

Lessons of the Civil Rights Movement  
for  
Workers' Rights/Union Organizing

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Imagine a rational analyst in mid-1955 evaluating the situation for African Americans in the South. The "logical" conclusion would be that there was very little Black people themselves could do to change their oppressive conditions. Blacks were relegated to the bottom of the economic order and most were disenfranchised. White office holders were overwhelmingly hostile locally, and national advocates of Black rights were an ineffective minority. In Southern courts, white testimony would be accepted over Black regardless of the actual facts of the case. Except for a small but significant Black press, white proponents of continued Black subordination controlled the media. White supremacist groups including the Ku Klux Klan and the White Citizens Council operated freely, while members of groups advocating racial equality like the NAACP faced severe repression.

Day-to-day oppressive life circumstances forced African Americans to abide by a variety of humiliating conditions. Segregation – in schools, bathrooms, waiting areas, water fountains – separated Blacks and whites, causing Blacks to experience a lower quality of life, and to be flooded with messages of inferiority. Even minor "transgressions" of the segregated order might be punished immediately and severely, leaving little space for resistance. Most Black people were unwilling to fight the system openly, and many de facto accepted the label of "inferior." Perhaps a legal strategy of change could be attempted, but the 1954 Supreme Court decision in *Brown vs. Topeka Board of Education* had led to increased repression rather than to integration. And yet: just a decade later a mass movement had transformed America, both Black and white consciousness were forever altered, and landmark legal changes had passed Congress.

Forty-seven years later, in 2002, workers' rights are widely violated; workers and unions face enormous difficulties if they attempt to organize unions and act collectively. The objective conditions are not nearly as grim as those faced by Black people in the south in 1955, but are daunting nonetheless. Politically, workers can vote and unions have considerable political clout, but within a system dominated by business and conservatives. At least in theory various labor laws grant workers and unions significant rights, although an employer offensive, combined with court and regulatory rulings, has eliminated much of the benefit that labor laws were supposed to provide (Friedman et al. 1994). Labor laws permit practices (captive audience meetings, one-on-one's, predictions of closure) that some day may be viewed as people today view the poll tax and Jim Crow ordinances. Those provisions that are supposed to protect workers are routinely violated, and violators face minimal penalties. Inside the workplace, employers humiliate workers and demand acceptance of oppressive and demeaning conditions.

The campaign to build a workers' movement can learn a great deal from the civil rights movement. Obviously, no two movements face the same conditions or follow exactly the same trajectory, and there are different interpretations of the civil rights movement, so other analysts might draw very different lessons. We make no attempt to provide a history of the civil rights movement, but these are *some* of the lessons we draw from it, together with what we see as *some* of the potential implications for building a movement for workers' rights. ***Our baseline premise is that workers' rights can be won only through a mass movement taking risks and engaging in militant confrontations.***

## **POWER AND SUBORDINATION**

**Civil rights:**

The fundamental reason groups endure oppression is because they lack power. Many years ago Max Weber defined power as the ability of groups or individuals to realize their own will despite resistance. Prior to the civil rights movement Black leaders pleaded and begged powerful whites to end segregation and implement racial equality. Whites routinely ignored these requests and reminded Blacks that even if they wanted to implement change they could not because segregation was required by law. Under such conditions Black leaders returned to their communities empty handed and were often perceived as “Uncle Toms”. But the real problem was that neither they nor their community had the power to force change.

The civil rights movement succeeded because it generated the power necessary to overthrow the Jim Crow regime. That power derived from the ability of the civil rights movement to create social disruption. The goal of nonviolent direct action was to create such massive crises within the Jim Crow social order that the authorities of oppression had to yield to the demands of the movement before order could be restored. Disruption enabled Black leaders to demand change rather than plead and beg for it. Disruption provided the movement with the sanctions that allowed it to realize its will even in the face of resistance. Without such disruption the Jim Crow regime could not have been overthrown.

