Trashing Identity Politics: Does It Really Get Us Back to Class?

Nelson Lichtenstein
University of California, Santa Barbara

Abstract

Verity Burgmann creates an unnecessary and ahistorical distinction between the politics of class and that of the various identities through which the contemporary working class defines itself. Indeed, her vision of a self-conscious proletariat seems too male and too musty. Racial and gender identities have achieved a privileged status, compared to that of class, but this has less to do with the outlook of the left-wing academy than with the late twentieth-century transformation of law, politics, and social policy, both in the US and other multicultural nations.

The problem with Verity Burgmann's essay is threefold. She creates an unnecessary and ahistorical distinction between the politics of class and those of "identity" in the first instance, and in the second, when she does project a new class politics, it seems hopelessly out of cinch with the texture and contours of twenty-first century social structure and cultural imagery. Finally, she targets the wrong culprits in the creation of this disjuncture between class and identity. While theorists of the "new social movements" have indeed sought to privilege racial and gender identities, or perhaps overcompensate for their neglect during earlier decades, the marginalization of class, as a legal and ideological construct is largely a function of law, legislation, and social policy, far more than it is one of left-wing intellectuals enamored by new social movement scholarship.

Trade unions are in decline throughout much of the world today, and class as a category of analysis is difficult to operationalize, but this is hardly because we have moved from a world of dichotomous classes to a world in which ethnic and racial identities have suddenly intruded themselves into our social and political consciousness. If there is one thing that the last generation of labor and social history scholarship has demonstrated, it is that in the United States, and certainly elsewhere, a consciousness of ethnicity, race, and class can hardly be divorced. In United States history, ethnicity reinforces as much as it divorces class. Indeed, one might well argue that during the hundred years that preceded the Second World War, class rhetoric was as much the language of ethnicity as it was the other way round. Herbert Gutman established his reputation as a founder of the new labor history by demonstrating that nineteenth-century Americans were incapable of generating a class politics that was not thoroughly enmeshed in the ethnic, immigrant culture of the working-class majority. Steve Babson demonstrated that even among the self-consciously socialist, laborite skilled workers of interwar Detroit, Anglo-Gaelic identities and traditions

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boiled just beneath the surface. Gary Gerstle's account of the rise of industrial unionism among French-Canadian textile workers uncovered a dialectic between ethnic self-consciousness and trade-union militancy. The linguistic tropes were not the same as those we would deploy today, but any effort to counterpoise French-Canadian identity and union consciousness during those Depression years would be entirely fruitless, if not reactionary. Likewise, the Latino consciousness that has infused union-organizing activities in so much of Los Angeles during the last decade is not unlike that of the Woonsocket French-Canadians or Slavic steelworkers commemorated in Thomas Bell's *Out of this Furnace.* The problem is not identity consciousness per se, but the legal, ideological, and institutional structures into which such identities are cast.[1]

Verity Burgmann misreads all this when she counterpoises the politics of class identity that presumably characterized the labor movement in the first half of the twentieth century with the politics of "equality of opportunity" pursued by liberals and some on the left in the second half of the century. The problem is that "equality of opportunity" constitutes but a tepidly liberal version of the impulses that have driven the great identity-based social movements of the twentieth century. The discourse of "rights" within American political culture is subject to multiple meanings, some strikingly radical, others of a forthrightly reactionary character. The idea of "equality of opportunity" or as Burgmann quotes Raymond Williams, a "ladder version of society," is but one, decidedly conservative interpretation of mid-twentieth century rights politics. Indeed, one might say that the success elite policy makers have enjoyed in conflating individualist assumptions with those ideas and motivations that initially characterized racial and feminist "identity politics" represents one important measure of the left's historic defeat during the last half century. This has certainly been the case with corporate "diversity management" programs, which have transmuted the affirmative action concept from a demand arising out of the civil rights movement to what one *Fortune* 500 company personnel officer called "an essential management tool which reinforces accountability and maximizes the utilization of the talents of [the firm's] entire work force."[2]

Burgmann's misreading of the American rights tradition therefore leads her to reinvent a new kind of class-based identity politics for the American left. This project strikes me as exceedingly problematic, first because class identity in the US has always been so interwoven with the ethnic, racial, and gender particularities of various regions, cities, and industries; and second because the class identity that Brugmann seeks to reforge seems to me an almost anachronistic throwback to an age when blue-collar workers in heavy industry stood at the center of the Western left's social imagination.

