employees in order to increase the dividends for the stockholders.

A Cornell University study of the industry found that earnings of truck drivers decreased 21% between 1973 and 1995. Deregulation accounts for part of the decline, affecting non-union truckers more than those who belong to a union. The study also determined that Union truckers earn 18% to 21% more than non-union drivers.¹⁸

Justice for Janitors

A recent motion picture dramatizes the plight of janitorial workers. Set in Los Angeles, “Bread and Roses” (Lions Gate Films) tells of the plight of Hispanic janitorial workers who toil in non-union job for \$5.75/hr in 1999, (union janitors were paid \$8.50/hr in 1982).¹⁹ Many are illegal immigrants, but the authorities turn a blind eye, as long as the work gets done, often for less. The film points out the cycle of poverty and incarceration that can happen when parents are away from home all night cleaning buildings to make a pittance - while their children are home alone. The multi-millions made by the corporate executives whose offices they clean, do not trickle down to the janitorial workers.

Positive Examples

Malden Mills

Fortunately, not all company management is as unscrupulous as that in the above listed case studies. An example of a CEO with a conscience is Aaron Feuerstein whose company, Malden Mills of Lawrence, Massachusetts burned down in the winter of 1995. Rather than taking the easy way by shutting down and taking the insurance money, Mr. Fuerstein rebuilt and paid his employees even while the construction ensued. At considerable financial hardship, Fuerstein has kept the factory going. His guiding inspiration is the quotation from Leviticus, “You are not permitted to oppress the working man because he is poor and needy.”

Approximately 1,300 Malden Mills employees belong to Local 311 of The Union of Needletrades and Industrial Employees (UNITE) Union – AFL-CIO. The relationship between labor and management is one of mutual respect.²¹

Levi Strauss

Levi Strauss, famous for the blue jeans that bear its name, provides an example of an organization that choose to operate in an atmosphere of

cooperation, rather than confrontation, regarding labor relations. This cooperative attitude was fortuitous for Levi's, which in effect, anticipated the anti-sweatshop movement.

When the 550 workers at the Roswell, New Mexico plant voted to join the Union of Needletrades, Industrial and Textile Employees (UNITE) in 1997, the company was praised by the Bruce Radnor, Executive Vice President and Southern Regional Director of UNITE. Radnor said, "Levis can and should serve as an model to other corporations in that they allowed workers the freedom to unionize in an atmosphere free of coercion."²² In July 1999, Levi Strauss joined the Fair Labor Association (FLA) – which consists of corporations, human-rights groups, and universities that collectively are fighting abuse labor conditions abroad. Partly because of their joining the FLA, Levi Strauss avoided much of the negative publicity that befell some other clothing manufacturers.

International Solidarity

Everyone shall have the right to freedom of association with others, including the right to form and join trade unions.

-International Covenant on Civil and Political Rights (ratified by the United States in 1992)

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other mutual aid or protection.

-National Labor Relations Act (passed by Congress in 1935)

Not only does a strong labor movement protect workers in America, it also defends workers' rights around the world. Union solidarity crosses international borders.

Poland

In Poland, the workers' Solidarity movement which culminated in the tearing down of the Berlin Wall was led by the working people. The movement was spurred on by contributions from American Labor in the form of the AFL-CIO, and its President Lane Kirkland, and Msgr. George Higgins. Mr. Lech Walesa was hosted in Washington at Union led rallies. Without the support of U. S. Labor, the Polish Solidarity movement probably would not have been successful.²³ By extending compassionate

hands across the water – the hands of working men and women – workers led in turning back totalitarianism in Eastern Europe.

In January of 2001, Andrzej Lepper, leader of ‘Self-defences’ (Samoobrona), a farmer’s union in Poland, was honored in the United States by the Robert Kennedy Institute, for his organizations contribution to environmental protection and humanitarian animal breeding. The award was in recognition of “Self-defences” two year fight against the Smithfield Corporation, which wanted to build large pig and poultry-breeding plants in Poland.²⁴

Anti-Sweatshop Movement

The anti-sweatshop movement began in 1997. The term “sweatshop” was coined to describe conditions in foreign clothing manufacturing plants where people worked often up to 80 hours a week, for a fraction of U. S. wages, and where, in at least one documented case, women were not allowed to get pregnant, and were forcibly given abortifacient shots if it was discovered that they were pregnant.

The College Anti-Sweatshop movement began in the summer of 1997, when UNITE interns produced an organizing manual for a Sweat-

Free Campus Campaign. A year later student activists from 30 schools, including Georgetown University, met and formed United Students Against Sweatshops. The movement grew to 100 colleges in the US and Canada by 1999. When Nike Corporation, who sold apparel at Duke University, refused to disclose the location of its manufacturing plants and subcontractors, students at Duke held a 'sit-in' in the President's office. Georgetown followed a week later, and staged a sit-in in the office of President Leo O'Donovan, SJ. The result of Georgetown's sit-in was a flexible model of contract oversight that could be used by other schools as well to monitor agreements between university administration and clothing manufacturers to help ensure that worker rights were being considered. A specific success story concerns the South Korean Company, Kukdong International, which has operations in Atlixco, Mexico. Kukdong subcontracts with the Atlixco plants to produce goods for Nike and Reebok. Some Nike products go to Georgetown. So Georgetown's Worker Right Consortium (WRC) investigated the plant. It employed children aged 13-15 for up to 10 hours per day. Beatings had been reported at the plant, and when workers challenged a corrupt union,

they were fired. Fellow workers who went on strike were fired. Since Georgetown's intervention, child labor has ceased and in September 2001, the workers were granted the right to form a voluntary, independent union. In a month's time, 80% of the plants workers joined the new union and the striking workers have been re-employed. Recently, plant workers have visited Georgetown to thank the students for their help. According to a press release, the Kukdong breakthrough was "one of the most important victories in workers' rights in the world this year."²⁵

Columbian Coal Mines

Another example of International Union Solidarity is the case of the Drummond Company, a coal mining operation based in Birmingham, Alabama. Drummond, faced with dwindling reserves locally, expanded its operations to Colombia, South America in the early 1990's, investing over \$500 million. In the last decade over 1,500 union officials have been killed in Colombia. The International Labor Rights Fund, based in Washington, DC in conjunction with the United Steelworkers of America, is currently suing Drummond for the company's alleged part in backing paramilitary operatives who killed three union leaders.²⁶

Motion Pictures:

“Behind the Labels”

Several motion pictures were released in 2001 that feature workers’ rights as a central theme. “Behind the Labels” is a documentary about garment workers who come from East Asia to work in the U.S. Territory of Saipan. Although Saipan has no minimum wage or immigration laws, garments made there with cheap labor are allowed to have the “Made in USA” label on them. The film points out current efforts to help end labor law exemptions.

“Life and Debt”

Likewise, “Life and Debt” (New Yorker Films) tells of the effects of globalization on the economy of the tiny, tropical island of Jamaica. International Monetary Fund (IMF) and World Bank conditionality have destroyed the Jamaican milk, potato, banana and onion industry through preferences given to the likes of Dole; Del Monte; Simplot; and McDonalds. In Jamaica, Labor unions are outlawed, and striking workers are forced to return to work at gunpoint.²⁷

Tyson Foods Inc. awarded its chief executive, John Tyson, a \$2.1 million bonus for fiscal year 2001 despite a federal indictment accusing the company of smuggling illegal aliens. The indictment accused the company and six of its managers of conspiring to smuggle illegal aliens into the country to work at 15 Tyson plants in Alabama, Indiana, Kentucky, Missouri, Mississippi, North Carolina, Tennessee, Texas, and Virginia.²⁸

Anticipating abuses such as those alleged in the Tyson case, the AFL-CIO Executive Council on Feb. 16, 2000 took a stand in solidarity with immigrant workers, calling for reforms that will protect workplace rights and freedoms and hold employers accountable when they exploit immigrant workers.²⁹ A new system should prevent employer discrimination against individuals who look or sound foreign. Workplace immigration laws should protect all workers and hold employers accountable for criminal activity, such as massive illegal importation of workers, or using workers' undocumented status as a way to break laws governing workplace safety, wages or the freedom to choose a union. A resolution urges a new amnesty program and full workplace rights and

freedoms for all workers -- immigrant, native born, documented and undocumented.

