

Buffalo Forum



Local Publication of the
U.S. Marxist-Leninist Organization

Workers of all countries, unite!

IN THIS ISSUE:

- Obama's State of the Union I-8
- Refuse Receivership and State Testing 9-10
- Friedrichs Supreme Court Case and Revitalizing Unions II-13
- Hamilton Day of Action 14-16

January 22, 2016

Vol. 20 #1

OBAMA'S STATE OF THE UNION

U.S. Will Continue to Be World Policeman

Among the issues President Obama addressed in his State of the Union speech on January 12 was "How do we keep America safe and lead the world without becoming its policeman?" As is common with U.S. presidents, it was

a rhetorical question used to present the U.S. as world gendarme to which people must succumb, or else!

"The United States is the most powerful nation on Earth. Period. It's not even close.

World Policeman • 6

Striving to Preserve the State of a Dismal Democracy

President Obama in his last State of the Union speech delivered on January 12, said the "most important thing" he wanted to address was the need to "work together" to "fix our politics."

"The future — opportunity

and security for our families; a rising standard of living and a sustainable, peaceful planet for our kids — all that is within our reach. But it will only happen if we work together [...] It will only happen if we

Dismal Democracy • 3

ASSESSING COMMISSIONER ELIA AND DR. CASH

Make Judgments Based on Actions, Not Words

Recently, New York State Education Commissioner Elia said it was important not to speak negatively about teachers and gave the impression she is concerned about them. Buffalo's superintendent receiver Dr. Cash is again saying he thinks smaller class size is important, something he has talked about from the beginning. However, when it comes to actual actions, both are attacking teachers while rejecting smaller class size as necessary for schools they claim are most in need, the 25 receivership schools taken over by the state.

In her recent December 22 "Order" imposed on 15 of Buffalo's 20 "struggling" (more commonly called "failing") schools, Elia specifically

Judge Actions • 2

Time is NOW to Organize!

The state takeover of Buffalo's public schools continues to worsen conditions for teaching and learning, as more and more powers are given to the local receiver, Dr. Cash. He can involuntarily transfer any teacher any time and can begin doing so now. He can change the length of the

school day and year and start times. He may well announce such changes February 1. According to the law, he can do this with no say so from any of those impacted — teachers, staff, students and parents. But according to we the people, he will not

Time to Organize • 9

DECEMBER 22 "ORDER"

Commissioner Elia Extends Attacks on Teachers and Students to 15 More Public Schools

New York State Education Commissioner MaryEllen Elia has now increased the powers of local receiver Cash for 15 more Buffalo public schools (see list p.2). Her "Order" came in response to demands from Cash for more powers. While Elia essentially gave Cash everything he asked for, with certain modifications, she dismissed the proposals of teachers and their union, including for smaller classes.

Among the most significant powers are those for involuntary transfers of teachers at any time, beginning now; preventing teachers from transferring; discretion and ability to modify the school schedule at any time; and extending the school day and year. These powers are in addition to those the receiver already has, such as the ability

Elia Extends Attacks on Rights • 10



I • JUDGE ACTIONS

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rejected calls for smaller classes by the teachers and their union, Buffalo teachers Federation (BTF). Smaller classes are well known to be one of the most important ways to improve the quality of education.

Receiver Cash, in his earlier demands for Buffalo's five "persistently struggling" schools, did not call for smaller classes. Teachers did. Elia supported Cash's refusal in her November 8 "Order." (The five schools are Burgard, South Park, Best, Futures and West Hertel.)

Elia's December "Order" applies to 15 of the remaining 20 schools in receivership (only Bennett, East, Lafayette, Riverside and Hamlin Park are so far not included). This "Order" is in response to demands by receiver Cash for significant changes to teaching and learning conditions, such as involuntary transfers any time for any reason, lengthening school day and year, and more (see p.1).

Once again, Cash refused to call for smaller classes. Specifically, Elia's "Order" states, "The superintendent receiver urges that I reject these [BTF] proposals (which include smaller class size) because the superintendent receiver never requested that these issues be negotiated," (Elia's "Order" of December 22, 2015, p.12). The teachers and union did make the request and urged Elia to support it. She refused saying she did not



consider smaller classes because the law "requires the superintendent receiver to request negotiation of such issues and, in this case, the superintendent receiver did not..."

These actions by Elia and Cash speak far louder than their words. They also indicate that they are not concerned about improving the quality of education for students, but rather, imposing their dictate. Elia repeatedly uses just such language, saying the "Order" was done by "my imposition of the receivership" "Order" and that "it is ordered" that the receivership

agreement "imposed herein is applicable, effective immediately, and need not be submitted to the collective bargaining unit members for ratification."

It is also important to look at the words being used about the "Order." Elia calls it a "Receivership Collective Bargaining Agreement." Yet it cannot be considered collective bargaining when the proposals by teachers are not even considered. It cannot be considered bargaining or an agreement when it is imposed by the Commissioner, through her "Order," which does not even have to be voted on let alone ratified. The words hide the real content, which is to attack the rights of teachers and students alike and do so by imposing dictate, not negotiating. Judgments need to be based on actions, especially when the words are rendered meaningless by the actions.

Schools Under Separate "Orders" by Commissioner Elia

Schools Under Commissioner Elia's November 8 "Order":

Burgard Vocational High School PS#301
South Park High School PS#206
Buffalo Elementary School of Technology PS#6
Marva J. Daniel Futures Prep School PS#37
West Hertel Elementary School PS#94

Schools Under Commissioner Elia's December 22 "Order":

McKinley Vocational High School PS#305
Bilingual Center PS#33
Build Academy PS#91
Dr. Charles Drew Science Magnet PS#59
Dr. Lydia T. Wright School of Excellence PS#89
D'youville-Porter Campus PS#3
Early Childhood Center PS#17

Frank A. Sedita School PS#30
Harriet Ross Tubman Academy PS#31
Harvey Austin School PS#97
Herman Badillo Community School PS#76
Highgate Heights PS#80
Inter Prep School-Grover Cleveland #198
North Park Academy PS#66
Waterfront School PS#95

Five Schools Under Receivership But With No Separate "Order" Yet

Bennett High School PS#200
East High School PS#307
Lafayette High School PS#204
Riverside Institute of Technology PS#205
Hamlin Park Elementary School PS#74

I • DISMAL DEMOCRACY

fix our politics,” Obama said. Addressing the serious problem the ruling class faces to maintain the legitimacy of its rule, Obama lamented that “democracy breaks down when the average person feels their voice doesn’t matter; that the system is rigged in favor of the rich or the powerful or some narrow interest. Too many Americans feel that way right now.”

Obama is making the comments in the context of the significant changes that have occurred in governance, which he himself has consolidated. This includes the concentration of power in the executive and executive actions with no regard for the rule of law, including completely illegal drone warfare, torture, broad spying, indefinite detention, militarization of the police and their increasing racist killings, and the discrediting of elected governance as dysfunctional and a block to “opportunity and security.”

U.S. rulers have always prided themselves on their ability to maintain a system that is rigged in favor of the rich, by providing the opportunity for a “fair shot,” as Obama put it. Now, the barbarity of the system — with its war economy that can no longer provide even the semblance of opportunity, with social conditions deteriorating, with a political set up so blatantly favoring the billionaires that it welcomes the candidacy of Donald Trump — Obama laments that “too many Americans” have serious doubts about U.S.-style democracy.