**Workers rights:**

An individual worker has little power. Workers gain their power through solidarity, and unions are workers’ collective voice. The labor movement focuses so much attention on organizing in order to increase union density, and with it worker

power. Currently labor is trapped in a vicious circle: low union density makes it difficult to exert power and lack of union power makes workers reluctant to join unions. Existing unions are often willing to accept their subordination and rarely willing to strike, take other militant action, or to support only those politicians who stand up for worker rights. This route is safe and produces small victories but has little chance of achieving a major change. Workers and unions hold strategic positions that would make it possible to disrupt the system, if people and organizations were willing to run risks and if effective campaigns could be mounted. On a small scale this happens many times each year, but labor has not attempted to win the right to organize through a sustained program of disruption.

## **ATTACKS CAN HELP**

### **Civil rights:**

White supremacists had always worked to undermine the NAACP. From 1954 to 1958 overt attacks became highly organized and effective (Morris 1984) . In South Carolina teachers were barred from NAACP membership; in Arkansas it became illegal for any state agency to employ a member of the NAACP. In Alabama, Louisiana, and Texas the attorneys general obtained injunctions barring NAACP operations. In most Southern states the NAACP was required to make available its membership lists, exposing members to a range of reprisals. These attacks became most ferocious after the 1954 Supreme Court decision, at exactly the time that membership in the NAACP would otherwise have been expected to increase dramatically.

The consequence of these repressive actions was to make it practically impossible for NAACP activists to operate. That meant they could not pursue an effective bureaucratic legal strategy. As a result, the NAACP could not function effectively and failed to offer an attractive base for mobilization. People seeking a mild and legalistic organization, and wishing to avoid radical action, were faced with the fact that even cautious actions inside the rules were severely repressed. Thus, people had to either accept continuing inequality, or build a mass movement. Implacable white segregationist opposition exacerbated the deep racial inequalities upon which a militant mass movement could be developed.

### **Worker rights:**

The Wagner Act of 1935 set rules and created enforcement mechanisms intended to guarantee fair play between employers and unions and to actively promote unionization. In doing so it established a regulatory regime enabling some kinds of activities and constraining others. This regime helped establish labor peace and a stable labor supply by maintaining a system that provided significant benefits to employers, workers, and unions providing they acted within established channels.

A successful regulatory regime must channel activity within accepted limits. To do so it must provide both rewards for accepting the regime and penalties for violating its rules. This labor regime has broken down: employers are in effect rewarded for breaking the rules (since the legal penalties are much less than the cost of workers having a collective voice through a union) and workers/unions are penalized for playing inside the rules (since the system constrains worker actions without enforcing legal rights). Because the altered system provides workers and unions much less hope of winning

within the rules, labor is in effect coerced to go outside the rules, and develop innovative movement approaches (Friedman et al. 1994, Clawson 2003, Robinson 2002, Lichtenstein 2002, Nissen 1990)

The consequence of the post-1970s employer assault is that, for workers and unions, as for African Americans in the 1950s, there are few reasons to play within the rules. More and more unions are simply ignoring the NLRB process, which hamstringing them and brings nothing but justice delayed and denied. In effect, it is only when workers and unions mobilize community support, and focus enough publicity, that employers are forced to respect workers' rights. Community mobilization is the only viable substitute for ineffectual state regulatory agency protection. In order to build that support, unions are coerced to pay attention to community needs and concerns, and to adopt radical tactics – exactly as happened in the civil rights movement.

## **ORGANIZATION YES; BUREAUCRACY, NO**

### **Civil rights:**

In 1955 the obvious organization to lead the civil rights movement was the NAACP. As a social change organization it had by far the largest membership, its central purpose was to expand Black rights, and its legal strategy had just won a huge victory. But over the next decade the NAACP was not the driving force and not only because of the repression it faced. Its official leadership was predominantly white, and as such different from most of the membership. Decision-making was centralized, slow, and cumbersome. Procedures discouraged mass participation. For example, when the Montgomery bus boycott was being initiated, E.D. Nixon (incidentally a local union

leader and local NAACP president) went to NAACP officials to explore organizing the boycott through the NAACP, only to be told that the organization could not proceed without notifying the New York office and receiving its approval. There was no time to wait for that so the leaders formed an ad hoc organization, the Montgomery Improvement Association (Morris 1984).