She lauds the cultural and social distinctiveness—the proletarian language, songs, and manner-generated by the Wobblies, the anarcho-syndicalists, the hyper-masculine street fighters, and the revolutionary industrial unionists of the first few decades of the twentieth century. It is highly significant that Burgmann references as her cultural, oppositional benchmark, the self-consciously anti-bourgeois syndicalists of the prewar Anglophone democracies. They were at

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symbolic war with the rest of society, and the militants lauded by Burgmann were not just anticapitalist, but also hostile, so it would seem, to bourgeois morality and Christianity itself. She even lauds Georges Sorel, whose nihilistic conception of the general strike was designed to repel the middle class and widen the gulf that divided workers from even those who presumed to be their allies among the other classes. Indeed, Burgmann is a partisan of the demonstrations at Seattle and Melbourne not because of any "Teamsters and Turtle" coalition building, but because of the outspoken, in-your-face militancy that generated a fission of violence and a street-fighting disdain for the "machinations of the AFL-CIO bureaucrats" who kept union forces out of the "battle zone."[3]

This posture strikes me as a formula for self-ghettoization and political impotence. The syndicalist, prewar distain for bourgeois norms has come into a certain undergraduate fashion of late, of which the revival of Wobbly iconography among campus activists seems a chief instance. But in US history, certainly, none of the great leaps forward by labor were based upon such a self-conscious effort to construct a cultural and linguistic divide between the working class and the rest of the polity. Rather, when we examine the dynamic that made a success of the industrial union upheaval in the 1930s and the movements led by Caesar Chavez and Martin Luther King, Jr. three decades later, we find that the working class advanced its own sense of organization and identity when it successfully linked its fortunes to the symbols, icons, and ideologies of the larger body politic. Indeed, all of America's great reform movements, from the crusade against slavery onward, have defined themselves as champions of a moral and patriot nationalism, which they counterpoised to the parochial and selfish elites who stood athwart their vision of a virtuous society. Such legitimization is an essential element in the movement's capacity to transform dissent and protest into majoritarian sentiment. Thus, the depression-era labor movement deployed huge American flags in all its struggles, even those led by avowed leftists. In the era of the First World War and in the 1960s, and perhaps in our day as well, the national banner symbolized jingoism, imperialism, and monocultural Americanism, but in the 1930s the working-class movement in the US successfully "captured the flag" as Michael Denning, Liz Cohen, Michael Kazin, and other historians have so extensively demonstrated. The national banner then symbolized the power of a newly assertive federal government and the kind of ethnically diverse Americanism the new unions and the New Deal sought to build.

A juxtaposition taken from my recent book, *State of the Union: A Century of American Labor,* encompasses this historically contingent interplay. During the middle decades of the twentieth century, US trade unionism held a legal and political legitimacy, even among those adamantly hostile to its methods and goals. Thus, advocates of African-American freedom, whose movement was still groping for a legal-administrative understructure, sought to deploy the authority of the union idea for their own "race" purposes. In the 1940s when Southern Bourbons wanted to discredit the labor movement in their region, they denounced it as a racially subversive institution that strayed well beyond its presumptive role as a well-constrained collective-bargaining organization. South-

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ern unions, especially African-American unions, were illegitimate because they sought to transform the social structure of the South. Segregationists like James Eastland denounced the progressive black unions then emerging in Memphis, Winston-Salem, New Orleans, and East Texas as Communist-led, integrationist institutions that merely masqueraded as trade unions. In defense, racially progressive unionists, both black and white, sought to deflect this right-wing assault by emphasizing that their organizations were bona-fide trade unions first, institutions concerned with civil rights and race advancement to but a secondary degree. Of course, this was a politically adroit subterfuge, confirmed during the last generation by every historian of the modern South. In the 1940s, as well as in our own time, no distinction can be made along these lines.[4]

By the late 1960s the social and linguistic landscape, not to mention the legal and political infrastructure, had been thoroughly transformed. Thus when black sanitation workers in Memphis sought to win union recognition for themselves, they carried placards that proclaimed "I Am A Man," an identity politics slogan if there ever was one. Indeed, few observers, then or now, think of the Memphis strike as anything other than a civil rights struggle. There is much evidence to show that had it been perceived as some sort of union-management negotiation, it would never have emerged from its initial obscurity.[5] By 1969 Southern elites, as well as union partisans, understood this new dynamic very well indeed. Thus when Hospital Workers Local 1199B sought to build an organization in Charleston, South Carolina, labor leaders cast their struggle almost entirely in terms of the civil rights movement of that era, reminding friends and foes alike that Martin Luther King had once called 1199 the "soul power" union. Conversely, South Carolina's conservative elite insisted that the conflict in the Charleston hospitals was a question of old-fashioned trade unionism, not civil rights. State officials did not red-bait or race-bait the civil rights/union activists, but to delegitimize the insurgency they insisted that the absence of a state collective-bargaining law made the effort to unionize illegal and futile. Thus we find the Southern oligarchy capitalizing on the eclipse into which the postwar union idea had fallen, while at the same time paying a backhanded tribute to the power of an identity-based, rights-conscious social movement.[6]