The many new jobs Obama mentions provide poverty-level wages. The number does not come close to providing the right to a livelihood for the millions of young people striving to enter the workforce or the millions contending with long-term unemployment, largely from the destruction of manufacturing. While the official unemployment rate may be down, this is mainly because the labor participation rate, which includes these two factors, is down — not because the economy is meeting the needs of the people. A new direction is needed for that, something Obama and the rulers refuse to address.

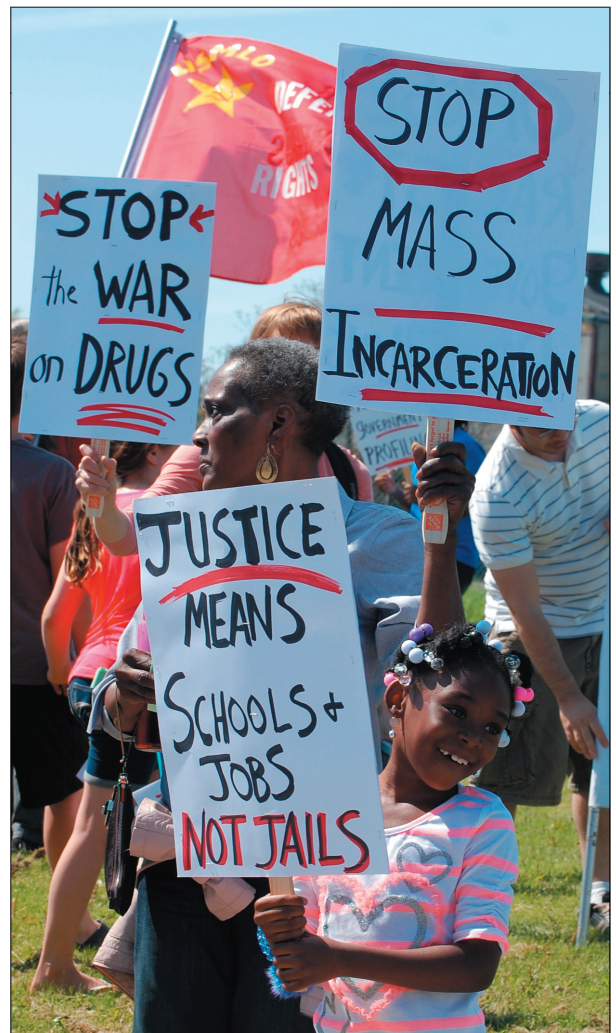
Further, the social conditions of increasing poverty and inequality are

enforced using racist mass incarceration and continued police killings and impunity and the detention and deportation of men, women, children and refugees. Under Obama’s watch, two million immigrants, mainly workers guilty of no crime, have been deported. This is one of the indications which reveal that the government of laws no longer prevails.

Only Police Powers Remain

Obama represents the U.S. state whose mission it is to ensure the rigged system keeps the rich in power. When we speak of the U.S. state, we speak of governance and police powers, including military might. Both exist as a single unitary power keeping the rich in power and the people out. This is clearly evident abroad where Obama talks of the 10,000 bombings against Syria and Iraq, mainly impacting civilians. His administration has used drones more than any other. Obama reiterated that laws such as those protecting sovereignty have no role to play and the U.S. will act as judge, jury and executioner. “When you come after Americans, we go after you. It may take time, but we have long memories, and our reach has no limit...America will always act, alone if necessary,” Obama said in his State of the Union.

Increasingly what we see now both at home and abroad is all that is left of the public authority: its police powers exercised by the executive as well as all branches of the armed forces, police forces and covert agencies. It is propped up by private for profit and non-profit agencies and charities, so-called think tanks, academics and disseminators



of disinformation calling themselves news agencies and media organizations. Obama’s concern that too many Americans have no trust in government and that politics need “fixing” shows a sinister agenda to further cover up that U.S.-style democracy lies in tatters because the government of laws that is required to legitimize rule no longer exists. It is beyond repair and must be re-established on a new basis, which empowers the people, not the rich — but this is precisely what the ruling class Obama represents will not permit.

Police powers do not legitimize rule. These police powers, as evident in police killings at home and drone warfare abroad, are outside the government of laws. Police powers are used to decide who to punish

Dismal Democracy • 4

3 • DISMAL DEMOCRACY

and on what basis to do so. They have a main role in maintaining the state, which is done by ensuring compliance. When police powers are all that is left, the legitimacy of the rule is rightly questioned, as is occurring in the many demonstrations and other actions against police brutality and attacks on the rights of immigrants, refugees, teachers and many others.

Obama represents that section of the ruling class that believes it can use elections to legitimize government even if it is not a government of laws. It is necessary to change our political process “in not just who gets elected but how they get elected,” Obama said in his State of the Union. Such change will only occur “when the American people demand it,” he said. His list of potential changes include that Congressional districts need to be drawn differently and the worn-out mantra to “reduce the influence of money in our politics.”

His “remedies” not only reveal a total lack of imagination since they repeat the same-old same-old, but they in fact reveal the reforms which the ruling class are pushing to put in place — a political process that eliminates any role for political parties in favor of private armies of “citizen-style soldiers.” Far from enfranchising the U.S. citizen, it will further destroy any remnants of political cohesion by putting in place a system without the need for political organizations of the people. Individual candidates with their own machinery, like Ted Cruz and Jeb Bush, are already running for the presidency, where the police powers reside.

The changes Obama proposes are not likely to be enacted by Congress or the courts so he addresses this as well. “If our existing approach to campaign finance can’t pass muster in the courts, we need to work together to find a real solution. We’ve got to make voting easier, not harder, and modernize it now,” he said.

He made it clear once again that he intends to carry on this campaign after he leaves office. As he has in recent speeches, he repeated, “I can promise that a year from now, when I no longer hold this office, I’ll be right there with you as a citizen.”

The precedent for what Obama is pro-

moting is what he himself put in place when he ran for the presidency in both 2008 and 2012. He put in place a complex machinery in every state which continues to exist, in part in the form of his group “Organizing for Action.” This is the machinery he plans to put in motion to change the electoral process so that citizens are led directly by an authority that is beyond the civil power. The people will play no role whatsoever in taking decisions which set the course of events, but be given the impression that they have a direct link to “the leader” through Twitter and social media while they are organized to take direct action on “the leader’s” agenda.

Advance the Fight for People’s Empowerment

Obama’s State of the Union addressed the greatest need of the U.S. ruling class — to provide the appearance of legitimacy, which remains vital to quell the revolt brewing against it. Obama’s speech is to establish the basis for criminalizing the drive of the people for a democracy that favors them. By emphasizing that democracy can be maintained not with the kind of rhetoric used by Donald Trump, Ted Cruz and others of like kind, but by appealing to people to “stay active in our public life,” his speech is intended to reflect the “goodness and decency and optimism” of Americans. He added, “Public life withers when only the most extreme voices get attention,” and that democracy “requires basic bonds of trust between its citizens.” This is also a role Bernie Sanders is playing with a following which stands for precisely this “goodness and optimism.”

Obama specifically targets those among the rulers who are dividing the people as their solution to the same problem of maintaining the rule of the rich in the absence of legitimacy: “As frustration grows, there will be voices urging us to fall back into tribes, to scapegoat fellow citizens who don’t look like us, or pray like us, or vote like we do, or share the same background,” he said. The reference to tribalism is to establish his way as the progressive way. It seeks to cover up the deadly competition for power which is going on between vying



factions of the ruling class that have risen to a civil war scenario as federal and state authorities compete for power, using their own police forces, National Guards and paid mercenaries.

