Robert Joe Pierpont

New Stage In The Longshore Struggle

AFTER FOUR LONG YEARS of legal battles to have their case heard, 51 West Coast longshoremen have won the right to file suit in Federal District Court against Harry Bridges, President of the International Longshoremen's and Warehousemen's Union (ILWU) and all officials in the union and management responsible for their firing in 1963.

On August 28, 1967, in a unanimous ruling based largely on a recent Supreme Court decision (Vaca v. Sipes, February 27, 1967, 386 U.S. 171), the Ninth Circuit Court reversed the decision of the Federal District Court in October 1965, dismissing the complaint in which the longshoremen alleged that they had been arbitrarily and discriminatorily deregistered (fired). In their decision, the Circuit Court judges noted that the earlier dismissal by the Federal District would have been improper even if only one of the longshoremen filed an affidavit that "shows insistence on false charges, refusal to hear the employee and deliberate evasion of fair consideration." The court further called attention to the fact that none of the several affidavits filed by Pacific Maritime Association (PMA) officials "show that any of the plaintiffs deserved deregistration or that they were properly deregistered under any rules, valid or invalid," and "none of the affidavits tend to show that the plaintiffs could not prove the aforesaid allegations of their complaint."

THE STORY STARTED on June 17, 1963 when 82 full time San Francisco longshoremen with four years seniority were sent unsigned form letters on the stationary of the Joint Port Labor Relations Committee of the PMA and the ILWU.* The letters informed the recipients that they were fired.

The decision to fire these men was engineered by ILWU President Harry Bridges and made at secret trials and meetings. The letters did not inform the accused of their crimes but simply indicated that they had been found guilty of infractions of rules and that if they could supply proof in writing of their innocence, they would be allowed an *ex post facto* appeal hearing.

Approximately 70 of the 82 fired men were granted appeal hearings. (Some of the men were so disgusted they refused to appeal.) The hearings took place on July 11, 1963 in a seedy loft on Pier 24 of San Francisco's Embarcadero. The jury to which the appeal was being made was composed of the Joint Port Labor Relations Committee, aided by several PMA attorneys and four ILWU prosecutors; the same jury which had tried the men secretly

* For additional background information see: "The ILWU: A Case Study in Bureaucracy", an article in two parts by Stanley Weir, *New Politics,* Winter and Summer issues, 1964; "The West Coast Waterfront" and correspondence by Harvey Swados, *Dissent,* Autumn 1961 and Spring 1962; "Harry Bridges Own Witch Hunt," Herman Benson, *Union Democracy in Action* No. 13, 1964; *Most Notorious Victory: Man in an Age of Auotmation,* Ben B. Seligman, Free Press, New York, 1966; "Harry, The Gag Man," Paul Jacobs, *The New Leader,* July 6, 1964.

and fired them. As each appellant was seated the hearing chairman read a prepared statement which informed him that: (1) He would not be allowed counsel or witness. (2) The prosecution would not produce its witnesses for him to question. (3) He would not be told the nature of the charges against him but only the general area of infraction and if he desired to know the exact nature of the charges, he could go a week later to an ILWU-PMA records office where a clerk would supply him with the information. He should arrive there alone, without counsel or witness. No trial was to be conducted by the clerk. The hearing constituted the basis for the decisions that would be made on the appeals. (4) He would be notified of the decision in two weeks but if he felt he had been discriminated against and wanted to appeal further, he would have to do so within 10 days or prior to the time he learned the decision of the hearing. (5) Finally, he was informed that the purpose of this hearing was to allow him to make any statement he desired in his own defense.

All hope that the hearing would miraculously save the jobs of the fired men was shattered. Few of the appellants remained for more than minutes. The hearing was simply an extension of the arrogance that, for four years, had buffeted these and 700 other longshoremen hired in 1959 with B (second class) registration. Required to be present in the hiring hall 70% of each week, they were given the hardest and dirtiest cargoes to work: that is, they were given the jobs left over after the A men (union members) had taken their pick.

While they were made to pay dues and work under the jurisdiction of the union, they could not join it. Ironically, these non-union members were forced to do most of the work deep in the ship's holds, the workplace that saw the creation of the militants who built the union in the 1930s. Denied voice and vote, they could attend union meetings only by sitting in a segregated section of the meeting hall balcony. On-the-job they soon became the victims of the speedup. While they lacked union representation, the disciplinary rules governing their conduct were far more stringent than those applying to A men.