Although the civil rights movement was not spearheaded through the established bureaucratic organization, neither was it simply spontaneous and un-organized. The typical form was an organization of organizations, formed specifically around a particular struggle (Morris 1984). Creation of these movement centers involved organizing the organized. Black communities already had a number of organizations that worked to promote Black rights, but these organizations were mired in conflict and competition. During the movement they came together. Typically leaders from each of these groups became members of the Board of Directors of a new organization such as the MIA. The Southern Christian Leadership Conference (SCLC) headed by Reverend Martin Luther King Jr. itself had the character of an organization of organizations, rather than recruiting individuals for direct membership.

Similarly, in the spring of 1960 when students participated in a wave of sit-ins, subsequent activities were not left to spontaneous action. Students, with the aid of the SCLC, were brought together. Ella Baker of the SCLC, but something of a maverick within it, and as a woman somewhat marginalized, urged students to form their own organization and develop their own leadership. Students called their new organization SNCC, the Student Non-Violent Coordinating Committee – a committee, not an organization; to coordinate, not control. The new organization was characterized by local



autonomy and little central direction (Carson 1981). Throughout the movement, activity was concentrated in those places that had (or quickly developed) such loose coordinating organizations, and these organizations were central in fostering and sustaining activism. Most of the important activity was fostered and encouraged by non-bureaucratic organization. Bureaucratic organizations served in important supporting roles rather than as catalytic forces.

The movement supported a multiplicity of organizations; activity was not all unified underneath one umbrella. Martin Luther King and the SCLC were central to the movement's most notable victories. The NAACP was the driving force behind most of the legal victories and had more directly affiliated members than any other group. SNCC provided the shock troops in many of the most dangerous locations, and coordinated Mississippi Freedom Summer in 1964. The Congress of Racial Equality (CORE) initiated the Freedom Rides. Relations between the groups were not always harmonious, but the existence of alternative groups fostered and promoted a range of strategies.

### **Worker rights:**

The AFL-CIO is highly bureaucratic in many ways, but de-centralized and quick to respond in others, since most activity takes place in one of the more than 30,000 union locals, and for most actions the local does not seek approval from above. Locals vary enormously in their levels of internal bureaucracy and in their ability to act quickly and creatively. Above the local level, any attempt to coordinate larger action is likely to encounter byzantine politics and require multiple approvals. If worker activists in Local A had friends and neighbors in Locals B and C, and wanted to all work together to face some emergency, getting official approval of coordinated action might potentially require

each activist to get the approval of their local union executive board (meeting every other week), with only the presidents of the three locals – not the activists themselves – officially able to coordinate action. Moreover, if the action were ambitious each of the three locals would potentially need the approval of its regional or national office. The three locals together would need to approach the community's Central Labor Council.

Currently there is no mass movement for worker rights. If such a movement developed it is highly likely that it would do so outside the formal structure of existing union governance. Probably a new organization, or set of organizations, would develop that would work closely with established unions and other community organizations, drawing on their resources and coordinating activity with them. Jobs with Justice is an example of such an organization. Just as in the civil rights movement it is an organization of organizations: its members are local unions or community groups (Early and Cohen 1997).

## **CHARISMA, LEADERSHIP AND MEDIA**

### **Civil rights:**

It's hard to imagine the civil rights movement without Martin Luther King. His speeches and bold actions captured people's imaginations and inspired action. Whenever he came to town, any town, he drew a crowd, moved people, and left them eager to take part in the movement. King was generous with his time and always willing to help the movement, even to raise funds for what were in some sense competing organizations. He never sought personal wealth, and although he had human flaws, his life and example inspired many. Although Dr. King is certainly the most noteworthy charismatic leader,

the movement created many others as well, some little known to history (Reverends C.T. Vivian, Fred Shuttlesworth, and T.J. Jemison and Ms Fannie Lou Hammer), and some with significant recognition (Malcom X, Stokely Carmichael).