The role of the president is both to preserve the Union and block the people from power. Obama is cautioning that “as frustration grows” both among the contending factions and among the people, answers lie not in the openly racist police-state rule by a CEO and unleashing more divisions, but rather by maintaining a “public life,” and fostering the chauvinism of the rulers of the “common creed” of U.S.-style democracy as the best and only option. As he put it, we are to “See ourselves not first and foremost as black or white or Asian or Latino, not as gay or straight, immigrant or native born, not as Democrats or Republicans, but as Americans first, bound by a common creed.”

This is an effort to open space for changing the existing electoral process in a manner that further eliminates politics and political parties, and legitimizes individuals running for the presidency, as well as a “public life” centered on supporting the presidency. In the absence of functioning institutions, which comprise a government of laws which are supposed to uphold the common good, not just the well-being of the monopolies, and keep the police powers in check, this is what Obama is offering.

Obama Builds a Legacy: Deporting Women and Children to Death

Charles Davis, telesurtv.net

In his last address to Congress, the U.S. president barely mentioned immigration, showing he is now content to enforce the status quo.

One throwaway line: That is what U.S. President Barack Obama dedicated to the topic of immigration in his final State of the Union speech on January 12, just days after his administration decided to prioritize the deportation of women and children who came to the United States seeking asylum (see p.6).

"I'll keep pushing for progress on the work that still needs doing," Obama said in his prime-time address to Congress. "Fixing a broken immigration system," for instance. And that was it. With one year left in office, and after deporting more than two million people, all the president had to offer was five words that sounded more like a political obligation — he cannot just not mention it — than a political priority.

In 2008, though: "People need us to enact comprehensive immigration reform once and for all," said Obama, then just a candidate. "We can't wait 20 years from now to do it. We can't wait 10 years from now to do it. We need to do it by the end of my first term as president of the United States of America." Indeed, so important is the issue, addressing an immigration system so broken it leaves around 12 million people without legal status, that "I will make it a top priority in my first year as president."

He said that about eight years ago. Meanwhile, just 10 days before his State of the Union speech, the brunt of his latest crackdown on immigrants from Central America living in the U.S. without proper documentation began to be felt.

"They came in unmarked trucks," Joana Gutierrez, who told reporters that immigration agents entered her home without a warrant. "They went in and removed the children, my niece, my husband, and did not care that the children were crying. What they did was an abuse."

What they did was in keeping with U.S. policy under a president who promised reform: In order to discourage those fleeing

poverty and violence in the Americas, the Obama administration has decided a show of force is necessary. This, the actions convey, is what will happen if you come to the land of the free: agents of the state will whisk you and your family away, put you all in a detention center and send you back to the place you fled — where you might very well die.



From 2014 to October 2015, in fact, a study of deaths reported in the news found that no fewer than 83 asylum-seekers deported by the U.S. government in the preceding year had been murdered upon their return to countries in Central America, like El Salvador, Guatemala and Honduras, all places that have been wrecked by U.S. trade policy and support for repressive governments in the name of stability and free enterprise.

On January 6, the latest group of human beings to be forcibly removed from their homes within the borders of the United States arrived back in Guatemala: 131 people, with hundreds more to follow. If the past is prologue, then in a year's time several of them will be murdered while the majority will toil away in the poverty they sought to leave behind, perhaps making clothes or picking crops to be delivered tariff-free to their former neighbors in the US.

And the worst of it is out of sight, at least to most of those who were watching the president's address: In response to the influx of asylum-seekers from late 2013 to

late 2014, Obama began paying Mexico tens of millions of dollars to keep the poor and scared from ever reaching the U.S. border. Deportations from the U.S. are slightly down, as result, while deportations from Mexico have risen by about 70 percent.

That comprehensive immigration reform is no longer a top priority for this U.S. president is not altogether unjustified: The Congress whose support would be needed to pass such reform is full of conservative Republicans (and Democrats) who have no sympathy for Syrians fleeing a devastated war zone, much less Latin Americans fleeing devastated economies and drug war-fueled violence.

But comprehensive reform or nothing is not the only option. As president, Obama could, for instance, unilaterally decide not to carry out the deportations he unilaterally decided to carry out these past few weeks. In June 2012, for instance, Obama signed an executive order protecting from deportation some of those who were brought to the United States by their parents as children. It was

a limited action, but an honorable one — the product of direct action and the mobilization of those most at risk of state-sponsored eviction. He could do something similar again. [...]

Why, though, when in legacy-building mode, would Obama seek to go out on a policy of callously enforcing immigration laws he came into office promising to change? It is a question that lacks a definitive answer. Perhaps it is to help his party at the next election, based on the assumption that too much compassion for the poor and downtrodden will only help the overt fascists at the polls. Or, perhaps, he does not actually care all that much about the lives he is destroying.

Perhaps, rather than be the progressive some hoped he might become when no longer faced with the prospect of re-election, the president is showing us who he really was all along: not a man deeply troubled by the U.S. government's policy of separating loved ones and breaking up families, but a competent and eager administrator of the cruel system he inherited.

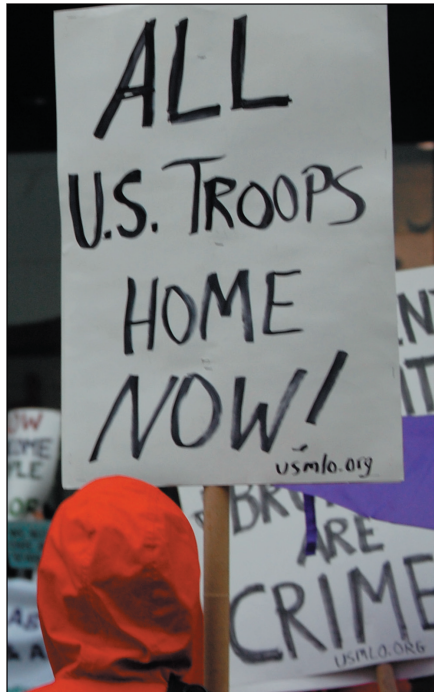
I • WORLD POLICEMAN

We spend more on our military than the next eight nations combined,” he said. These eight are Russia, China, Japan, Britain, France, Germany, Saudi Arabia and India.

Obama continued:

“When you come after Americans, we go after you. It may take time, but we have long memories, and our reach has no limit.”

He raised this in the context of targeting ISIL and al Qaeda, but given the 10,000 recent bombings against Syria and Iraq that he also mentions, and the invasion of Afghanistan in the name of stopping al Qaeda, it is clearly meant for the world to take note: There is no limit to U.S. aggression and crimes. This reality is further underlined by the Obama doctrine of drone warfare and use of Special Forces, both of which inflict the crimes of collective punishment and targeting of civilians and



their infrastructure.

Obama emphasized the need to pursue this doctrine so as to avoid a “quagmire, spilling American blood and treasure,” which he said is the lesson of Viet Nam and Iraq. Like all U.S. rulers Obama has yet to learn the main lesson of Viet Nam, Iraq and elsewhere — a people united in a just cause for their liberation and freedom from occupation, will prevail. It is this reality that haunts the U.S. and adds to its vengeful aggression against the peoples.