Workers are protected by both Federal and International law in regards to the forming of labor unions. Despite the fact that legal instruments have been in effect for many years, violations of U.S and International Labor Law regarding freedom of association and the organizing of Unions are so widespread that the advocacy group Human Rights Watch composed a report on the issue. Although “protected in theory,” the reality is that workers are frequently threatened with firing, deportation, intimidation, and harassment. A separate Cornell study found that in the United States, some 10,000 workers are fired every year for trying to form unions.³⁰

The worker movement is a human rights issue. As such, the AFL-CIO is working with unions around the world to keep worker’s rights issues, such as International labor standards, on the agenda when the World Trade Organization (WTO) meets.

An internationally recognized author, scholar and diplomat,

Dr. Roodal. Moonilal, the Labor Minister of Trinidad in the West Indies, offers an interesting insight on a potential future role for labor unions. “Recognizing the many NGO’s and action groups, mostly on the ‘protest stage’ trade unions can now take on the role of seasoned NGO, one that acts as a bridge between protest groups and their adversaries. The most important challenge will be to renounce the old strategy of confrontation and conflict and become vehicles for cooperation and codetermination.”³¹

Dr. Moonilal who was in Oklahoma in 2001 and observed the Right to Work campaign there, said of the campaign, that “based on his observations there is much distrust between unions and the media.”³²

A somewhat similar view - that of cooperation rather than confrontation - is put forth by Quan and Guthey on the art of Social Dialog in the USA. “Social Dialogue, as defined by the ILO, does not exist in the United States. There are no tripartite institutions between unions, employers, and governments that regularly act in a consultative or regulatory manner on labor, social, or economic policies. The ILO’s attention to these issues could serve to focus debate on the fundamental

imbalance in the structure of current U.S. labor relations, one which favors management rights far more than labor rights.”³³

Worker Safety

Though the United States may not have a “tripartite institution between unions, employers and governments,” efforts are being made to fashion a social dialog on worker issues. Georgetown University recently announced the establishment of the Center for Business and Public Policy in the McDonough School of Business. The Center will host an annual “Workplace Safety Summit” which brings together top level officials from corporations, nonprofits, government, labor, NGO’s, and academia to address the problem of worker safety. This is a worthy cause, considering the fact that nearly 6,000 workers are killed every year on the job in the United States. Representatives of DuPont, General Motors, The United Farmworkers Union, the US Department of Labor – OSHA, the FIGHT grassroots activist project and the National Safety Council, attended last year’s meeting – from which the Center originated.³⁴

Historically, as far back as the 1920’s, Oklahoma has lagged behind in worker-safety legislation. An example is a 1926 Bureau of Labor

Statistics (BLS) study on workers' compensation in the United States which reports that benefits in all other states covered fatal – as well as nonfatal injuries and medical and surgical benefits. In Oklahoma however, fatal injuries were not covered because a constitutional barrier for compensation for death was in effect.³⁵

The state of Oklahoma could no doubt benefit from a worker safety conference like the one organized by Georgetown.

Right to Work

On September 25, 2001, Oklahoma voted, in a referendum election, to enact “Right to Work.” In one of – if not the most expensive elections in the state’s history, State Question 695 passed with 56% voting for the measure and 44% against. The election is currently being contested in Federal District Court.

It is remarkable that, although sensational, regarding essential issues, the Oklahoma election of 2001 was not too much different than previous RTW campaigns which happened over fifty years ago. If one were to change the names and dates, a chapter in the thesis written by Fr. James Lee in 1961, could have described the S.Q. 695 race in Oklahoma.

Oklahoma City's leading citizen 'Daily Oklahoman' and Grand Ole Opry owner, Edward L. Gaylord, is one of two Oklahomans listed in the "Forbes 400 Richest Americans in 2001, with personal assets of \$1.9 billion. Gaylord donated a million dollars worth of pro-Right to Work advertising in the Oklahoman in the runup to the vote on State Question 695, held on September 25, 2001, along with \$500, 000 in cash donations. Wal-Mart contributed \$500,000 as well.

In addition to the Management Consultants who specialize in Union Avoidance, another major opponent of the Labor Movement is the "Right to Work" Movement. In this case, the anti-union effort is political in nature, led by the "New Right", with the battle being waged in the media - in the newspapers, on television and radio and by lobbyists in the halls of State and Federal legislatures.

The phrase "Right to Work" is somewhat deceptive. This play on words does not mean what it seem to imply. The closer match between the phrase and the legislation it describes would be the "Right to Work without being compelled to join a labor union." "Right to Work" laws do not guarantee a job for anyone. The term has been around in one fashion

or another since the mid-1800's although its genesis is usually attributed to William Ruggles, editor of the "Dallas Morning News", who penned the phrase in a September 1, 1941 (Labor Day), editorial. The Wagner Act or National Labor Relations Act, has been called the Magna Carta of Labor. Ruggles said that the Wagner Act was the Magna Carta of "organized" labor, and he went on to propose anti-labor legislation in his column - entitling his editorial "Magna Carta: Right to Work." Ruggles proposed the creation of a 22nd amendment to the U.S. Constitution. The proposed amendment read as follows:

No person shall be denied employment because of membership in or affiliation with a labor union; nor shall any corporation or individual sign a contract to exclude from employment members of a labor union or persons who refuse to join a union; nor shall any person against his will be compelled to pay dues to any labor organization.²

Ruggles said that "the greatest crisis that confronts the nation today is the domestic issue of the right to work as a member of a labor union, if the individual so elects. It is a greater crisis than the international situation, for on its solution may depend our ability to face the dark international future."

Overstatements such as “a greater crisis than the international situation,” (considering that Hitler had invaded Poland exactly two years prior, and that three months later Pearl Harbor would plunge the United States into World War II) appear to be characteristic of RTW press releases and editorials.³

Sixty years later, in a press release dated 11 March 2002, RTW staffers Daniel Cronin and Stefan Gleason wrote:

The National Right to Work Foundation blasted officials of the International Association of Machinists and Aerospace Workers (IAM) Union for exploiting the war on terrorism for personal gain by shutting down key war production.

Directly from the union play book used during other periods of national crisis, the strike threatens to halt production of the F-22 and C-130-J military transport planes, which are being used by the military in Afghanistan as part of the war on terrorism. By ordering a strike, IAM union officials are attempting to force workers to put their allegiance to the union ahead of their employer and their country.⁴

The leader of the National Right to Work movement is Mr. Reed Larson, an electrical engineer by training who was employed by the Coleman

Company of Wichita, Kansas. Larson was elevated to head of the National Right to Work Committee in Washington, DC in 1958, after having led Kansans for Right to Work to victory in his home state that same year.⁵ Right to Work was narrowly defeated in Oklahoma in 1964 thanks to a strong social movement in the country inspired by social reformers like the Rev. Martin Luther King, and former U.S. Presidents John F. Kennedy, and Lyndon Baines Johnson.⁶

The 2001 Oklahoma ‘Right to Work’ Campaign

Spin and Spinners

In the campaign literature found on the website of “Oklahomans for Right to Work,” there is a section entitled , “Right to Work for Oklahoma – Answering Union Arguments,” In rebuttal to the pro-Union claim that “The phrase ‘right to work’ is a misnomer”, the following explanation is given:

Right to Work is aptly named. It does not say or imply "Right to a guaranteed job." Right to Work provides workers with the guarantee that they will never have to join or pay dues to a union as a condition of employment.

The term "Right to Work" does not appear on the ballot question for SQ 695 - it is only used as a

communicative term in the political campaign. It has been the shorthand term for this issue for over fifty years and immediately describes the issue at hand.⁷

Indeed, the phrase “right to work” did not appear in the language on the ballot in the State Question 695 campaign in Oklahoma in 2001. Despite the claim that the phrase is used only for “shorthand”, another reason may be found in the following statement given by the Rev. Jerome Toner, O.S.B., President of St. Martin’s College, in his Presidential Address in 1959, entitled ‘Right to Work laws and the Common Good.