WHEN FIRST HIRED they had been told that they would be promoted to A status within "6 months to a year." The staff of ILWU Local 10 began processing them for promotion at the end of 1959. On this and several other occassions, Harry Bridges personally intervened to frustrate the efforts of the local. (Bridges' 1960 Mechanization and Modernization contract which claims to have solved the problem of automation on the waterfronts of the West Coast removed control over registration from the local unions and placed it in the hands of top management and international union officials headed by Bridges).

After three years the tempers of the B men were raw. They had more than served an apprenticeship. They were skilled and held the same responsibilities on the job as did the A men. The A men were in a rebellious mood also. Everyday they had to listen to the B men criticize them for not being able to run their union, and in many cases the B men were their sons or nephews.

This pressure and the increasing shortage of skilled men made Bridges and the PMA officials decide to upgrade the B men to A status and hire a new, B list. A star chamber committee of men willing to carry out Bridges' wishes took the job of screening applicants for A status away from Local 10. Approximately two months before the promotions were to take place this committee announced that all those B men who were not promoted would not be allowed to remain B men but would be fired. At a subsequent meeting of Local 10 they asked that the membership vote to fire "about 90 B men." The names of the 90 were withheld. The membership refused, particularly since the local union had discovered irregularities in the committee's screening methods.

At a subsequent meeting the Secretary-Treasurer of Local 10 reported that Bridges and the employers had already signed for the A registration of over 400 B men, yet Bridges announced to the meeting that none of the B men would be promoted unless Local 10 voted to fire the 90 . . . "you are not going to let the few stand in the way of the many are you?"

The coercion attempt worked and approximately 90 "John Does" were voted out and Bridges had spread his crime and guilt among almost the entire membership. On June 17, 1963, approximately 500 B men were promoted to A status simultaneous with the firing of 82 men. Within the next two weeks what Bridges had accomplished became apparent. During the suspense of the long weeks prior to the firing, all B men (except those few who had separated themselves from their fellows by their slavish support of Bridges' anti-B men policies) feared that they would be among the condemned. As the names of the 82 became known it was clear that the entire process had been a frameup. The victims were innocent of all miscounduct. They had not been fired under the existing stringent rules, but rather under rules never published, or in any way made known, prior to the firing. Their crime was simply that they had a critical attitude toward those who had created and were and are perpetuating a second class citizenship system among workers in the stevedoring industry. All realized that they could have been among the 82.

This realization won for Bridges what in the opinion of this writer was his primary goal in the entire affair. The promoted men entered the union intimidated and to this date have not shaken the pre-1963 relationships of power in Local 10 which are so advantageous to Bridges.

On the night of July 11, 1963, the membership of Local 10 passed two motions demanding that the fired men be returned to their jobs. The staff of local 10 took the motions to the port labor relations committee and could not get agreement. At the next higher, or Area Labor Relations Committee level, a rump meeting was called and the one union representative present (who was also a member of the star committee that had originally selected the 82 for firing) colluded with the employer representative and killed the Local 10 motions "in committee."

Abandoned, over fifty of the 82 applied for unemployment insurance only to find that their right to it had been challenged by the PMA. In two subsequent hearings the fired men won their appeals and the hearing boards ruled that they should not have been fired. In April 1964, having been

denied all further appeals, they filed suit in Federal District Court against Harry Bridges and all officials in both union and management who were responsible for their firing. Their complaint asked that they be returned to their jobs, promoted to A status, with full rights and compensated for lost income.

They obtained the support of the Workers Defense League which helped them form a group of sponsors for their Longshore Jobs Defense Committee. The sponsors group is composed of Daniel Bell, Herman Benson, Dr. Thomas N. Burbridge, Matthew D. Clarke, Herbert Gold, Gordon Haskell, Nat Hentoff, Herbert Hill, Norman Hill, Paul Jacobs, Julius Jacobson, S. M. Lipset, Philip Selznick, Rev. William Shirley, Harvey Swados and Norman Thomas and is chaired by Bayard Rustin and Michael Harrington.

The WDL supplied the fired longshoremen with attorneys who also had to take over the work in three legal cases: the San Francisco longshoremen, a similar group of longshoremen in the Port of Stockton, California, and the libel suit that Harry Bridges pressed against the sponsors shortly after they publicly announced their support of the fired longshoremen.

In October 1965, the Federal District Court dismissed the case of the 51 San Francisco longeshoremen stating that the proper place to have sought relief was the National Labor Relations Board. Another five of the original 82 men who were fired had indeed filed complaints with the NLRB and in May 1965, the local NLRB examiner in San Francisco upheld their charges, ruling that they should be returned to their jobs with back pay. In November the general counsel of the NLRB in Washington, D.C. reversed the San Francisco ruling. The only recourse for the five men was to go to the Circuit Court of Appeals. They were unable to do so for financial reasons.