To further emphasize the U.S. role as world gendarme (policeman), Obama said that the U.S. will use “every element of our national power,” which includes nuclear weapons. “America will always act, alone if necessary,” he threatened.

The U.S. will also continue to try and drag countries of the world into its crimes. “We will mobilize the world to work with

World Policeman • 7

86% HAVE NO LEGAL REPRESENTATION

Potential Impact of Obama's Immigration Raids Targeting Women with Children

TRAC Immigration Reports

The Obama administration's recent announcement of immigration raids targeting women and children has sparked heated debate. While the administration says that “individuals who were the targets of these efforts were subject to final orders of removal by an immigration court,” many have criticized this move as overly aggressive given this highly vulnerable refugee population.

Immigration rights groups have further questioned whether proper consideration was given to these cases before removal was ordered, since so few families had legal representation or the ability on their own to navigate the country's complex immigration laws and procedures. TRAC previously reported that the odds of being allowed to remain in this country were increased more than fourteen-fold if women with children had representation in Immigration Court proceedings.

ICE has not released figures on the number of families that could potentially

be targeted in future raids. However, according to the latest available court records, a total of 18,607 individuals in the “women with children” category have been ordered removed by immigration judges during the last 18 months under the court's new priority docketing system. This system was first set up in July 2014 to expedite the processing of these family cases.

Of these 18,607 removal orders, fully 16,030 or 86 percent were issued for cases in which the women lacked any legal representation.

Almost half (47 percent) of all removal orders in these cases have been issued by immigration judges based in just two states: Texas and California. In Texas, 88 percent of these removal orders were issued to women and children without any legal representation, while in California 82 percent of these orders were issued to families without an attorney.

There are 20 states in which courts

have issued at least 100 removal orders involving women with children. The largest number of removal orders for these families (3,369) was issued by the Immigration Court based in Houston, Texas. The second largest concentration of removal orders (2,079) occurred in the court based in Dallas, Texas. Next came the Immigration Court based in Los Angeles, California with 1,392 removal orders, followed closely by the Atlanta, Georgia immigration Court with 1,334 and the Charlotte, North Carolina court with 1,322 such orders.

(These latest figures involving “women with children” are based on an analysis of case-by-case information by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University. For this analysis, TRAC obtained court records current as of the end of December 2015 from the Executive Office for Immigration Review (EOIR) under the Freedom of Information Act.)

6 • WORLD POLICEMAN

us and make sure other countries pull their weight," he said.

In other words, the lesson of Viet Nam and Iraq is that it is the "blood and treasure" of other peoples that are to be spilled, not that of the U.S. This then is also a threat to allies, that the U.S. will "make sure" they do more to secure the U.S. empire worldwide.

Had Obama been serious about the U.S. not being the world's policeman, a clear cut position consistent with the anti-war stand of the majority in the U.S. and worldwide would be to *Bring All U.S. Troops Home Now!* This would contribute to security by removing the U.S. as the main source of insecurity and terrorism worldwide. The huge Pentagon budget could meet the needs of the peoples at home and abroad. It would also assist the environment, not only in terms of eliminating the massive destruction of the peoples and their infrastructure by U.S. aggression, but also because the Pentagon is the single largest polluter worldwide.

Alongside his threats, Obama went out of his way to lament the role the Russians and Chinese are playing in contesting U.S. hegemony. "When it comes to every important international issue, people of the world do not look to Beijing or Moscow to lead — they call us," he said. In fact, while governments such as those of Israel and south Korea continue to call on the U.S., the U.S. interests are having trouble in the Middle East and the peoples of the world continue to rely on their own efforts and reject U.S. military might. Demonstrations demanding the removal of U.S. military bases in Japan, the Philippines and Korea, and African, Latin American and Caribbean countries provide ample examples of this.

When it comes to Latin America, Obama had to acknowledge that the peoples look not to the U.S. but to Cuba. "Fifty years of isolating Cuba had failed to promote democracy, setting us back in Latin America," he said.

Translated, it means the U.S. is isolated,

Cuba is respected, and in order to influence Latin America, the U.S. had to end its failed policy. The peoples of the Americas and the world have long demanded an end to the criminal U.S. blockade against Cuba and opposed U.S. interference. This is reflected in repeated UN resolutions to end the blockade, with the most recent vote being 191-2. The U.S. and Israel were the only no votes.

Imperialist System of States Cannot Be Remade

In affirming U.S. readiness to use force without limit, Obama said, "No nation dares to attack us or our allies because they know that's the path to ruin."

"In today's world, we're threatened less by evil empires and more by failing states," he said making it clear the U.S. will continue its aggressive regime change course.

Obama expressed the main agenda of the U.S. imperialists today to make sure the U.S. continues to be world police despite its failures in Afghanistan, Iraq, Libya and all the other countries where it has committed heinous crimes and aggression.

"The international system we built after World War II is now struggling to keep pace," Obama said, "It's up to us to remake that system. And that means we have to set priorities."

If his presidency is any guide, "remake" means that the clandestine use of police powers to undermine and subjugate governments will become more and more overt.

Here he is also referring to the imperialist system of states, led by the U.S., that established NATO, imposed occupations of Korea and Japan, and backed military



dictators worldwide. The end of the Cold War was supposed to mean the victory of this system of states, a "peace dividend" and prosperity. Yet twenty-five years later, the U.S. has unleashed widespread anarchy, chaos and increased violence. Indicating this will persist, Obama admitted, "Instability will continue for decades in many parts of the world — in the Middle East, in Afghanistan and Pakistan, in parts of Central America, Africa and Asia."

"Priority number one is protecting the American people and going after terrorist networks," he said.

The striving of the peoples, following the victory over fascism in World War II, and today, is to defeat the racist, anti-people Might Makes Right dictate of big military powers. Then and now providing guarantees for rights which belong to all human beings must come first, including the right of the peoples to determine their own affairs without foreign interference.

This striving is what determines the forward march of history. Obama's lament over the U.S. failure to get the entire world to agree to submit to the U.S. dictate and his threat of more violence to come will not resolve the problems the U.S. is encountering at home or abroad. It may work to reassure the U.S. arms providers and warmongers but that is all.

Visit our website: usmlo.org

The Best Way to Close Guantánamo? Give It Back to Cuba

Alli McCracken, CodePink

In one fell swoop, President Obama could erase the stain of Guantánamo and make major headway on normalization with Cuba.

President Obama should be given props for the progress made in thawing U.S.-Cuban relations, but there is a piece of unfinished business on the island that he could — and should — still attend to: returning the U.S. naval base at Guantánamo to the Cuban people.

In doing so, he could also solve another dilemma that has plagued his administration: closing the Guantánamo prison.

In November 2015, CODEPINK brought 60 delegates to the city of Guantánamo for an international conference about the abolition of foreign military bases. To explore the impact of the Guantánamo naval base on the Cuban people, we took a trip to Caimanera — a small town of 11,000 people that abuts the U.S. naval base on the southeastern coast of Cuba.

Caimanera is hot and humid. Small, colorful, but dilapidated houses pack the narrow town streets. There are crowded sidewalk cafes where highly coveted WiFi is available. In the middle of town there's an impressive central plaza decorated by statues of Cuban revolutionary heroes and surrounded by schools, a community cultural center, Committee of the Defense of the Revolution offices, and more.