Burgmann's effort to counterpoise identity politics and class consciousness does justice to neither, but her essay does point to an important problem in contemporary political culture, the devaluation of collective, class-based institutions, and the simultaneous legitimization of a kind of rights consciousness that encourages an individualistic affirmation of racially-coded rights and entitlements. Although one can find a substantial body of postmodern scholarship that sees class as little more than a metaphysical illusion, the main culprit does not consist of those scholars who declare the death of class and then celebrate the "new social movements" that have arisen during the last third of a century. Instead, the transformation of identity politics, often through a legally structured discourse of rights, has been a product of the trajectory taken by the main body of post 1960s liberalism. To the extent that a constrained brand of identity politics has flourished, it is largely because in the realms of politics, policy, and law,

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trade unionism and other forms of working-class activism have been systematically devalued, while a set of legal rights based on racial and gender identity have been privileged, but in a fashion that most on the left might well reject.

The labor law in the United States exemplifies the difficulties that arise when a mechanical and static sense of class is substituted for what is in reality a working class that is more often than not defined by its ethnic and racial particularities. As Marion Crain has pointed out, the National Labor Relations Board has actually penalized trade unions when in their propaganda and organizing materials unionists point out that employer-employee conflicts can have a racial or ethnic character. The fact that this prohibition was first deployed to prevent management race-baiting in the 1950s and 1960s does nothing to mitigate the artificiality of such a prohibition when, in recent decades, people of color have come to dominate the workforces of so many low-wage service and manufacturing firms. The law has become "whitewashed," as it attempts to accommodate a single template encompassing firm-centered collective action. "The experience of class oppression is inevitably racialized and ethnicized," argues Crain, but the labor law, which posits but a single degree of union consciousness, "thwarts progressive union organizing initiatives designed to connect race and class and to build bridges between unions and the sites of organizing for the most disadvantaged workers."[7] American labor law recognizes only those demands that are "self-interested" i.e. economically self-interested, but it declares irrelevant, perhaps positively harmful, those aspirations that arise out of a particular identity, thus privatizing, depoliticizing, and marginalizing—at least within the context of the labor law itself—the effervescent world of that has emerged out of the post-1960s social movements. The whole structure of the labor law is designed to protect American workers only when they are engaged in concerted activities against a specific employer. Other forms of solidarity, involving boycotts, community organizing, and many forms of political action, are either unprotected or penalized outright.[8]

Yet the US labor law simultaneously advances an increasingly subversive interpretation of individual worker "rights" without generating the legal and institutional framework necessary for ethnically- or racially-identified workers to take advantage of that sense of "rights consciousness." Two cases in the immediate aftermath of the civil rights movement exemplify this dichotomy. In the 1973 *Granite State* decision the Supreme Court asserted the right of workers to resign their membership in the midst of a strike and then scab on their workmates free from the disciplinary penalties sought by their former union associates. Led by William O. Douglas, one of the most rights conscious jurists, the Supreme Court argued, "When there is a lawful dissolution of a union-member relation, the union has no more control over the former member than it has over the man in the street." According to David Abraham's insightful reading of this "right to resign" doctrine, the Court subverted the legal and ethical basis of a working-class solidarity in favor of an "abstract and atomistic conception of our society." Douglas and other liberals have been sensitive to the "rights" of dissident workers because of the often well-grounded assumption that unions have

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been less than democratic. But liberal sensitivity on this score transformed the meaning of union solidarity into a coercive set of legal/administrative pressures that merely trampled on the work rights of the individual ex-unionist, which was not far distant from the views promulgated by the antiunion right. To Abraham, this line of argument "thwarted the function and jettisoned virtually the entire raison d'etre of labor law."[9]