Charisma is in some sense created by a movement; it is a relationship between a leader and a following. The Montgomery bus boycott was initiated by an uncharismatic Pullman car porter, an activist oriented seamstress, and members of the Women's Political Council, who helped choose King to give the speech at the beginning of the boycott. Both King and Jemison (who led an earlier bus boycott in Baton Rouge) were able to be the leaders they were partly because of their newcomer status: they had not yet made enemies or been identified with a particular camp. At the time of the Montgomery bus boycott Dr. King was only 25 years old.

Leadership is crucial to social movements. Leaders devise the strategies and tactics of movements and supply them with vision and set their goals. They serve as the spokespersons and symbols of the movement (Morris and Staggenborg 2002). The civil rights movement exhibited such leadership. A major lesson of that movement is that no one leader, no matter how charismatic, can lead a movement. Leadership teams and cadres of leadership teams lead major movements. Found within such teams are individuals with contrasting talents and abilities who engage in a dynamic and creative decision-making process. Ideas, strategies, tactics, analyses and assessments are hammered out in the context of leadership teams. Such leadership teams were embedded in SCLC, SNCC, CORE, NAACP and numerous community organizations. These teams provided the dynamic vision and goals of that movement and guided its actions.

Although the white students of Mississippi Summer, or the white ministers who marched at Selma, helped generate important publicity, the leadership of the movement was almost exclusively Black. Many of these leaders had been active for years, in ways that are now largely forgotten. Ministers, NAACP chapters, and community leaders had challenged segregation in numerous ways. The Little Rock school de-segregation case was one in a long line of Arkansas actions that challenged the white school system. Rosa Parks was not an ingenue who just happened to be tired: she had attended the Highlander Center and was the long-time secretary of the local NAACP chapter (Payne 1995, Morris 1984, Williams 2003).

Media coverage is crucial for movement success. Such coverage gets the movement's message out to the public and exposes the great suffering caused by the oppression of dominant groups. Major media are owned by elites who are usually not interested in covering struggles initiated by subordinate groups. The challenge of movement leaders is to overcome such media blackouts by engaging in bold action that the media cannot ignore (Gitlin 1980).

Charismatic leaders can be of great help in attracting media coverage and this was certainly true regarding the role of Martin Luther King in the civil rights movement. One of King's lieutenants explained that King "gave the Black community an advantage [it] has never had—Namely, that any time King went to a community, immediately the focus of the nation was on that community... He had the eyes of the world on where he went" (quoted in Morris, 1984 p.92). These "eyes" were the media from across the world that King used to expose the racism and brutality of Jim Crow and to convey the noble work of the civil rights movement.

It would be a mistake to assume that charisma was the only factor that riveted media attention to the civil rights movement. It was the ability of the movement to generate bold and dynamic confrontations between Black people and the segregationists that attracted media attention. Social disruption framed as colossal struggles between good and evil and between democracy and oppression attracted the media. Real human drama is hard to ignore and leaders and grassroots people who are willing to confront oppressors in dramatic fashion generate it.

**Worker rights:**

Today's U.S. labor movement has no leader remotely as charismatic as several of the leaders of the civil rights movement. Most current labor leaders moved up on the basis of their ability to succeed within existing bureaucratic unions, not on their experience and success in leading disruptive social movements. The experience of the civil rights movement indicates that if a charismatic leader emerges, he or she is likely to do so in relationship to a developing movement. The person who does so will probably be someone relatively new to the scene and will not necessarily be someone with experience as an organizer.

Civil rights leaders and activists directly experienced the conditions they were fighting; even a respected, educated Black minister had to live by Jim Crow laws and practices. SNCC staff were paid \$10 a week and lived among the people they were trying to organize (Payne 1995). Upper level labor leaders are insulated from both economic deprivation and workplace subordination; to a lesser degree that is true of most union staff and many local-level labor leaders. Labor leadership often does not reflect the racial and gender composition of the workers that the union represents or needs to

organize. In organizing campaigns, continued funding for the organizing typically depends on approval from above rather than support from below. Marshall Ganz (2000) has forcefully argued that the success of Chavez and the farmworkers resulted in significant part from the fact that the leadership reflected the membership and had to rely on internally generated resources.