Since 1903, Caimanera has been a neighbor to a 73-square-mile U.S. naval base. Before the 1959 Cuban Revolution, Caimanera bustled with visiting American civilians and Marines from the base who poured million of dollars into the tourist industry — mostly through bars and prostitution. Thousands of Cubans were employed on the naval base. After the revolution led by Fidel Castro, the U.S. severed relations with Cuba and U.S. military personnel were restricted to the base. The Cuban government stopped cashing Washington's annual \$4,085 rent checks and demanded that the land be returned to the Cuban people.



As our buses pulled into the town, it was as if the entire community had come out to greet us. Men in suits, women in work uniforms, people holding large banners calling for the closure of foreign military bases, and hundreds of children in their school uniforms all lined the streets, smiling at us and waving Cuban flags. In fact, the whole town had come out to greet us, and they looked positively thrilled that we were there.

We spent the day touring the town with the mayor and the governor of the province of Guantánamo. We visited a lookout point where we could see Cuba's unwelcome neighbor through binoculars. The U.S. naval base, we were told, is an illegal occupation of Cuban land that violates the territorial sovereignty of the island. The base sits on a critical part of the bay that would vastly improve the local economy if the land were returned. They believe, as Raul Castro has said, that the closure of the base is a condition for the full normalization of relations between the two nations.

One part of the base that our Cuban hosts find particularly egregious is the infamous Camp X-Ray and the other buildings that form the U.S. military prison that's housed 779 prisoners from the "war on terror" since January 11, 2002. The Cubans are well aware of President Obama's 2008 campaign promise to shut down the prison and his subsequent failure to follow through.

Seven years later, 105 prisoners still languish there.

January 11 marks 14 long years since the first prisoners arrived at the notorious prison. Human rights activists and advocates across the world are demanding Obama utilize his executive powers to close the prison and put an end to this blight on America's history.

Blaming Congress for the hold up in closing the prison, President Obama has run out of excuses. Some of Obama's top Guantánamo experts have argued that the President doesn't need congressional approval to close the prison — after all, President Bush didn't get congressional approval when he opened it. They claim that according to the Constitution, Congress cannot specify facilities in which particular detainees must be held and tried.

In his last year in office, President Obama must right two wrongs that would help salvage his legacy: Close the U.S. military prison at Guantánamo, and announce a willingness to close the naval base there as well — and then return the land to the Cuban people.

President Obama has said he would like to visit Cuba before leaving office. Would it not be grand if he visited Caimanera to announce the closure of the prison and return of the lovely Cuban seaport to its rightful owners? The people of Caimanera — indeed people the world over — would come out to cheer him.

I • TIME TO ORGANIZE

do this without a concerted and organized fight to defend our rights!

Elia, Cash and Governor Cuomo are all striving to keep people off-balance. More and more powers are given, as evident from Elia's December 22 "Order" (see below). The powers include actions, like involuntary transfers, and firing of the entire staff of a school, that can be taken at anytime. Yet Cash refuses to say when such actions will occur and at which schools.

Additionally there is the confusion spread by Governor Cuomo claiming there will now be a moratorium on consequences to teachers and students based on the Common Core testing regime — yet receivership stands. Receivership is perhaps the greatest consequence from Cuomo's test and punish regime, yet it stands. Involuntary transfers are certainly a consequence, yet powers to carry them out are imposed.

All of this is to create an atmosphere of doubt and fear coupled with wait and see. Will Elia and Cash really exercise these powers? Will they fire an entire staff? Will they target union organizers and teachers speaking out for the involuntary transfers? Yes, yes and yes! The powers were cre-

ated and now extended to be used. Cash will use them at a time most beneficial to him and when he expects the least resistance.

He will likely target what he considers the weakest link first, perhaps Burgard, or Futures, or one of the other five persistently struggling schools. Or he may do nothing with these schools so as to lessen resistance, especially for example to attacks on South Park, while planning with Elia to have these schools go to an independent receiver. He very likely will begin attacks on the 15 struggling schools, particularly since he has to give notice by February 1 for actions like changing the length of the school day and year. But involuntary transfers can take place anytime, with only a 15-day notice to teachers.

The issue facing teachers, students, staff and parents is that Cuomo, Elia and Cash are all in action now. We cannot wait. We must be pro-active in mounting our resistance and stepping up our fight: *Our Schools, Our Rights, We Decide!* Important steps to strengthen organizing can be taken now. We want to ensure no teacher is left isolated facing an involuntary transfer. We want to ensure the many parents and students organizing to refusing the tests are united with those refusing receivership. The testing regime and receivership go hand in hand and those refusing must as well!

We urge all together to join organizing efforts including:

1) Develop a Refuse Receivership and Testing phone tree, among teachers and students, in each building and district-wide, beginning with receivership schools but including all schools. It is vital to unite teachers and students district-wide. Each person on the tree calls five more people, with people responsible for coordinating the tree in each building and district-wide. Such a tree would alert to any attacks at



any of the schools, provide the means to call emergency actions as needed, and strengthen working relations among all concerned. If you are interested in participating in such a tree contact Buffalo Forum at 716-602-8077.

2) Establish, with teachers, students, parents and community activists, Emergency Responder Teams, prepared to immediately act at any school where involuntary transfers and/or unjust firings or other attacks occur. These responders would go to the school the very next morning, for informational pickets, leafleting, as well as issuing press releases, etc.

3) Inform fellow teachers, students and parents of the right to refuse the Common Core tests and join in distributing refusal letters at schools and events. The more students refuse the tests, the more illegitimate the test and punish regime, including receivership, becomes.

4) At school board and other meetings, denounce unjust involuntary transfers and firings without cause and demand: Smaller classes, more music, more guidance counselors and a *pay raise* consistent with the vital job teachers and staff perform!



I • ELIA EXTENDS ATTACKS ON RIGHTS

to fire the entire staff, without cause, at a receivership school, change the curriculum and programs, or convert the school to a private charter school.

Involuntary Transfers Anytime

A main demand of receiver Cash imposed by Elia is the ability “at any time and for any constitutionally or statutorily permissible reason to involuntarily transfer teachers at the “struggling” schools regardless of seniority or status as the building union delegate,” (p.34). As well, “Notice of the involuntary transfers shall be given to the affected teacher...at least 15 days prior to the effective date.”

Given that the transfers can be done at any time, this means Cash could begin such actions now. The fact that this may occur is indicated in the wording of the power, which says, “with respect to involuntary transfers which take effect *during the school year* after the first two weeks of school, the teacher shall be allowed up to two days in which to make the move,” (BF emphasis). As well, given that both Cash and Elia repeatedly refer to the need to “improve student performance” in receivership schools as “rapidly as possible,” it is likely that these involuntary transfers will begin occurring soon. The “Order” does not require notification to the principal or union, just the teacher.

The “Order” also basically gives Cash power to make such involuntary transfers for any reason. He can say they are necessary to provide a “sound and basic” education to the students, a constitutional reason. Or, as Elia puts it in her “Order,” he can say it is necessary to meet the requirements of the law for improving student performance as rapidly as possible. He does not have to actually factually demonstrate that this is true, simply assert it. The teachers involved are given no recourse.

Cash is also given the power to prevent teachers from transferring. Teachers wishing to transfer from receivership schools must submit an application by March 23. However, the receiver can refuse the request. He must do so in writing and provide the reason. The receiver also has to make a “good faith recruitment search for a certified

and qualified candidate and determine that there are no available persons qualified to perform the duties” (p.28) of the teacher requesting the transfer.