The right-to-work is not the specific object of right-to-work laws. The term right-to-work is, like its grandfather – the open shop – and its father – the American Plan – a name, slogan, or banner used to attract, entice and captivate voters and supporters. The Attorney Generals of Idaho, California and Washington considered the term right-to-work so inappropriate that they would not permit it to be used on the initiative petitions or ballots for the right-to-work laws.⁸

To further illustrate the confusion caused by the phrase, a reader wrote to the Denver Post, back in the 1950’s:

I noticed in the Post that the Chamber of Commerce endorsed a state ‘Right-to-Work’ law. I think the Chamber is doing a fine thing by supporting such a law. For two months now I have been out of work and I

think it is about time that we had a state law that would guarantee a man the right to work.⁹

The *Daily Oklahoman*, the state's largest newspaper, based in Oklahoma City and owned by the Gaylord family, played an enormous role in the victory of right to work in Oklahoma. The publication, dubbed "the worst newspaper in America," by the Columbia Journalism Review,¹⁰ published more than a hundred and twenty-five pro-RTW articles in the months leading up to the State Question 695 election on Sept. 25, 2001. The media saturation paid off, in a campaign quite similar in strategy to the one Reed Larson ran back in 1958 as head of Kansans for Right to Work. Employing tactics such as: an all out media blitz; endorsements by local politicians; attempts to fan the flames of xenophobia by pitting of Oklahomans against other states, particularly the East Coast. Cartoons, full-page advertisements and editorials vilified Labor leaders, referring to them as "Liars" and "Union Bosses." The Daily Oklahoman's Director of Advertising took a new job in North Carolina a month after the election, after having worked for the paper for 14 years.¹¹

A sister organization of National Right to Work, which offices are in the same building in Springfield, VA, is the National Institute for Labor Relations Research (NILRR). Quotes from NILRR reports were featured prominently in the Oklahoma campaign, in “Oklahoman” articles and editorials and especially on the websites of “Oklahomans for Right to Work”¹² and the Oklahoma City Chamber of Commerce.¹³ The NILRR’s director is Mr. David Kendrick, B.S. Wofford University. He was formerly Director of Research for the National Right to Work Legal Foundation. Kendrick is the author of almost all of the Institute’s reports.¹⁴ Opposing Mr. Kendrick in the war of facts and figures is the Economic Policy Institute (EPI), which is based in Washington, DC and partially funded by the labor unions. The EPI employs 11 Ph.D level researchers – mostly economists from top-tier universities, along with over 40 support staff.¹⁵

Despite much rhetoric claiming that the Oklahoma Right to Work campaign was a “grassroots” effort, there is ample evidence that several national level, far right organizations were actively interested in doing

their part to see that S.Q. 695 passed in Oklahoma. Some of the members of this “shadow” effort were:

The National Right to Work Legal Defense Foundation - www.nrtw.org

The National Legal Policy Center- www.nlpc.org

The National Institute for Labor Relations Research – www.nilrr.org

The National Taxpayers Union – www.ntu.org

The American Legislative Exchange Council – www.alec.org

The Free Congress Foundation – www.freecongress.org

The Heritage Foundation – www.heritage.org

The Christian Coalition – www.cc.org

All are based in the Washington, DC area, except the Christian Coalition which is headquartered in Virginia Beach, Va.

The point man for the *Daily Oklahoman* was Opinion page editor Patrick McGuigan, who seemed to relish the role of union-basher. Numerous vituperative editorials repeated the anti-union message, often calling the opposition “liars.” McGuigan was hired by the *Oklahoman* in 1990 from the Washington, DC based Free Congress Foundation. Its head since 1979, Paul Weyrick, formerly headed up the American Legislative

Exchange Council, and before that was the leader of the Heritage Foundation. The following paragraph provides some insight into the history of the “New Right” movement. During the 1970s, an effort to organize social conservatives resulted in a network of activists under the leadership of Weyrich, beer baron Joseph Coors, former presidential candidate Howard Phillips, NCPAC founder Terry Dolan, and direct mail guru Richard Viguerie.

In 1973, Weyrich and Coors created The Heritage Foundation to develop public policy. Weyrich also established the Free Congress Foundation, a 501(c)(3) organization created to disseminate public policy from the right. The Heritage Foundation, under Weyrich’s direction, then organized the American Legislative Exchange Council, a Washington-based association whose membership is made up primarily of conservative Republican state legislators. Together the three founded the State Policy Network to oversee an association of state-based think-tanks that function as Heritage-like organizations at the state level.¹⁶

The Oklahoma chapter of the State Policy Network is the Oklahoma Council of Public Affairs (OCPA) (www.okpathink.org). The head of OCPA, Dr. David Brown is also head of the Heritage Foundation, and several board members were on the steering committee of Oklahomans

for Right to Work. (OCPA adjunct scholar, Dr. Richard Reed, produced a report in early 2001, which found that Right to Work would be good for Oklahoma.¹⁷

An example of “trickle down propaganda” – from national to grassroots organization - may be found in the case of three variations of the same article which was originally posted on the website of the National Taxpayer Union in May of 2001, entitled “Marxism – American Style.”¹⁸ In August of that year, it was appeared, under the same title, in an adaptation tailored to Oklahoma, on the website of the Oklahoma Public Affairs Council.¹⁹ The third version, re-titled “Marxism alive, well in Oklahoma,” was published in the *Daily Oklahoman* on August 8, 2001.²⁰

All three articles listed, as one of the demands of Marx’s “Communist Manifesto” Equal liability of all to labor. Establishment of Industrial Armies.” “The original article, published on the occasion of May Day” celebrated by communists in Europe, pointed out how “Federal labor law forces eight million American workers to pay union dues to get or keep a job. The second and third articles featured the same theme as

the first – though now adapted for an Oklahoma audience. These two articles stated that 140,000 Oklahoman workers are “forced” to pay union dues.

Presumably, as the Right to Work campaign moves across the country, the article will be re-titled in the name of the state that is holding a referendum vote. For example, if New Mexico is next, the title would be, “Marxism is alive and well in New Mexico” and it will contain a sentence saying that, in New Mexico, X number of workers are forced to pay union dues. (X being the union population of New Mexico). The article would be posted on the website of the local chapter of the State Policy Network.

As mentioned, a not too subtle strategy was to pit “us good guys” (Oklahomans) against “those bad guys” (out of state Union members). The statements below – all from *Oklahoman* editorials- show the tenor of the campaign:

The ‘no’ campaign is financed and driven by unions from every state and the District of Columbia -- about \$2.5 million from the national AFL-CIO. They will spend about \$15 million. Some of it will never be reported. Their ads insult your intelligence. The ‘No’

side feeds distrust. They think you're stupid. They've lied to you.

‘Yes’ ads support freedom for all Oklahoma workers, appealing to your hopes for a better Oklahoma and a better life for your children. You understand Oklahoma must change for the better. The ‘Yes’ side affirms Oklahoma values. Trust those who trust you. They've told you the truth. ‘Vote YES on SQ 695.’²¹

‘In a blizzard of lies, defenders of the status quo -- especially the national unions that snatch \$41 million worth of forced union dues from Oklahoma workers every year -- want to change the subject. But the subject is freedom -- yours.’²²

“Don’t let lies about the issue and attacks on good Oklahomans get to you.”²³

In superficially sophisticated advertising, the out of state element lied with conviction – spending both reported and unreported millions to lock out the status quo.²⁴

The deceit and fear-mongering are so consistent and persuasive that some good Oklahomans wind up buying into the deception. It’s an insulting sham spread selfish, out of state national union operatives who have no concern for working Oklahomans and every concern for their pocketbooks.²⁵

- Oklahoma Secretary of Labor Brenda Reneau Wynn

Over 600 Union members were killed at work in the World Trade Center bombing on Sept. 11, 2001. Of these, 330 were Firefighters – all members of the International Association of Firefighters (IAFF).²⁶ They died trying to save others.

Oklahoma Secretary of Labor Brenda Reneau said that more nonunion workers were killed than union workers.²⁷

Governor Keating took advantage of the patriotic fervor engendered by the tragedy of September 11, urging voters to get to the polls – and vote for right to work, knowing that political strategists predicted that a higher turnout would favor “Right to Work” passage.²⁸

Particularly offensive, from the viewpoint of one who has seen the good things that Unions do and who is acquainted with union leaders who are upstanding citizens, is the use of two words in newspaper articles and editorials run in the course of the campaign. The words are: “operative” and “boss”; as in the phrases “Union operative(s)” and “Union boss(es).” The first term insinuates that one is involved in some sort of covert operation, as in a Central Intelligence Agency (CIA) – “a CIA operative.” The second connotes a membership in the Mafia, as in the phrase “Mafia

boss” At first blush this may seem like a trivial point, but after seeing these terms over and over again in print, a negative impression may be made – perhaps without the reader realizing it. If anti-union editorialists have proof that Union officials are operating like these organizations, they should say so, and back up the allegations by citing their sources. This is only fair – journalistically. Such inferences could backfire, and Right to Work proponents could be referred to as “Right to Work Operatives” and leaders could be called “Right to Work Bosses.”