Labor's media relations are dramatically better than they were a decade ago, but labor's strategy relies primarily on press conferences and made-for-media events. This past summer's Congressional hearings on worker rights indicate that even dramatic Congressional testimony generates minimal press coverage. If the labor movement creates real human drama in struggles between workers and oppressive corporations, that is likely to be covered even by a corporate-owned media.

## **MATERIAL CONDITIONS IMPEL ACTION**

### **Civil rights:**

African Americans in the South could not escape oppression. No matter how educated, successful, respectable, moral, or dignified, Black people had to suffer continuing second-class treatment and daily humiliations and to abide by the racial caste etiquette system. Nothing a Black person could do would make that go away; they couldn't change their skin color and no *personal* action could eliminate racism. People who avoided the movement nonetheless understood the anger; people who were trying to cope might at any point experience the indignity or slight that would impel them to action.

### **Workers' rights:**

Workers today have more possibility of escape than African Americans in 1955. Workers can open a small business, go to college, or just change jobs. But most of the time, for most workers, none of these are viable options. Even if one's current job is lousy, it may not be easy to find another that pays as well, and most of the time workers can't afford to be without a job. In a great many jobs it is not possible to escape deadening boredom, dangerous conditions, or degrading-humiliating conditions and treatment.

In real terms, over the last 30 years workers' wages barely increased; if there is an economic slow down things are likely to get worse. Workers know that their family struggles to get by and that because of the enormous disparities of income and wealth the rich do not have to live by the same rules that govern workers' lives. Neither conditions on the job, nor worker's wages are likely to change significantly unless there is a workers' movement. Nor are health and safety conditions going to improve. All indications are that work hours will become more demanding; employers are not seeking to control overtime or shorten hours. As a result, even workers who don't want to take action are likely to experience daily spurs to action.

## **INFRASTRUCTURE AND EARLY FUNDING**

### **Civil rights:**

Given how poor in resources – money, power, access to media – the Black community was, it would be easy to conclude that the civil rights movement could only succeed by enlisting powerful allies and by receiving funding from wealthy white organizations. A number of analysts have reached just this conclusion.

It is true that before the movement was over outside groups had provided significant resources, not only money but personnel and media attention. The UAW contributed \$35,000 and several liberal foundations gave hundreds of thousands of dollars (Piven and Cloward 1977). Wealthy individual whites contributed. The Kennedy Justice Department intervened forcefully on a number of occasions. Hundreds of elite white Northern college students came to Mississippi Summer in 1964. All these resources substantially helped the movement.

But these resources came only *after* the movement had demonstrated its power. The early civil rights movement drew almost exclusively on indigenous leaders many of whom had been struggling around these issues for years. Funding came primarily by passing the hat at meetings and church gatherings, with ordinary people putting in as much as they could afford. Much of the early money that came from the North came from Black congregations and NAACP chapters. Outside resources offered a welcome boost, but it was a boost to an already solid base (Morris 1984).

### **Worker rights:**

The labor movement has yet to create a high profile struggle that captures the public imagination around the right to organize, but each year sees hundreds of small-scale struggles around the issue. Although most receive little recognition, thousands of local leaders have engaged with these issues; their experience would be invaluable if and when a full-scale movement emerged.

A crucial strength of the labor movement is that it is self-funding. The labor movement receives almost no money from foundations or wealthy donors; ordinary workers pay substantial dues. Some of that money already goes to right-to-organize



struggles, and labor has the capacity to direct far more to such an end. The funding is available, if and when the members and leadership choose to use it for this purpose.