Both for involuntary transfers and blocking transfers, Elia and Cash claim these powers are necessary “in order to ensure that effective and highly effective teachers at “struggling” schools continue to teach at those schools,” (p.28). Given that there is now supposed to be a moratorium on consequences to teachers from state Common Core testing, it is not clear how Cash and Elia will determine which teachers are “effective” and “highly effective.” This is the language of the testing regime, which uses student test scores as the main basis for rating teachers as effective or ineffective. The “Order” indicates that despite the supposed moratorium, teachers and students in receivership schools face serious consequences from what even Governor Cuomo admitted were invalid tests.

The plan to impose involuntary transfers anytime is highly disruptive and creates unstable conditions, where teachers and students never know who will be next and when and they have no say in keeping teachers they consider positive and important at their schools.

Extending School Day and Year

Receiver Cash has been given powers to extend the school day and year, to change starting and ending times of the school day, and to “modify the schedule at any time...for the purpose of adding more common planning time.” Cash will be able to “extend the school day and/or year at any of the struggling schools by expanding student learning time by a minimum of 200 student contact hours per year.” If he lengthens them more than that, he is required to notify teachers at the given school in writing by February 1 for the following year. Thus any or all of these 15 schools could each have different lengths of the school day and year. Teachers are to be compensated at their hourly rate for the longer school day and a proportionate increase for the school year of 1/200th of their annual salary. **All 15 schools should be prepared for such notification this February 1.**

In addition, receiver Cash can change the starting and ending times for each given school. At present, the earliest start time is 7:50 and the latest end time is 3:40. Cash can change these times as he sees fit. He is to do so prior to the start of the school year and the District is required to notify teachers by February 1.

Thus, all these schools may be told on February 1 that their length of day and year has changed and so too have their start and ending times. There is no requirement that they be the same for all the schools. Cash does not have this power for the non-receivership schools, so one can imagine the chaos that can ensue for parents and students as these changes are made. Certainly it will impact after school and sports activities, issues of day care, etc.

Further, it is well established that if the longer day and year are mainly used for more testing and test preparation, there is nothing to say these changes will improve the quality of education. Indeed, they could make conditions worse. More time without regard for the content and quality of the time could very well be a waste of time.

As indicated by the refusal to demand smaller classes, or more music, or other qualities that improve education, these powers are designed to attack the rights of teachers and further remove teachers, parents, staff and students from having a say in matters of education. We together are the experts, yet we are to have no say, while Cash and Elia concentrate more and more power in their hands. Such dictate is not democratic and is directly contrary to the right of the public to decide. This decision making by teachers, staff, parents and students together is what will improve the quality of education.



FRIEDRICHS SUPREME COURT CASE

Opposing Attacks on Unions While Organizing to Revitalize Them

The Supreme Court heard oral arguments on the *Friedrichs v. California Teachers Association* case January 11. The case involves the current ability of public sector unions to secure “agency fees” or “fair share fees.” For many public sector unions, including teachers, people can choose whether or not to join the union. The unions, however, are required by law to bargain on behalf of every worker in a unionized shop, even if those workers do not join the union. Non-members receive the same higher wages and benefits enjoyed by their coworkers who belong to the union. The “fair share fees”

are used by the unions to recoup the cost of services performed for non-members. The fees commonly come directly out of the person’s check.

With the *Friedrichs* case, the Supreme Court is being asked to overrule its 1977 precedent in *Abood v. Detroit Board of Education*. *Abood* authorized states to require workers who are not union members to pay the “fair share fees” — which are the portion of union dues that go for collective bargaining. That decision held that public sector workers were not required to join unions or fund their political activities.

The *Friedrichs* plaintiffs are now arguing that collective bargaining in the public sector, even on pay and conditions, is by definition political. By forcing them to pay for bargaining objectives they do not support, they claim the law is violating their First Amendment rights (see p.12-13 for more on the case). They are hoping to eliminate the ability of the unions to



secure the “fair share fees.”

The case represents a significant attack on public sector unions, as it is a means to deny the unions funds for organizing of various kinds, including bargaining, and an effort to split the ranks of the workers. It is also being promoted that existing union members will quit, so as not to pay dues. Indeed, there are doomsday predictions that the unions will be eliminated or at least greatly weakened — certainly the hope and aim of those that brought and are backing the suit.

However, what happens depends largely on the mobilizing and organizing efforts of the unions and their members. For example, Alabama, which prohibits “fair share fees” and is a “right to work (slave)” state, has some of the strongest, most politically active unions in the country.

There is no doubt the attack on unions that *Friedrichs* represents should be firmly opposed. There is equally no doubt that preparations should be

made now in the event the Supreme Court rules against the unions in June. Such an action presents an opportunity to mobilize membership and to work to revitalize and renew the existing unions, so more will want to join.

The current situation often has top union leaders with large sums of money at their disposal, which are not used in the interests of the workers. This is especially evident at election time, when huge amounts are given to campaigns of anti-worker politicians like Cuomo and Clinton. It is also often the case that the membership does not get to decide how the funds collected are utilized. As well, demands for greater resistance are blocked,

as the practice of having the executive decide holds sway.

However, when it is necessary to go to members and discuss the role of the union and justify collecting funds, the need for members to have more of a say presents itself directly. So too does the character of the union as a fighting force, or not. The problem is not so much that some people may quit or not want to join. The problem is more organizing for the revitalization and renewal of the unions so that democracy is expanded and the rights of workers better defended.

Increasing the role and decision making by the membership, including in how funds are spent and how resistance is organized and developing new social forms for discussion and debate, are means to do this. Far from considering *Friedrichs* a “death knell,” it is instead bringing to the fore the necessity to revitalize the unions and strengthen them as fighting organizations.

Supreme Court Case Poses Threat to Teachers' Union Financing

Stephen Sawchuk, *Education Week*, July 1, 2015

The U.S. Supreme Court this week agreed to hear a challenge to its 40-year-old precedent permitting public-sector unions to compel nonmembers to pay service fees, a move that threatens to further undercut the already weakened labor organizations, including in K-12 education.

If the court overrules its 1977 decision, teachers' unions in 25 states and the District of Columbia could no longer collect the fees from teachers who do not wish to be members. "The court is threatening to put a dagger very close to the heart, financially speaking, of the way labor unions operate," said Lee Howard Adler, a lecturer at Cornell University's Institute of Labor Relations and an expert on public sector bargaining.

Brought by 10 California teachers and a Christian educators' group they belong to, *Friedrichs v. California Teachers Association* alleges that requiring nonmembers to pay what's called "fair share" fees violates the teachers' constitutional rights to free speech. Unions charge those service fees to cover the administrative cost of bargaining policies that benefit all teachers, such as salary increases.

A Ground-Shifting Case

The Supreme Court's decision to take up the case was not a surprise. The precedent permitting public-sector unions to collect fair-share fees, *Abood v. Detroit Board of Education*, narrowly dodged a bullet last year when the court stopped short of invalidating it in its ruling in *Harris v. Quinn*.

In that 5-4 decision, the court held that unions could not compel payment of the fees from Medicaid home-healthcare workers because they were not truly public employees, and therefore not covered under *Abood*. But writing for the majority, Justice Samuel A. Alito Jr. devoted page after page to undermining *Abood*, calling it "an anomaly" that does not fit well with



First Amendment rights. In effect, the ruling invited a more focused challenge to the precedent.

Enter *Friedrichs*, which takes aim at the California chapter of the National Education Association and several local affiliates.