Whatever the case, the use of such nefarious terms only serves to muddy The waters’ or worse, to fan the flames of an already volatile issue. Journalists should strive for a higher level of discourse.²⁹

The fact is that the Department of Labor monitors unions carefully, requiring detailed financial reports (LM forms). Unions are under increasing scrutiny. Why stigmatize a good local by making wholesale slurs in the press merely for political gain.

The Campaign

“Right to Work” proponents capitalized on the defeat of pro-labor State Senator Lewis Long (D-Glenpool) in November 2000, in a campaign

that featured some very questionable tactics by the Oklahoma chapter of the Christian Coalition. A veteran of the Korean War and the only State Senator who carried a Union card, Long was the leading voice for organized labor in Oklahoma and the leading obstacle to Right to Work. For 15 years he had kept RTW legislation from being referred out of the Senate labor committee, which he chaired.

The Oklahoma Christian Coalition, in its 2000 Christian Coalition Voter Guide ‘mistakenly’ stated that Sen. Long “supported legalization of sodomy and bestiality.”³⁰ The voter guide was distributed on Sunday prior to the election via leaflets on automobile windshields in church parking lots. Long lost his bid for reelection to District 37 by a slim margin, 265 votes - 12,641 to 12,376. The coalition issued a post-election apology to Long, but the deal was done. The “Tulsa World” newspaper said that the apology “rang hollow”.³¹ The situation prompted Russell Bennett, President of the Tulsa Interfaith Alliance, to state, in a letter to the Tulsa World. “The flagrantly partisan nature of Christian Coalition voter guides has long been recognized. I appeal to colleagues in ministry: Let this election be the last for the distribution of such self-serving and slanted

political material in our churches and religious communities.”³² Despite this appeal, the guides would be distributed again in Sept. 2001 – used this time against the Unions in the election of whether or not to pass State Question 695 (Right to Work).

Long filed a libel suit against the Oklahoma Christian Coalition. Commenting on the general results of the elections, Gov. Frank Keating said, “The principal opponent of Right to Work in the Senate was defeated – that was State Senator Lewis Long.” Soon thereafter State Sen. Stratton Taylor assigned the bill to a committee favorable to the legislation, and, in April 2001 the legislature determined that the issue would be put to a vote of the people on Sept. 25, 2001.

In early June 2001, billboards appeared alongside Oklahoma highways, proclaiming “More jobs – higher wages. Vote Yes on S.Q. 695” - contemporaneously, a website, www.okrighttowork.com, appeared and was updated daily with reprints of Oklahoman articles, endorsements from politicians and ex-politicians, and a host of other groups of citizens. (It is interesting to note that in Australia a similar slogan “More jobs – Better Pay” was actually the informal title of an amendment to the 1999

“Workplace Relations Act.” The “More Jobs – Better Pay” Bill was introduced into the Federal Parliament by the Federal Minister for Employment, Workplace Relations and Small Business, the Honorable Peter Reith, MP. Commenting on the proposed legislation, the State of Victoria said, “The changes proposed by the Bill do not provide adequate safety net protections and award coverage for employees. The thrust of the Bill continues to diminish the legitimate position of unions of representing the position of their members in the bargaining process and in their working environment.”³⁴

Political Endorsements.

Former Oklahoma Governor and United States Senator David Boren, a Democrat, now President of the University of Oklahoma, the largest university in the state with an enrollment of 28,867, endorsed “Right to Work.” Boren said that trying to attract business to Oklahoma without a right to work law was like fighting with one hand tied behind ones back.³⁵ This endorsement was considered crucial for Pro- Right to Workers, as an example of bi-partisanship on the almost exclusively Republican issue. The editors of the University of Oklahoma student

newspaper, the Oklahoma Daily, disagreed with Boren, however. Calling “Right to Work” a “misnomer that misses the point.” It said State Question 695 is “an attack on unions” that was about power rather than rights “the power of corporations and factory owners.” It ends up by asking if Oklahoma wants more crappy jobs, if anyone really believes that big business has the interests of workers in mind, and if anyone believes this is really a question of “rights.”³⁶ Three months after the election, in December of 2001, Phillips Petroleum, one of the state’s major employers on whose board Boren sits, announced that it was merging with CONOCO of Ponca City – and that the new company, PhillipsConoco, would be moving its headquarters to Houston, Texas – taking at least 400 career level jobs from Bartlesville with it.³⁷ One would assume that, as a board member, Boren must have known of this imminent Fortune 500 merger while he was advocating Right to Work – just 3 months ago – as a way of bringing more jobs and prosperity to the state of Oklahoma. Likewise, Sen. Don Nickles, a native and resident of Ponca City, where Conoco was founded, gave no indication of the impending merger involving his hometown, as he hosted major fundraising events in Washington for Right

to Work.³⁸ Citizens of Bartlesville held a rally in the high school auditorium complete with hot dogs and a band on the day before the merger was approved. Commenting on this, Governor Keating said that he was glad that the citizens were “not all in a funk – crying over spilled milk.”³⁹ Archie Dunham, Chairman of Conoco, and now of ConocoPhillips, received a bonus of \$3.5 million on top of his regular salary for 2001.⁴⁰

The other major Democrat to endorse right to work was former Governor George Nigh. Nigh is also the past president of the state’s third largest university, the University of Central Oklahoma (UCO), which has an enrollment of 13,413. In a much publicized editorial, Nigh wrote that he favored “Right to Work” because, he conjectured, the issue is one of perception and that Oklahoma would be perceived as being more business friendly if the state had a Right to Work law.⁴¹ Nigh apparently switched allegiances, for three months earlier in June, he co-hosted a reception for the Oklahoma Young Democrats convention. An educational session at the convention was entitled, “Right to Work is a Rip-Off.”⁴² Further, UCO professors, expressed doubt regarding Right to Work, saying that it

was clear that states that have passed laws similar to SQ 695 have suffered lower wages, and that the percent decline was actually greater than the 6.5% figure estimated by the Economic Policy Institute, a think tank friendly to labor.⁴³

Former United States Senator and Oklahoma Governor Henry Bellmon, a Republican, refused to raise the Right To Work issue during his gubernatorial term, realizing it's potential for divisiveness. He also made no statement either pro or con during the 2001 Right to Work election.

J.C. Watts and Steve Largent, both Republican Congressmen and ex-football players, described in a news article how they were 'forced' to join unions when they played professional football.⁴⁴ A receiver for the Seattle Seahawks, and member of the National Football League (NFL) Hall of Fame, Largent did not honor the NFL players strike in 1987. Now a millionaire, he is running for Governor, and Watts is a three term Congressman. Joining them in endorsing S.Q. 695 was Representative Wes Watkins, now a Republican, though he has been a Democrat and an Independent. Watkins implied that his parents being union members while

he was a child caused them to lose jobs and to move to California three times and ultimately, to divorce – ruining his family.⁴⁵

Oklahoma Corporation Commission chief, Ed Apple, in an impassionate editorial in which he told of how, as a young man, he was forced to pay union dues, and how his personal experiences with mean union representatives had soured him on unions. He concludes that unions only want money and that were he to get a union job today, after all these years, he hopes he would not have to pay 50 years of back dues.⁴⁶ A few years ago in an Oklahoman article, Mr. Apple lamented that his daughter had to go to Dallas in order to gain employment upon graduating from college.⁴⁷

The Right to Work side was angered – talking lawsuit - when the Union side cited a study produced by the “Iowa Policy Project” as having been authored by the University of Iowa. The study indicated that unions helped Iowa’s economy. As it turned out, the group which authored the report is not officially linked to the University, although the report’s authors are both University of Iowa professors.⁴⁸ Perhaps the Right to Work proponents were enraged because they recognized a tactic of their

own. University of Oklahoma economics professor Robert Reed is also an adjunct scholar at the Oklahoma Public Affairs Council. Reed's report entitled "Does Right to Work Boost Economic Development?" was posted on OCPA's website in February of 2001.⁴⁹ This report was cited often and featured prominently during the SQ 695 campaign by Governor Keating and others on the pro-RTW side, as an "academic" basis for the claim that states that have RTW do better than states that don't.

A poll on 'Right to Work' was performed by University of Oklahoma. It indicated that there was strong support for Right to Work.