## **THE CHURCH**

### **Civil rights:**

The Black church was one of the keys to the civil rights movement, and this was so for several reasons. A large fraction of the population regularly attended Sunday services and numerous other religiously based activities. Ministers had enormous authority and respect and many were spellbinding speakers. The church spoke with moral authority, and it was difficult for whites to dismiss it or attack it as evil. Religion and the Bible were widely accepted by both the white and Black population, and provided numerous stories, parables, sayings, and examples that supported movement activities. Segregation meant that church activities brought together Black people, and only Black people; no white presence monitored discussions or activities. Churches had meeting spaces and other resources (phones, mimeograph machines and overlapping networks of communication) that could be used by the movement. And, perhaps most important, the church was a Black controlled institution, not directly answerable to a white power structure. Ministers could only be fired by their congregations; teachers could be – and were – fired by white school boards.

### **Worker rights:**

No single institution provides a comparable source of strength for a movement for worker rights. Unions are some of the few institutions that are controlled by workers and that bring together only workers, without the need to compromise with business

viewpoints or be subject to employer scrutiny. Unions control significant resources and their leaders are not subject to business control. But in comparing unions in 2002 to African American churches in 1955, *far* fewer workers regularly attend union meetings, the union has less moral standing, few union leaders are spellbinding speakers, and unions are much more subject to outside attack and dismissal.

Churches might be an important part of a movement for worker rights, but most churches are not segregated to include only workers or only employers. Support for worker rights might therefore be divisive within the congregation (Warren 2001; Fantasia 1988). In 1955 Black ministers immediately understood the issues, whether or not they joined the movement. Today, even sympathetic ministers often know relatively little about worker issues. Nor is worker church attendance today comparable to Black attendance in the South of 1955. Churches are a potentially powerful ally, but are unlikely to be as central to a worker rights movement as they were to the civil rights movement.

## **ACTIONS CHANGED CULTURE**

### **Civil rights:**

Before the civil rights movement began, Southern whites were convinced of their moral rectitude; most argued that Blacks as well as whites preferred segregation. Northern whites generally thought little about segregation and the systematic denial of Black rights. Ignorance about Africa and about Black history were pervasive not only among whites but within the Black population as well.

Associated with the civil rights movement was a more general change in the culture, above all for the Black population but for whites as well. By 1965 many “Negroes” who had been socialized to despise Black culture were proclaiming that “Black is beautiful” and adopting hairstyles and clothing to match. Connections to Africa were strengthened and people began the serious study of Black history, re-discovering slave narratives and a long list of Black accomplishments. By 1980, even an opponent of the 1964 Civil Rights Act such as Ronald Reagan declared his newfound commitment to equality (now used to oppose affirmative action).

The change in the culture was an important part of the civil rights movement, interacting with and aiding the development of the movement, but it’s important to realize that the culture changed primarily in response to the strength of the movement. People developed a sense of pride and accomplishment through the successes of the movement. Interest in Black history developed because Black people were making history. Whites suddenly discovered the inequity of segregation and came to embrace equality because a strong Black movement would not go away. Of course this was an interactive process: learning the truth about Africa or Black history helped strengthen the resolve of participants in the movement. At least by the time of the “I have a dream” speech most *whites* were convinced of the moral authority of the Black movement.

### **Worker rights:**

Workers and unions stand in a contradictory position. In some ways workers are low-visibility and unions are viewed negatively. Michael Zweig (2000) can correctly say that the working class majority is “America’s best kept secret.” One common image of unions calls to mind corrupt union “bosses.” Business, at least until recently, was

venerated. But at the same time the public distrusts business, thinks that corporate leaders are grossly overpaid, knows that workers are exploited, and wants someone to do something about it. The Enron and WorldCom scandals brought to the fore a mistrust of business. Ordinary workers are seen as everyday heroes.

Most of the time unions aren't viewed favorably, but when unions fight for a principle and win, as in the Teamsters' UPS strike of 1997, there is strong public support. Similarly, the global justice and anti-sweatshop campaigns caught the public imagination when campaigns publicized corporate abuses.