The plaintiffs' argument in *Friedrichs*, in essence, contends that the very act of collective bargaining is political because the teachers' unions sometimes take positions — on seniority or evaluation, for example — that nonmembers may not support.

The nonunion teachers lost in a federal district court, and the U.S. Court of Appeals for the 9th Circuit, in San Francisco, ruled last year that they could only win if *Abood* were overruled by the Supreme Court. [...]

Unions Embattled

According to its most recent federal labor filings, the 3 million-member NEA has some 90,000 additional nonmember fee-payers. The American Federation of Teachers, which represents 1.6 million members, did not give a figure for nonmembers who pay fees.

The loss of fair-share fees would sting,

but a bigger blow could be the potential departures of members who joined their local unions only because of the typically slim difference in cost between the "fair-share" fee and full membership. If the "fair-share" fee is eliminated, many such teachers may choose to boost their take-home pay by dropping their memberships.

Meanwhile, the case comes on the heels of several years of political attacks on unions. The NEA saw thousands of member losses after the 2010 election tilted statehouses rightward and several states prohibited or restricted collective bargaining.

Critics of the fees have also doubled down. In March, Michigan became the 25th state to pass a right-to-work law prohibiting the collection of "fair-share" fees. Unions generally see the attack on "fair-share" fees as another attempt to weaken public-sector unions. They note that the push to overturn *Abood* and to craft right-to-work legislation has been funded by conservative groups.

Indeed, a blow to *Abood* could have major political ramifications. Labor unions heavily support Democratic candidates. [...]

Union Case Before Supreme Court Draws Major Legal Backing on Both Sides

Ned Resnikoff, Al Jazeera

On January 11, the United States Supreme Court heard oral arguments in one of the most significant cases of this term: *Friedrichs v. California Teachers Association*, a nearly three-year long legal battle.

At stake is whether public sector unions can constitutionally charge “fair share” fees to non-union members of the workplaces they represent. The contract that a union negotiates with the management of any given shop applies to all employees, union and non-union alike. As a result, unions in 25 out of 50 states are permitted to charge non-union workers for the expenses associated with representing them.

Rebecca Friedrichs, a California schoolteacher and the lead plaintiff in the *Friedrichs* case, filed in April 2013, argues that the fees imposed on her by the California Teachers Association infringed on her First Amendment rights because they compel her to subsidize the activities of a political organization. If the Court sides with Friedrichs, then no public sector union in the U.S. would be

permitted to charge “fair share” fees. That would make it so all 7.2 million public sector union members operate under “right-to-work” rules.

These fees are already banned in 25 states by so-called right-to-work laws, and union membership has declined in those states where they have taken effect. If those rules cover the entire public sector, unions fear they will take a serious blow in the one sector of the economy where they have been able to maintain strength. Whereas only 6.6 percent of private sector workers are unionized, according to the most recent figures from the federal Bureau of Labor Statistics, more than one-third of government employees are in unions — for now.

Organized labor, its allies, and their opponents have all taken note. The evidence is in the 58 amicus (friend of the court) briefs filed in the *Friedrichs* case, according to the tally on the website SCOTUSBlog, which tracks Supreme Court cases and related filings. Only the affirmative action case *Fisher v. University of Texas at Austin*, with 92,

has drawn more amicus briefs in this term. Overall, the median number of amicus briefs filed per case this term was just three.

Most amicus briefs do not have much of an impact on the outcome of a case, but they do indicate whose interests are at stake.

Not surprisingly, the major public sector unions, including

the American Federation of Teachers and the National Fraternal Order of Police, and the AFL-CIO, the biggest U.S. labor federation, filed briefs in support of the California Teachers Association, urging the Court not to eliminate representation fees.

Friedrichs and the other petitioners, meanwhile, won support from libertarian think tanks such as the Cato Institute and Michigan’s Mackinac Center and business groups such as the National Federation of Independent Business (NFIB). [...]

Some labor experts say business groups, in particular, are sensitive to the broader significance of the *Friedrichs* case: a blow to unions in the public sector could also weaken the union movement in the private sector. Paul Secunda, the director of Marquette University Law School’s Labor and Employment Law Program, noted that Wisconsin Governor Scott Walker first moved to limit the collective bargaining rights of public sector unions before signing a right-to-work law in 2015 that affected unions in both sectors. “You can’t separate public sector unionism from private sector unionism,” he said. [...]

Not all the amicus filings were split along typical conservative-liberal lines. A group of 47 current and former Republican state legislators, and one former member of Congress, filed a brief in favor of the California Teachers Association, arguing that instituting right-to-work rules should be left to individual states. A ruling in favor of *Friedrichs*, they wrote, would be “inconsistent with the significant deference long accorded state determinations about how labor relations in public sector employment should be ordered.” [...]

If those arguments fail and the Court sides with Friedrichs, it will not be a “death knell” for public sector unions, said Secunda, the labor law professor. But it will make the model under which they currently operate less sustainable.



JANUARY 30, 2016

Local 1005 USW Issues Call to Go All Out for the Success of Hamilton Day of Action

TML Daily, cpcml.ca

"The People vs. U.S. Steel," Hamilton Day of Action, January 29, 2011.

Gary Howe, the President of Local 1005 USW chaired the final Thursday Meeting of 2015 on December 17. Gary emphasized the importance of going all out to mobilize for the Hamilton Day of Action on January 30, 2016. He said a delegation of steelworkers went to Oshawa to inform GM workers of Unifor Local 222 of the struggle active and retired steelworkers are waging to defend their rights. The autoworkers for starters committed to sending a busload of workers to the day of action. The steelworkers also distributed 200 copies of Justice for Injured Workers while in Oshawa.

Gary said the union met with the Mayor of Hamilton to emphasize the importance of standing together at the rally to defend the city. He said the Mayor of Haldimand has also been invited. We also spoke to the Essar steelworkers in Sault Ste Marie to encourage them to participate, Gary said. Their mill is also under the fraudulent bankruptcy protection of the Companies' Creditors Arrangement Act (CCAA).

Addressing the Importance of Local 1005's Thursday Meetings

Former President of Local 1005 Rolf Gerstenberger, the originator of the Thursday Meetings, also spoke on December 17. He thanked everyone for their continuing participation in the Thursday Meetings. They are a means to sort out problems and decide on a way forward, he said. Since their inception, the Thursday Meetings have been an invaluable method in assisting Local 1005 in guiding the defense of the rights of steelworkers and the interests of the city and the country.

Rolf then briefly reviewed the history of the fight of the union members and supporters since the Stelco days to the present period. Right from the beginning, Stelco's first foray into bankruptcy protection under CCAA in 2004 quickly revealed itself as a fraud and tactic of monopoly right to break existing laws governing pensions, the collective agreements of unions and other arrangements, and to trample on the rights of all including those of small and medium-sized businesses and local municipalities. This fraud encompasses both the CCAA process and the actions of the governments.

Rolf said the union had consistently asked the provincial government and

the company to follow the law under which arrangements had been made to deal with pensions and other issues such as wages and working conditions in a union contract. As far back as the 1990s and then when the economic crisis hit in 2002 and again in 2008, the province kept insisting that the Stelco and U.S. Steel cases were exceptions and not to worry about pensions or anything else.