Regarding union versus non-union wages, both sides claimed that their position resulted in higher wages. The Bureau of Labor Statistics of the U. S. Department of Labor reported that in the year 2000, union members had median usual weekly earnings of \$696, compared with a median of \$542 for wage and salary workers who were not represented by unions.⁵⁰

An example of contradictory information is given by Paula Marshall-Chapman, CEO of Bama Companies of Tulsa and Co-Chair of Right to Work for Oklahoman's. Speaking at a Labor Day Rally in

Henryetta, she said that passing Right to Work would “alleviate the state’s chronic labor shortage by encouraging more business and industry, which in turn would lure more workers.”⁵²

One wonders where she got the idea that there is a “chronic labor shortage” in light of the fact that the Oklahoma City Chamber of Commerce notes that in the OKC area alone there is a “Potential Labor Pool” of 76,845 underemployed workers eager to be tapped by new employers.⁵³

Next, consider the case of an *Oklahoman* article, published the day of the election, in which Integris Health objected to one of its hospitals being shown on an anti-RTW brochure produced by Oklahomans for No on SQ 695. “The brochure’s inference that Integris supports the ‘no’ position on State Question 695 is completely false,” said Stanley Hupfeld, president and chief executive officer of Integris Health. Later in the article Hupfeld challenged the assertion that RTW would lead to lost jobs or loss of health insurance.⁵⁴

If one were to apply the reasoning above, Union proponents could take offense of a photograph of Ken Rich, a Carpenter from Tulsa, being

pictured on the Right to Work for Oklahomans website in the weeks leading up to the election, wearing an “OSU” hat. The inference here, one could argue, is that Oklahoma State University supports the yes position. A quote next to Rich’s picture says “Right to Work means I can’t be forced to join a union and pay dues just to keep a job.”⁵⁵

Another example of claim and counter-claim pertains to the use of the state of Idaho as a “Right to Work” success story. The claim, often made by the RTW side, is that since the enactment of RTW in 1986, Idaho’s economy has taken off.

Idaho, the last state to enact Right to Work, has enjoyed tremendous economic growth and development since its enactment. Big Labor said that Right to Work would lower wages in Idaho. But in the fifteen years since adopting Right to Work, Idaho's real per capita income grew by 39.4 percent, compared to the national average of 32.4 percent.⁵⁶

Contrast this with the finding of a 2002 study by a group concerned with how effectively welfare policies are implemented in states:

In a report by the National Campaign for Jobs and Income Support, Idaho ranked last in the country regarding welfare policies – followed by Wisconsin,

Oklahoma, Oregon, Wyoming, Arizona, Mississippi, South Dakota, Texas and Utah. The report concerned how states implemented Temporary Assistance to Needy Families (TANF). The director of the campaign, Deepak Bhargave, said that states were evaluated on a number of issues to determine whether policies were being adopted “that could be reasonable expected to help lift poor families out of poverty.”⁵⁷

A claim that was made often during the campaign by RTW proponents was that if Oklahoma had a Right to Work law, businesses would be much more likely to locate there. In fact, the claim was made that it was not uncommon for companies considering relocation to have a “kick out clause.” The implication here is that Oklahoma has been automatically rejected as a possible site for relocation because it did not have RTW.⁵⁸ A specious description of several businesses that allegedly would have relocated to the state offered in a *Oklahoman* article. To counter or dilute the claim that RTW is the major determinate in business site selection, S.Q. 695 opponents pointed to a February 2001 survey, in which 170 corporate executives were asked to rate the factors they considered most important when considering business relocation. At the

top of the list was a skilled work force followed by access to highways then labor costs. Right to Work was 15th on the list.⁵⁹

Oklahoma Lieutenant Governor Mary Fallin, an ardent Right to Work proponent, said on the morning of the election, "This is a defining moment in Oklahoma history. We'll be sending the rest of the nation a positive message. I've had calls today from companies that said, "Call us tonight if it passes."⁶⁰

The next morning, after the measure had passed, Oklahoma Secretary of Commerce Russell Perry said in the Dallas Morning News that it could take years before the law has a significant impact.⁶¹ A couple of months after the election, a chamber of commerce related organization, the Research Institute for Economic Development(RIED) based in the Oklahoma City suburb of Edmond, rated the most and least "pro-business" state lawmakers. In rating the legislators, the group used a mathematical scale on which a "yes" vote on Right to Work gets the legislator a plus 20 and a "no" vote on "Employment at will" nets a tally of minus 20. According to this concoction, Rep. Toure the author of the "Employee Fairness Act" finished last.⁶²

Catholic Church involvement in the Oklahoma “Right to Work” Campaign

On the Union side, the few statements that were made by Catholics who dared to speak up in support of unions were quickly seized by “an ad hoc group of Right to Work Catholics” who openly disputed them and then published their refutations and politicized reinterpretations in the local press. In such editorials the lay “experts” instructed Catholic priests on the social teachings of the Church. Robert Waldrop of the Oscar Romero Catholic Worker House in Oklahoma City made some valiant overtures against S.Q. 695,⁶³ as did Msgr. Higgins whose weekly news column on Catholic social issues, “The Yardstick,” has been in syndication by the Catholic News Service for over fifty years – from 1945 to 2001. Remarkable, column he wrote on the Oklahoma Right to Work election which was released on July 30, 2001 was not picked up by the press in Oklahoma, and did not appear on the internet until after the election. In the column entitled “Right to work legislation back in the news” Msgr. Higgins points out that prior to the current election on the referendum, the last time the legislation appeared for a vote of the people and was defeated was in Missouri in 1978 - the defeat was thanks, in large

part, to an active Missouri Catholic Conference. In the case of Oklahoma, however, Pro-Union Catholics would not prove to be active enough to defeat the measure. (He also points out that, regarding labor issues, the federal government supercedes state government where matters of interstate commerce are concerned.⁶⁴ The potential violation of this “supremacy clause: is part of the basis for the lawsuit contesting the S.Q. 695 election, currently under consideration in the Eastern District Court in Muskogee.)

Based on what occurred in the Missouri RTW election, one would speculate that an official pronouncement against RTW by official Catholic leaders, i.e. Bishops, in Oklahoma would have been a boost for the Unions there.

Conservative Politics and Liberal Issues – An Interesting Mix

The race in Oklahoma featured a sort of scrambling of issues, mixing politics with religion, east with west, liberal with conservative, Catholic with Fundamentalist. The social activism usually associated with Unions typically comes from the liberal side. In the Oklahoma case, the conservative anti-union side was much more vocal primarily due to the

backing of Edward Gaylord owner of the Daily Oklahoman. Further, the social justice arm of Catholic Church is usually the biggest backer of unions, but the Catholic population of Oklahoma is only 4%.

Added to this, voters are usually apathetic, however the tragedy of September 11 created a patriotic fervor that resulted in 800,000 people going to the polls rather than the 500,000 originally forecasted. The large turnout favored the passage of S. Q. 695 (Right to Work).

An interesting aspect of the S.Q. 695 election was the effective alliance, whether intended or not, of the Arch - Conservative Catholics and the Christian Right against the Unions - and their seemingly total domination of the media. The Oklahoma Christian Coalition (OCC) distributed its heavy handed voter guide, both in hard copy and on a website (which is no longer available on the world wide web). The guide outlines reasons why "people of faith" should vote for Right to Work. Joining the OCC in opposing the union cause were several conservative Catholics and members of far right wing political groups whose opinions were published in the Oklahoman and elsewhere. The apparent tactic was to counter, in print, each and every piece of information that was offered

in favor of Organized Labor. For example, in a Sunday morning editorial published two days prior to the election, Oklahoman chief editorial writer Pat McGuigan said:

Last Sunday, parishoners at a local Catholic church got a flier indicating that good Catholics should oppose SQ 695. It was not an authorized statement of the local archdiocese. That's good to know because it distorted Roman Catholic teaching on social justice, right to work and labor issues.⁶⁵

Two days before McGuigan's critique, in another *Oklahoman* editorial entitled "Right to Work is Social Justice," John Mallon presented his view:

Recently the Priests's Council of the Archdiocese of Oklahoma City issued a statement which reached no clear conclusions but raised some interesting questions regarding Catholic teaching. Having worked for the archdiocese I am well aware of the council's treatment of workers. It should be noted that the council's statement carries no canonical or juridical weight as a church teaching document. It merely expresses the opinion of this particular group of men.⁶⁶

Mallon, a contributing writer to the Magazine *Inside the Vatican*, became - in the course of the Right to Work campaign, public relations director for Lt. Governor Mary Fallin.