## **POLITICAL CHANGE FOLLOWED**

### **Civil rights:**

The civil rights movement led to two historic pieces of legislation, the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Both bills passed only after years of mass movement, demonstrations, and heroic sacrifice. Until that base had been laid the movement did not focus much of its effort on conventional politics, although it definitely supported legislation and promoted voting (probably providing the margin of victory in the 1960 presidential election). The movement was very concerned to aid passage of the two key acts, although it did not do so through personal lobbying of swing legislators, but rather by launching fresh demonstrations. The March on Washington was planned to promote passage of the Civil Rights Act; the confrontation in Selma to spur the Voting Rights Act. During much of the movement liberals dominated the federal government, but key parts of the government, especially the FBI, were hostile to the movement and worked to destroy it. The Kennedy administration did provide support,

but it did so only reluctantly and because the movement put the Kennedys in a position where they had to respond one way or another: to intervene to support equal rights for all citizens, or to permit Southern segregationists to flagrantly violate human rights.

### **Worker rights:**

Today's labor movement has de facto decided not to push for labor law reform because any legislative effort is likely to produce laws that are *worse* than current ones (witness Rep. Norwood's summer 2002 proposal to outlaw card-check recognition). In the absence of a mass movement there exists no public understanding of the worker's plight. Thus, the larger culture is hostile to unions and given that money dominates politics and *both* parties support business, in Congress today any change in labor law would erode worker rights without providing additional leverage. The civil rights movement experience suggests that labor needs to first change the climate of opinion through grassroots campaigns that seize the public imagination and show the need for legal reform. Only after those have attained a certain momentum will it be productive to push for significant legal change.

## **COURT DECISIONS NEVER STOOD ALONE**

### **Civil rights:**

Regulatory and court decisions, including Supreme Court rulings, aided organizing activity. These decisions were *not* enforced by the government, however, except insofar as the movement forced the government's hand. School segregation would have continued if Arkansas activists had not insisted on Black children's right to attend white schools, leading to a huge confrontation in Little Rock. It took the Freedom Rides

to get the federal government to begin to enforce the ban on segregated interstate transportation. At no time did Southern segregationists respond to court decisions by saying, "we don't like it, but of course we will obey the law." The civil rights movement never treated legal decisions as accomplished fact, but only as aids to organizing (Payne 1995, pp. 210-218); many of the decisions came only because the movement had put the issue on the agenda and embarrassed some part of the government.

### **Worker rights:**

The group that builds a social movement and presses aggressively wins most of the court and regulatory rulings. For 40 years employers, not the labor movement, have had the initiative, in court and regulatory decisions as in much else. Employers are continually violating the law and vehemently insisting they have a right to do so and that their actions are or should be legal. De facto they have stretched the limits of the law and whittled away at workers' rights (Friedman et al. 1994; Gross 1995; Weiler 1983; Geoghegan 1991). If there has been a social movement around worker rights, it has been by employers to limit or abridge those rights. If labor wants better court and regulatory decisions, it needs a mass movement, not better lawyers.

## **EXPECT FAILURES**

### **Civil rights:**

We remember the successes, but the civil rights movement had plenty of setbacks. In retrospect we can see that even they were important learning experiences and helped prepare the way for future successes, but at the time it would have been easy to see them as unqualified failures. Thousands of people were arrested in Albany, Georgia in 1961,

among them Martin Luther King. The Black community demonstrated an unparalleled willingness to sacrifice; it would be hard to imagine that a community could do much more. And yet the white power structure managed to weather the storm without making changes. It did so in part through a careful effort to defuse any symbol that could have spurred organizing: demonstrators were treated peacefully and when Dr. King went to jail the police chief persuaded white businessmen to pay his fine (so he could no longer stay in jail). Similarly, the SCLC's late 1950s voter registration drive had few successes to report. Looking at those campaigns, a defeatist could have argued the strategies simply would not work. Instead, the movement figured out what went wrong and launched new campaigns. Perhaps the turning point and most important victory in the entire civil rights movement was the confrontation in Birmingham. That movement owed a great deal to the lessons of Albany; it largely replicated Albany, with a few crucial differences.