At first, it was the "too big to fail" fraud governing the exception made for Stelco. But that was blown away in 2004 with the company's entry into CCAA. At every turn of the road, Rolf said, the governments gave concessions to Stelco that allowed it to bypass the law and its previous commitments, over the objections of the workers. The federal and provincial governments repeatedly assured steelworkers that they had nothing to worry about, first with Stelco and then again with the even larger monopoly U.S. Steel by invoking the fiction that the companies surely would not fail and the pensions were safe. Under this deception, the Ontario government gave U.S. Steel the same pension deferral on payments

All Out for Day of Action • 15

JOIN LOCALS 1005 AND 8782 USW FOR HAMILTON DAY OF ACTION JANUARY

Stand as One in Defense of the Rights of All!

Rolf Gerstenberger

The situation at U.S. Steel/Stelco needs the people's intervention. When the people stand as one for a just cause it makes a difference. U.S. Steel has attacked not just active and retired steelworkers and salaried employees but also the Ontario and municipal governments, suppliers, contractors, our collective economy and social fabric. It has assaulted the rights of all and the common good.

The U.S. monopoly's refusal to pay municipal taxes and honor its legally binding and public commitments to the federal and Ontario governments, Stelco employees and pensioners, its conscious destruction of Stelco's productive capacity and appropriation of its order book [[[what is this?]]] all point to a deceptive scheme to manipulate legalities and the bankruptcy court.

U.S. Steel owes contractors and suppliers \$78.8 million, which it refuses to

pay. Many of the 190 local Hamilton companies owed money will go out of business if the bills are not paid. U.S. Steel owes the province a \$150 million loan, which it refuses to pay. It owes the Stelco pension funds \$830 million to make them whole, which it plans to dump on the Ontario government. When U.S. Steel bought Stelco it pledged to honor the pensions using its global holdings as collateral not its Canadian assets alone, but this it now refuses to do. It has run away from a legal commitment to pay post-retirement benefits for Stelco workers worth \$790.2 million. It wants to abandon any long-term commitment for environmental cleanup. It has consistently refused to use revenue to renew and improve the productive capacity of the two mills. It deliberately defied its solemn legal commitments under the Investment Canada Act to

reach certain production and employment quotas. The destruction of actual and potential social wealth from steel production at the mills is the underlying factor destroying the economic base of employment, pensions, benefits, taxes, and environmental cleanup.

U.S. Steel's manipulation of its position is evident. It has set out to liquidate Stelco as a competing steel producer and abscond with its order book. U.S. Steel wants to sneak back to the U.S. without losing any of the funds expended to destroy Stelco, while absconding with its most lucrative customers.

U.S. Steel has attacked our community's social fabric. In doing so it has trampled on Canada's legal system and the law itself. U.S. Steel is using the deception of bankruptcy protection under the Companies' Creditors

Defend the Rights of All • 16

14 • ALL OUT FOR DAY OF ACTION

to make the pensions whole, and even went further by eliminating a special clause prohibiting U.S. Steel from paying dividends to its shareholders as long as the pensions were not made whole. As it turned out, as everyone now knows, U.S. Steel never had any intention of fully funding the pension plans and is now attempting to dump the problem on the Ontario government including even the criminal action of cutting off post-retirement medical benefits.

Now Rolf said, the "too big to fail" slogan has faded and the federal and provincial governments just want to wash their hands of their responsibility for causing the mess but we workers do not accept any whitewash and want to hold all of them to account. While governments appear quite willing to let U.S. Steel off the hook to slither back to the U.S. without paying for the crimes it has committed here and even continue selling steel into Canada, we are not willing victims and are doing all we can to hold both U.S. Steel

and governments to account, said Rolf. The Day of Action is an important step in building and sustaining our resistance movement.

Rolf pointed to the Ontario government's farcical appointment of banker Ed Clark to "look into the steel industry and see what could be done." The man is a banker responsible for the criminal privatization of Hydro One. He is not going to decide the fate of the steel industry in the favor of the workers and nation-building, Rolf emphasized. Our rights as workers should be recognized in the decision-making process, he said, and we need to fight to put ourselves in that position as leaders and nation-builders.

Clark, Ontario Premier Wynne, Prime Minister Trudeau and those who own and control U.S. Steel are making decisions against our interest and the collective interest of the nation and economy, Rolf said. They can do this because we the workers have not put ourselves in a position that is organized enough and powerful enough

where we exercise our own influence and authority over the direction of the economy and nation in the public interest and deprive the ruling elite of their power to wreck the economy and trample on our rights.

The Thursday Meetings are an important part of involving workers in discussing what needs to be done and working out solutions of how to turn the situation around, he said. He concluded by calling on the workers to solve the problem of making the Day of Action a success as an expression of opposition to this blatant attempt to defraud the workers and pensioners of what belongs to them by right.

When U.S. Steel bought Stelco it pledged to honor the pensions on the basis of its global holdings, not on a Canada-stand-alone basis. No amount of shenanigans should permit it to be let off the hook.

*All Out to Make the January 30
Hamilton Day of Action a Success!
Join Locals 1005 and 8782 USW in*

15 • DEFEND RIGHTS OF ALL

Arrangement Act (CCAA) to negate its legal commitments, to find a way around any law or arrangement that upholds the greater and common good. The CCAA is a concoction of big business that is undermining the relationship of the courts to Canadians.

It is as clear as clear can be that the commercial laws adopted by governments and the courts are meant to ensure human beings comply with the rights of private property which required at the very least an appearance that this served the greater good. The greater good was based on a covenant known as "all for one and one for all," the slogan adopted by the unions themselves as their motto. However, the CCAA and its rulings are not informed by this covenant. U.S. Steel and other monopolies that use the CCAA have declared a new covenant that nobody signed on to: all for one. To negate both the greater and common good, it has cast aside the one for all. The all for one without one for all becomes all for the most powerful, all for the most privileged with the deepest pockets and all others be damned. A society cannot be built on this basis. It can only be destroyed.

The courts, officials and governments

are duty bound to reject the breaking of the covenant to defend the greater and common good. They are duty bound to hold U.S. Steel to its responsibilities under the law. To close their eyes to the evidence of an unscrupulous plan and then declare the actions of U.S. Steel legal through CCAA must not pass. This tramples not only on the legal covenant to defend the greater good but the social fabric of Canada upholding the common good.

Please join USW Locals 1005 and 8782 on January 30 in front of Hamilton City Hall to stand as one in defense of the rights of all and to declare that might

does not make right. All are committed to uphold what governments of laws have established. The people cannot let U.S. Steel get away with what everyone clearly perceives to be profit-making manipulation and ill treatment of its workforce, the city, the province and country. It cannot be allowed to act with impunity and spend millions of dollars to prove a contrived fantasy of itself owing a debt to itself using the most improper creative accounting.

U.S. Steel thinks it can defy the laws of governments because the courts do not reprimand or sanction it. They permit the most egregious violations of human

conduct in the name of all for one. This must not pass!

The Stelco mills are needed for the greater good, to serve the economy and social fabric of our community and the common good. U.S. Steel's wrecking must be stopped! Stand as one in defense of the rights of all! Keep Stelco producing! Keep Hamilton producing! Keep Canada producing! All out to make the January 30 Day of Action a success!

**JOIN THE BUFFALO DELEGATION TO
THE HAMILTON DAY OF ACTION****SATURDAY, JANUARY 30 • 1:00 PM****HAMILTON CITY HALL, 71 MAIN ST. W.,
ONTARIO****FOR INFORMATION:
BUFFALO FORUM: 716-602-8077**