Prior to Mallon's piece in the Oklahoman - in another Sunday edition, the Rev. John McMEnamin wrote a guest editorial on the issue. This was the only piece of journalism that was published in the Oklahoman by member of the Roman Catholic Clergy (or by any Clergy for that matter) on the Right to Work issue. McMEnamin was described as currently in semi-retirement in Toledo, Ohio, having spent more than 15 years working at different Catholic Parishes in the Archdiocese of Oklahoma City. In advocating Right to Work, Fr. McMEnamin said:

Despite what one may hear, one may freely vote either way on right to work without undue fear of losing one's salvation. However, my preference would be a 'yes' vote on right to work, State Question 695.⁶⁷

In the official newspaper of the Roman Catholic Diocese of Tulsa – the *Eastern Oklahoma Catholic (EOC)*- Oklahoma Governor Frank Keating responded to an article by Fr. J. Paul Donovan in which Fr. Donovan asserted that Catholic social teaching favors organized labor. Keating said, “As a practicing Catholic, I support the rights of workers to earn a family wage, but with the freedom to decide whether to subsidize

organized labor's political agenda. It's called free will. It's right to work.”⁶⁸

Fr. Donovan is pastor of St. Henry's parish in Owasso, Oklahoma – a suburb of Tulsa. Many of his parishioners work for American Airlines at nearby Tulsa International Airport, and are members of the Transport Workers Union (TWU). Mr. Jim Curry – President of the Oklahoma AFL-CIO, is a TWU member. Owasso enjoys a good economy and is known as a community on the upswing, with a high percentage of housing starts and a new country club. This is thanks in no small part to American Airlines and the stability and cohesiveness brought to the town by the workers. Fr. Donovan, in addition to devoting his life to the Priesthood, has a law degree, and has served as a missionary in Africa. Assuredly, he is well informed on official Catholic social teaching. Governor Keating said in the EOC, that Pope John Paul II “warned that unions should not play politics.”

The Holy Father did not, however, say that unions should not be prudently involved in politics. Consider this excerpt from *Laborem Exercens*:

Both a “fair wage” and "full employment" should be considered together as the main objectives to be achieved on the labor market. Social and economic life - as stated in the Encyclical - are closely linked and related and any group should feel that his interests are duly considered and his rights equally protected, «In this sense, union activity undoubtedly enters the field of politics, understood as prudent concern for the common good.⁶⁹

In the issue of the EOC, Mr. Ted King, a former National Right to Work staffer, responds to an earlier letter by Fr. Chris Daigle, “Fr. Chris Daigle’s letter (July 22 EOC) erroneously charges that the proposed right-to-work amendment to our state Constitution is “against the teaching of the Church” and has “immoral aspects.” “Which teaching does Fr. Daigle cite? None because there is no such teaching Fr. Daigle makes the mistake of equating right to work with being anti-union”⁷⁰

Curiously, The National Right to Work Legal Defense Foundation, in 2000, represented “White” witch, Dr. Robert Hurt, in a discrimination suit against the California Faculty Association Union. Hurt, a Wiccan, claimed that the labor union had refused to accommodate his religious beliefs.⁷¹

“Oklahoma Observer” editor Frosty Troy commented on the Oklahoma Right to Work election of 2001 as follows:

I covered the Right to Work fight there (Oklahoma) in 1964, and I’m covering it again today. And it is the most venomous, ugly thing you could imagine. I never thought I would live long enough in over 40 years in American journalism to see my fellow newspapermen in Oklahoma and editorial writers write the kind of garbage that they have been writing about organized labor there. . . . Later in his speech, he comments on a so-called “Christian” employer who refused to let his workers off on Sunday and forced them to work overtime,” I’m so tired of people using Christ’s name to oppress somebody in this country. I’m sick of it. I’m sick of it.⁷²

A ‘call the editor’ segment in the Tulsa World featured this opinion, similar to Troy’s , “ . . . the past decade, our Oklahoma politics have become ultraconservative, closely tied to the religious right that is against almost anything that is progressive. As long as this environment continues to grow we will continue to lose industry and people.⁷³

Monsignor George Gilmary Higgins – “America’s Labor Priest”

Monsignor George G. Higgins was honored for over 50 years work in promoting the rights of workers, at the AFL-CIO headquarters on Nov. 10, 2001. The event was hosted by the National Interfaith Committee for Worker Justice (NICWJ) whose President is Rabbi Robert Marx and

whose board members include representatives of the United Church of Christ, Catholic, Methodist, Baptist, Jewish, Muslim, Lutheran, AME, and others.⁷⁴ NICWJ and Hosts included AFL-CIO President John Sweeney; Bishop Joseph Fiorenza – President of the United States Conference of Catholic Bishops; and Rabbi Robert Marx - President, National Interfaith Committee for Worker Justice. Honorary Committee members for the event included many United States Congressmen and Senators.

Monsignor Higgins earned a Ph.D. in Labor Economics from the Catholic University of America in 1944. He served on the staff of the National Conference of Catholic Bishops and its predecessor from 1944-1980 and was a consultant to the Vatican at the time of the Vatican II council. In the role of the point man for the Catholic Church on labor issues, Msgr. Higgins was instrumental in attaining Church backing for Caesar Chavez and his Farmworkers Union. In recognition of his enormous contribution to the Labor Movement, The Higgins Institute for Labor Research at Notre Dame University is named in his honor. In 2000, President Clinton presented Msgr. Higgins with the highest award American Civilian can receive – The Presidential Medal of Freedom.(75)

In an interview Msgr. Higgins said:

In my own lifetime I have seen how the labor movement lifted millions of working people into the middle class; how it won the minimum wage, the paid vacation, health coverage and pension plans; and how it widened the circle of human dignity beyond the skilled craft workers to industrial workers who were once consigned to a lifetime of low wages. And even more important, I saw how the labor movement pioneered and pushed for every advance in social justice in our times: for civil rights and women's rights; for educational opportunities for the young and Social Security and Medicare for the old.⁷⁶

Oklahoman's Need Good Jobs

Quoting a roadside auto and truck emergency repair service man , speaking as he changed a flat tire in Stroud, Oklahoma just off the Turner Turnpike,

“There are lots of jobs here in Oklahoma. You just need two or three to get by.”⁷⁷ Working for a company that had “a contract” and charging over \$100 to change a tire, (what percentage went to his employer?), he related that he was trying to put his wife through school so she could get a teaching job and make life better for their 4 children.⁷⁷

Former Oklahoma State University Sociology professor and award winning author, Robert Maril states in his recent book, *Waltzing With the Ghost of Tom Joad –Poverty, Myth, and Low-Wage Labor in Oklahoma*.

“Unions can create higher wages along with the enforcement of safety regulations in the workplace. Some low-wage industries, given this strategy, may leave the state. While the resulting job loss may create short-term problems, in the long run the state will benefit.”⁷⁸

The book is the result four-year study of poverty in Oklahoma, which is based on fieldwork and in-depth interviews of low income Oklahomans. It is the first comprehensive examination of urban and rural poverty in Oklahoma. The study effectively dispels many myths about the poor in Oklahoma, and shows the true extent of the problem.

Oklahoma Education Association President Carolyn Crowder made the expressed a similar sentiment.“SQ 695 is the wrong solution to Oklahoma’s economic problems. The problem is not the lack of jobs, it is the lack of good-paying jobs. The only way we will attract good-paying jobs to Oklahoma is to make education a higher priority.” In response to this statement, the Oklahoman, said that Crowder lived on “the big rock

candy mountain” and implied that she was airheaded and not realistic in the economics of education.⁷⁹

The Oklahoman was not alone in its disparagement of the OEA. Governor Frank Keating, in Feb. 2000 question and answer session with students at Oral Roberts University, responded to the question, ‘What do you consider the best way to deal with the OEA?’ by grinning and uttering the word “homicide.” He tried to brush the comment off, but Crowder took offense to it. The Governor’s spokesman, John Cox, said that the OEA did not have a sense of humor.⁸⁰

According to a recent study in the Harvard Education Review, teacher unions boost student achievement. The researchers compared states that are strongly teacher unionized with those that are not and found a clear link between teacher unions and higher state performance on certain standardized tests. This pattern holds even when other factors such as family income, parental education, gender, geographic region and race are considered.⁸¹

Responding to published results from the National Assessment of Educational Progress 2000 Mathematics Assessment, which indicated that