**Worker rights:**

If and when the labor movement launches a serious mass movement around worker rights, there are bound to be failures. Only subsequent history determines whether an action turns out to have been a dead-end or a precursor and learning experience (Weinbaum 1997). Often a new tactic initially fails, but the same basic approach works later if it's properly executed as part of a complete package. Some of the innovative campaigns of recent years that today are judged marginally successful may later be seen as brilliant tactics that form the foundation for the workers' rights movement. We don't want to replicate previous mistakes, but neither should we give up too early. One of the most notable labor victories of the past quarter century was the Los

Angeles Justice for Janitors campaign. But in the first two years of that campaign more than a million dollars was spent without enrolling a single dues-paying member. If SEIU had pulled the plug at that point the campaign would have been judged an expensive failure.

## **VICTORY TAKES HUGE SACRIFICES**

### **Civil rights:**

We tend to look back on the successes and to say that the height of the Southern movement "only" took ten or twelve years – but in the height of struggle a short period can seem an eternity. Anne Moody's moving autobiography, *Coming of Age in Mississippi* (1968), discusses her life-long commitment to Black equality and freedom, including her participation in a sit-in, credible threats to kill her or her family, and her experiences as an organizer stationed in a remote and dangerous area. By the time she burns out and withdraws from the front lines the reader feels her exhaustion: and yet, on examination, her intense involvement as an organizer lasted only a few short months.

During the years of struggle thousands and thousands of people made impressive sacrifices. The Montgomery bus boycott lasted for 11 months; as one example of the effect on people's lives, one participant walked 11 miles to work every day of the boycott, worked at physical labor, and walked 11 miles home (King 1958). Many people who participated in the civil rights movement lost their lives; many more lost their jobs or were evicted from their homes or were brutally beaten.

Crucial to the success of the movement was the fact that at key junctures people always stepped up, volunteering to run serious risks and to make sacrifices that no one



could reasonably have demanded of them. The leaders of the movement led by example, putting themselves in the front line. At certain historic confrontations virtually the entire Black population of some locality supported the movement, and supported it not just through passive verbal support, but also in active participation and sacrifice, despite inconvenience, arrest, and physical danger.

### **Worker rights:**

Labor's past contains many struggles that matched the civil rights movement in commitment and militancy. Even today, in certain organizing drives or strikes workers show an amazing solidarity and willingness to bear costs or run risks. But in the last two or three decades there have been only a handful of struggles that could even begin to match the day-to-day heroism that permeated the civil rights movement. At no time have such struggles meshed together to create the sense of a mass movement with a dynamic and a future.

Labor will not be able to win worker rights without a mass movement, on a scale with the civil rights movement and demonstrating an equivalent level of commitment. Specific struggles indicate that many workers, staff, and allies would be prepared to engage in such a movement, but so far the labor movement has not even attempted such a campaign. Labor must come to recognize that it is currently at the mercy of employers because it has lost the power to realize its interests. The only way for labor to restore that power is through a dynamic social movement that generates widespread disruption that serves as the leverage by which labor demands can be made and realized. Labor is the only actor ideally situated to disrupt the economy at its core, and in so doing, create a

massive crisis capable of generating a transformation of the exploitative relationship between labor and capital.

Labor does not have a good excuse for allowing employers to dominate it. Unlike southern Black people in the 1950s, labor has considerable resources and national organizational structures that can serve as the conduits of mass movements. But one of the lessons of the civil rights movements is that entrenched leaders are not likely to be risk takers and to allow their people to utilize existing organizations for insurgent purposes. Many Black ministers and NAACP leaders refused to open up their churches and NAACP chapters to the emerging civil rights movement. Yet in many of those instances grassroots peoples and leaders wrestled control from the incumbents and used “their” organizations and resources to launch and sustain the movement. We believe that this same dynamic must unfold throughout unions if labor is to rise up and build a social movement capable of liberating workers.

Finally, a fundamental question faces workers today: do they have the courage to get up off their knees and confront powerful employers and corporations who believe that it is their duty to control them and the profits they generate? A movement requires moral authority and enormous sacrifices by its participants if it is to succeed. In mass movements people must be willing to go to jail, be beaten, and even to lose their lives in a noble and just movement designed to win their rights and restore their dignity. Although we do not know whether contemporary workers possess such courage, we do know that Jim Crow was overthrown because southern Blacks did.

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