To THE AMAZEMENT OF EVERYONE including the ILWU-PMA officials who conspired to oust the men from their jobs, the 51 plaintiffs have stayed together and sustained the fight to get their jobs back. Ninety per cent of them are Negro and so have had no other choice. Discrimination in the Bay Area job market, Harry Bridges' televised slander that the fired men are "chiselers and crooks," and the four year blot on their job records have kept most of these men in marginal jobs since 1963. There are, however, even deeper motivations for their persistence. Most of them had menial, part time or casual work prior to becoming B men. As B men there was the hope that they could become A men and enjoy the economic advantages involved. A black longshoreman, after all, enjoys quite a bit of prestige in his community. More important, for most of these men, employment on the waterfront was the first opportunity to overcome the castrating matriachal structure imposed on black American families for over 300 years. It promised an end to shining shoes and bussing dishes and an end to the servitude of their wives, many of whom were forced to work as domestics. After their firing, most of these men had to return to menial employment in hospitals, restaurants and hotels and most of the wives had to return to jobs as domestics, full time.

Amazingly enough, these men have kept their deep resentment under control. They feel that the high precentage of Negroes among the 82 fired

is the result of an indirect form of discrimination and callousness in the leadership of the ILWU-PMA. That it was not direct racial discrimination is evidenced by the fact that a little less than half the membership of Local 10 is white. Also significant is that much of the frameup was carried out by Negro ILWU officials. Like many Negro members of Local 10, these officials perpetuate the belief that Harry Bridges is responsible for getting large numbers of Negroes into the longshore industry during World War II. The black B men were free to rid themselves of this myth and to see that Bridges has used the bigotry in other waterfront unions to win for himself a bloc of members who feel obligated to vote for him and his policies. It became important to silence the young Negro (B) longshoremen precisely because they were infecting the older men with their critical attitudes. Bridges cannot stand the loss of his base in the port of San Francisco. Dissent has been growing. 42% of all longshoremen on the West Coast voted against the second of Bridges' "automation" contracts in 1966, and San Francisco was the only major port to give it a majority and the lead necessary to overcome its widespread opposition.

A lot is riding on the case of the 51. Only in the last several weeks, since their court victory, have they been operating from a position of legal strength. It is likely that the ILWU-PMA will appeal the Circuit Court ruling to the Supreme Court They are already seeking a rehearing in the Circuit Court. If they are counting on a denial of justice through delay, they will meet with disappointment. Racial discrimination in our society and a commitment to their own integrity will keep the 51 together for as long as it takes.

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The embattled longeshoremen described in the article, New Stage in the Longshore Struggle, need help to meet legal expenses. If readers would like to help, please send contributions to:

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Robert J. Alexander

"Third Force" In World Communism?

THE ACCEPTED WISDOM would maintain that the once monolithic international Communist movement is divided in the middle 1960's into two major blocs, following the lead of the Soviet Union or Communist China, with a number of individual national CP's attempting to maintain an unstable neutrality between the two large groupings. It is the purpose of this article to explore the thesis that a third bloc is emerging within the world-wide Communist movement, and that it is being inspired, led and organized by Fidel Castro and his associates in the top leadership of the Communist Party of Cuba.

Admittedly, Cuba would seem an unlikely place from which a bid for world-wide Communist leadership would emerge. The power base of the Cuban Communists is very narrow and highly insecure. In an age of super powers of continental dimensions and very large populations, Cuba remains a small island, with a population of seven to eight million people. Its economy is still based largely on the export of a single agricultural product, sugar; its industrial base is weak and not growing with any great rapidity. Its military power, although large when measured by Latin American standards is almost ridiculously small when appraised in terms of those of contemporary super powers. And most important of all, it is still located only a few score miles from the largest of the non-Communist powers.

A Cuban bid for influence in international Communism might seem strange from still another point of view. The Fidelista leaders are latecomers to Communism. Even when they seized power they labelled themselv "humanists" and more or less genuinely denied any association with the Communist movement. It was not until after they had controlled Cuba for more than two years that Fidel officially proclaimed Cuba to be "Socialist" in the Marxist-Leninist sense; it was two and a half years before a Communist Party was formed to lead the Cuban Revolution; and it was not until six years after they had started dominating Cuba that they christened their party the Partido Comunista de Cuba.

Yet there is increasing evidence that Fidel Castro and those associated with him do not conceive of themselves as merely Cuban Communist leaders, or even just as Latin American leaders. Their aspirations and visions of themselves and their role go much further afield. There is growing reason to believe that they see themselves as leaders of a world-wide Communist revolutionary current.