4 out of 5 Oklahoma 4th and 8th graders scored poorly (i.e. below average) State Secretary of Education Floyd Coppedge said that Oklahoma “should be ashamed of itself because of its low academic achievement.”⁸²

Groups that Opposed S.Q. 695

The Tulsa Chapter of the National Association for the Advancement of Colored People (NAACP) officially opposed Right to Work.⁸³ Tulsa Black Leaders, State Senator Maxine Horner and State Representative Don Ross, were outspoken in their opposition to the measure. They sent letters to constituents in north Tulsa urging them to vote against the measure. Ross was quite passionate in his opposition. Ross said, “Can you name one local or national African-American leader who is for right to work? JC Watts? Is he really Black?”⁸⁴ Governor Keating called this ‘stomach-turning venom, saying, “I call on Don Ross to retract his remarks.”⁸⁵ Approximately a month later, in a Sunday Oklahoman story headlined, “FBI Probed Lawmakers Influence at Agency” related that although cleared, Mr. Ross had indeed been questioned by the FBI.⁸⁶ A smaller publication, Black Oklahoma said that this expose was retaliation of Ross’s stance against Right to Work.⁸⁷ The last time that the right to

work issue went before the citizens of Oklahoma was in 1964, when it was narrowly defeated thanks to the efforts of men like the Rev. Martin Luther King, Jr. who came to the state to campaign against it and made the ultimate sacrifice, assassinated in Memphis during a Sanitation Workers Strike. There is no doubt that King was against Right to Work. Yet, when Black Trade Unionists, in Oklahoma to oppose RTW, distributed flyers that compared RTW states to slave states, Governor Frank Keating held a news conference at which he and two black political appointees, parole board member Mr. Curry Bullard and Commerce Department director, Russell Perry, said that the unionists were race baiting.⁸⁸ Fellow African American State Rep. Opio Toure, tried to enact by initiative petition, the “Employee Fairness Act”, which would have required employers to give employees notice before being laid off. (i.e. rejecting “employment at will”) He ultimately withdrew his petition, concerned that voters would be confused, and would mistakenly vote for S.Q. 695 (Right to Work), thinking that they were voting for “Employee Fairness.”⁸⁹

Right to work has been in effect on Osage Indian Land for years, to the effect that no jobs have been created. In fact it is odd that the

legislation is there at all. Editorials in the Oklahoma Indian Times were predominantly anti-RTW.⁹⁰

Why did the Unions and Right to Work Supporters Spend so Much Money on the S.Q. 695 Fight?

Research has shown that in the first 5 years following passage of a RTW law in a state, organizing is reduced by 46%. Further, RTW laws ultimately diminish membership by 5-10%, or the number of union workers as a fraction of the total workforce falls between one to three percentage points in most states.⁹¹

The passage of a RTW law is not merely symbolic, they have real and significant effects. This would explain why so much money was spent on the State Question 695 campaign in 2001 – the most expensive campaign in state history. Because Oklahoma is the first state to vote in Right to Work since Idaho in 1987, this election had national ramifications. Supporters are, not surprisingly, pushing for a National Right to Work bill.

The following table shows that estimates varied widely as to how much was spent by the Unions in an effort to defeat “Right to Work.”

The information below shows the discrepancy in the amount of money reportedly spent by unions in the S.Q. 695 campaign.

Media reports of Amount spent by Pro-Union side in S.Q. 695 Campaign

DATE	SOURCE	AMOUNT
09/25/2001	KOCO	\$5 million *1
09/26/2001	Tulsa World	\$5 million *2
09/26/2001	NRTW	\$15 million *3
10/01/2001	"Human Events"	\$7 million *4
12/26/2001	Daily Oklahoman	\$20 million *5

1. KOCO Channel Oklahoma.com 9/25/2001

2. "Tulsa World" www.tulsaworld.com 9/26/2001 " Right to Work Becomes Newest Law"

3. U.S. Newswire - www.usnewswire.com 9/26/2001 "Group statement on Right to Work Law"

Statement by Reed Larson, President of the National Right to Work Committee, on passage of Oklahoma Right to Work Law

4. "Human Events" magazine (www.humanevents.org) Week of Oct. 1, 2001

5. Daily Oklahoman Lessons from a Win in Oklahoma – Point of View by Connie Marshner p. 7a

Oklahoma has a historical connection with the Labor Movement.

The motto of the State of Oklahoma - “Laboria Omnia Vincit” or “Labor Conquers All.” – is found on both the Seal of the Great State of Oklahoma as well as on the original seal of the American Federation of Labor (A.F. of L.).

Incarceration and Capital Punishment

A disturbing correlation was observed in the course of researching this topic. It is this: States with the greatest number of people in prison, highest rates of execution and greatest number of prisons, are RTW states.

From this observation, it is suggested that the states which have worker - friendly legislation (i.e. support Unions) are more likely to be compassionate to the poor, minorities, and imprisoned, and vice versa. Presumably, a respect for civil rights naturally leads to a respect for human rights.

Republican President Dwight D. Eisenhower, at the A.F.L. Convention in New York Sept. 17, 1952, said:

An industrial society dedicated to the largest possible measure of economic freedom must keep firm faith in collective bargaining. The process is the best method

we have for changing and improving labor conditions and thus helping to raise the American standard of living. Healthy collective bargaining requires responsible unions and responsible employers. Irresponsible bargainers cannot get results. Weak unions cannot be responsible. That alone is sufficient for having strong unions.

It has been said that those who seek to stifle unions do so because they want to control – in the case of unions, to have power over workers. Jim Macken of New South Wales contends:

In place of capitalism we now have a new and much more dangerous and aggressive employer philosophy – managerial economism. It was greed which motivated capitalism, but it is power which motivates our new ruling class. . . . The ownership of industry has now passed from ownership by wealthy people to ownership by institutions, corporations, investment institutions who now have the power once possessed by the capitalists. These managers are much more interested in power than they are in profits.¹

The ultimate control over a person is control over his or her very life. An example of this is incarceration and capital punishment. Oklahoma has one of the highest incarceration rates in the country. As mentioned, nine of the ten top states in terms of percentages of people incarcerated are “Right to Work” states. Oklahoma is also in the top 10

regarding number of executions. Likewise, nine of the top ten states in terms of numbers of people executed are 'Right to Work' states.

The Rev. Donald Brooks, Oklahoma's Labor Priest, in addition to being strongly Pro-Union, served as chaplain at the Oklahoma State Penitentiary in McAlester. During his lifetime, he testified before Congress on prison conditions and, in particular, on the disproportionately high number of Oklahoma death row inmates who volunteer to be executed, rather than serve out a life sentence in the "H" unit of "Big Mac." Brooks said he feared that inmates are packed so tightly that they may decide to waive appeals because other inmates are doing so. The "H" unit has been criticized by Amnesty International for its inhumane conditions.²

Governor Keating, in addition to being a vocal proponent of Right to Work has argued with the both Bishop Edward Slattery of Tulsa and Archbishop Eusebius Beltran of Oklahoma City on the issue of Capital Punishment. When Bishop Slattery challenged the Governor to enact a five year moratorium on executions pursuant to the wishes of the Pope,

Keating, dismissed the request saying, in effect, that the Pope knows about Church issues, but is mistaken on the issue of Capital Punishment.³

When the Holy Father, John Paul II, visited St. Louis, in January of 1999, he asked Governor Mel Carnahan to grant clemency to inmate Darrell Mease, who was scheduled to be executed. Governor Carnahan did grant Mr. Meese clemency – taking into account the “extraordinary circumstances of the Pope’s request and the historical significance of the papal visit to the city of St. Louis and the state of Missouri.”

After careful consideration of his direct and personal appeal and because of a deep and abiding respect for the Pontiff and all that he represents, I decided last night to grant his request. I commuted the sentence of Darrell Mease to life in prison without the possibility of parole.⁴

When he learned the news of the generous decision of the governor, John Paul II expressed great satisfaction for the gesture of significant humanity by Governor Mel Carnahan of Missouri.⁵

Carnahan was not a Catholic.

In neighboring Oklahoma, Archbishop Eusebius Beltran of Oklahoma City called for a moratorium on the death penalty in Oklahoma issuing this statement on July 6, 2000: “A moratorium on the death

penalty in Oklahoma acts as a first step in confronting the ‘culture of death’ in affirming the value of all life. . . . “⁶

State Representative Opio Toure proposed a one year moratorium in the form of House Bill 1013 in late 2000. The bill also included a provision that decrees any person “with a severe developmental disability” could not be put to death for any reason. The Rev Jesse Jackson came to Oklahoma to push for the measure. Toure was also the author of a bill that would have outlawed ‘employment at will’ in Oklahoma. He also was outspoken against “Right to Work.” Neither measure would be codified into law.⁷ Toure was deemed to be the least business friendly legislator, according to the RIED Scale developed.⁸

Recently, in March 2002, Oklahoma inmates Arvin McGee, Jr. of Tulsa and Thomas Webb III of Spencer, were released after having each spent 14 years in prison - by mistake. Exonerated by DNA evidence, these two men each sued the state of Oklahoma for \$100 million. The Oklahoma House of Representatives voted to pass House Bill 2637, sponsored by Toure, gives recompense for this injustice. The bill however caps the amount that a wrongly incarcerated prisoner may receive at

\$200,000. In the case of McGee and Webb, this amounts to \$14,286 (slightly above poverty level) per year for each year imprisoned. In the words of Rep. Toure, “In that 14 year period, I (Toure) embarked on a law career, raised a family and was elected to the House of Representatives. Meanwhile, McGee and Webb ‘sat day after day, year after year (in prison) for a crime they did not commit.’” He adds further “There is no way that \$200,000 will compensate for 14 years.” In agreeing to the compensation, the wrongly convicted men could not sue the state. Unbelievably, State Rep. Ray Vaughn, a Republican from Edmond, tried to make the bill prospective only, thereby cutting out McGee and Webb entirely. He said that the bill would be retroactive back to statehood. Toure countered stating that he knows of only 8 individuals who would benefit in such fashion.⁹

Internationally, capital punishment is coming under scrutiny. It is prerequisite that a country not embrace capital punishment before joining the European Union. Using this as a basis, some anti-death penalty advocates have suggested that the EU impose an economic boycott of states in the US that still have the death penalty.¹⁰ In January of 2001, EU

officials wrote Governor Keating asking him not to execute, among others, Wanda Allen and Dion Smallwood, both of whom were determined to be mentally deficient. In the opinion of the EU, the execution of mentally deficient persons such as Ms. Allen and Mr. Smallwood is a ‘contradiction to the minimum standards set forth in several international human rights instruments.’ They were executed as scheduled.¹¹

Also, almost all of the states with rapid growth in private prison facilities, states offering substantial tax incentives to locate the prisons, are Right to Work states. Incarceration is big business. In 1987, while with the Free Congress Foundation, *Daily Oklahoman* writer Patrick McGuigan co-edited a textbook entitled *Crime and Punishment in Modern America*,¹² One of the articles was “Costly Prisons: Should the Public Monopoly be Ended?”

That members of the Pardon and Parole board may be concerned only with justice is not surprising. They are average citizens. Members of the clergy, however, would be expected to move above and beyond this and to be compassionate. Compassion for the worker would, naturally, move one to compassion for the imprisoned, the homeless. An example of

this continuum of sentiment was Fr. Don Brooks, who strongly favored labor unions and workers rights, and prisoner's rights as well. Likewise, Rep. Toure proposed legislation entitled the "Employee Fairness Act" in the form of an initiative petition to repeal "Employment at Will" (Ironically, he withdrew the initiative petition because citizens were confusing the title with Right to Work and he did not want people going to the polls and voting for RTW when they thought they were voting for Employee Fairness). Toure in the same sense of social justice and caring for working people, introduced bills proposing a moratorium on executions, and on compensation for inmates who were wrongly imprisoned. As with Fr. Brooks, his concern for the common worker naturally led to a concern for the imprisoned.

Rogers and Hammerstein's classic musical "Oklahoma" just reopened on Broadway, in March of 2002. A New York Times review of the opening night performance was entitled "A beautiful mornin' with a dark side."

Theater critic, Ben Brantley, concludes his appraisal of the classic: "Oklahoma!" may be remembered as the cheeriest and most wholesome of

American musicals. But when two sinister pairs of hands emerge from a corn field at the beginning of Laurey's dream, the implicit metaphor feels just right.

There have always been shadows in "the bright golden haze" of "Oh, What a Beautiful Mornin," the show's opening song. This valuable if still incompletely realized production lets you see them all the more clearly.¹³

CONCLUSION

Unions champion social justice by empowering the worker and helping to ensure that one has a job – a good job. This is important today because most Americans are dependent on the paycheck for economic survival. Further, Unions give workers respect by giving them a voice at work. A unionized company reserves a seat in board meetings for labor. If there is no union in a company then employees are bound by the dictates laid out in the employee handbook. With a union, a collective bargaining agreement is negotiated and terms of employment such as vacation, health benefits, sick leave, pensions, notification in the event of layoff, and the goals of the company are stated. Unions help society by calling attention to exploitative companies, both in the United States and overseas, moving in solidarity with unions around the world.

A real threat to organized labor is the right to work movement, which seeks to weaken unions by eliminating the “Union shop.”

The S.Q. 695 election in Oklahoma provides insight into the political motivations of the Right to Work movement and its proponents. It was concluded that Oklahoma is an extremely complex state and “Right

to Work” is an extremely complex issue. Oklahoma history seems to be a repeating pattern of “institutionalized scapegoating” kept in place by:

- 1) Withholding information to the people by politicians and the press because of fear of competition and an attempt to intimidate; No equal time given to opposing views.
- 2) Politicization of should-be unbiased educational institutions, as exemplified by former politicians being presidents of universities, and seeming lack of respect for true intellectuals together with an over-respect for former athletes.
- 3) Because of an entrenched “old boy” system, it is very difficult for Oklahoma ex-patriots –who are often very qualified – to return to the state.
- 4) Insincerity, inadequacy, and confusing communication by politicians and press. For example, David Boren, who is currently on the board of directors of Phillips Petroleum, failed to give any hint to the people of the company’s impending move to Houston which was to occur shortly after the “Right to Work” vote.

When people say they are anti-union, one wonders if they are really aware of what they are saying. In the routine of everyday life, if one shops at a major grocery store, buys an American automobile, is protected by police and fire personnel, has children in school, watches TV, or goes to a hospital, chances are good that their lives are touched by a Union member. Grocery store workers are represented by the United Food and Commercial Workers (UFCW); Automobile workers are represented by the United Auto Workers (UAW); Firefighters by the International Association of Fire Fighters (IAFF); Teachers by the American Federation of Teachers (AFT); Actors by the Screen Actors Guild; and Nurses by the United American Nurses (UAN). If Unions were gone, would the quality of life that Americans enjoy and may take for granted, be the same?

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GLOSSARY

Right to Work Law – Any of various state laws banning the closed shop and the union shop.

Union shop – An establishment in which the employer by agreement is free to hire nonmembers as well as members of the union but retains nonmembers on the payroll only on condition of their becoming members of the union within a specified time.

Open shop – An establishment in which eligibility for employment and retention on the payroll are not determined by membership or non-membership in a labor union though there may be an agreement by which a union is recognized as sole bargaining agent.

Closed shop – An establishment in which the employer by agreement hires only union members in good standing,

Agency shop – A shop in which the union serves as the agent for and receives dues and assessments from all employees in the bargaining unit regardless of union membership.

Outlawed by the Taft-Hartley amendments.

(source: Webster's New Collegiate Dictionary. 1977)

Table. 1

Right to Work States

Alabama
Arizona
Arkansas
Florida
Georgia
Idaho
Iowa
Kansas
Louisiana
Mississippi
Nebraska
Nevada
North Carolina
North Dakota
Oklahoma
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Wyoming

Table 2.

2000 State Incarceration Rates (Rank)

1. Louisiana
2. Texas
3. Mississippi
4. Oklahoma
5. Georgia
6. Alabama
7. South Carolina
8. Nevada
9. Arizona
10. Delaware

Data Source: Bureau of Justice Statistics

Table 3.

U. S. Executions by State

Texas	255
Virginia	83
Missouri	53
Florida	51
Oklahoma	46
Louisiana	26
South Carolina	25
Arkansas	24
Georgia	26
Alabama	23

Data Courtesy of Amnesty International
(as of Nov. 27, 2001)

Table 4.

Economic Development Subsidies for Private Prisons

Texas	11
California	2
Mississippi	9
Oklahoma	5
Arizona	6
Florida	9
Georgia	3
New Mexico	6
Tennessee	3
Kentucky	1

(Source: Mattera, Khan and Leroy. Oct. 22, 2001
Available at: www.goodjobsfirst.org)

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