This "rights" consciousness was more often than not a purely individualized affair. When it came to working-class mobilizations along racial or ethnic lines, the courts drew a formalistic line that subverted the possibility for a racially-based mobilization of a given workforce. This became clear in 1974 when the Supreme Court was asked to reinstate black activists fired from their jobs after staging a wildcat job action at the Emporium Capwell department store in San Francisco. Arguing that the store was a "twentieth-century colonial plantation" and that the labor organization holding a collective bargaining contract there was insufficiently responsive to their interests, a group of African Americans sought to bypass the union and negotiate directly with Emporium Capwell executives. The grievance procedure was undoubtedly slow, perhaps ineffective, but the court ruled against the black militants, holding that the union has "a legitimate interest in presenting a united front on this as on other issues and in not seeing its strength dissipated and its stature denigrated by subgroups within the unit separately pursuing what they see as separate interests." Significantly, Thurgood Marshall wrote the Court's 8-1 majority opinion. He was enough of an old-fashioned labor-liberal to recognize the power of collective action, but his subordination of the movement generated by the black militants had a formalistic quality to it that ran counter to the dynamic that had given a militant minority of civil rights advocates such potency just a decade before. Marshall argued that "An employer confronted with bargaining demands from each of several minority groups would not necessarily, or even probably, be able to agree to remedial steps satisfactory to all at once." But class progress never takes place on a uniform front, and it is precisely the capacity for a differential, sectorial social activism that has always been the key to militancy, trade-union or otherwise. This was the perspective of Staughton Lynd, the radical historian cum labor lawyer, who denounced Marshall's perspective in the Emporium Capwell case, arguing that the failure of the contemporary labor law to enable any group of workers "to engage in concerted activity" merely sought to "get the workers off the streets, or the shops, and into the chambers of some purportedly neutral umpire."[10] Burgmann would be unlikely to dissent from Lynd's critique, but her quest for an essential working-class identity shares something of Marshall's outlook as well.

Labor-oriented legal scholars have become increasingly attuned to the problematic outlined above. In a stimulating essay, "Postmodern Unions: Identity Politics in the Workplace," Molly McUsic and Michael Selmi take as a given the fragmented, identity-oriented character of the contemporary workforce. They argue that working-class unity, within the unions and without, cannot be conjured out of a monochrome solidarity, but will require a "cosmopolitan" per-

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spective, which David Hollinger has defined as a "recognition, acceptance, and eager exploration of diversity" within a much larger context. Here self-identification is affirmed, not submerged into an abstract notion of class solidarity. In this context unions function much like the borderland regions where cultures clash, meld, and transform themselves into a more cosmopolitan entity. As McUsic and Selmi put it, "unions turn from being mini-legislatures to becoming mediating institutions with transformative aspirations much like the border cultures where changes occur through the clash of cultures."[11]

Labor historians will instantly recognize that such has been the nature of American unionism, certainly when it was most successful. During their heroic youth in the Progressive era, Steve Fraser has demonstrated that the needletrades unions represented a tenuous amalgam of Jewish socialism, Italian syndicalism, and Lithuanian shop militancy, coexisting uneasily with the inchoate feminism of an immigrant workforce that was overwhelmingly young and female. In the 1930s and early 1940s the Reuther wing of the United Auto Workers consolidated power up and down the union infrastructure by assembling an ethnopolitical coalition that proved more stable and resilient, if also more accommodating to state power, than did the equally heterogeneous caucus that the rival Communist grouping sought to guide toward union leadership. Likewise, those who organized packinghouse workers in the 1940s, hospital workers in the 1950s, California farm workers in the 1960s, and hotel and home-care workers in the 1990s were always exquisitely sensitive to the negotiated character of working-class solidarity and trade-union practice.[12]

Verity Burgmann's project—the recovery of class as an ideological, psychological, emotive identity—is of utmost importance in the contemporary world. Most labor-oriented intellectuals share her impatience and her frustration with much that has been produced under the rubric of postmodernism and identity politics during the last three decades. But the path forward cannot avoid an encounter, and an accommodation with, the actual identities, cultures, and legal constructs that constitute the twenty-first century working class and its symbolically freighted and highly variegated history. This is a task to which intellectuals of the labor left can make a contribution, and it is my hope that this debate advances that essential project.

NOTES

1. Herbert Gutman, *Power and Culture: Essays on the American Working Class,* edited by Ira Berlin, (New York, 1987); Steve Babson, *Building the Union: Skilled Workers and Anglo-Gaelic Immigrants in the Rise of the UAW* (New Brunswick, 1991), 63–154, passim; Gary Gerstle, *Working Class Americanism: the Politics of Labor in a Textile City, 1914–1960* (Princeton, 2002), xi-xxiv.

2. Erin Kelly and Frank Dobbin, "How Affirmative Action Became Diversity Management," *American Behavioral Scientist* 41 (April 1998), 969–70.

3. For another perspective see Steve Fraser and Nelson Lichtenstein, "Teamsters and Turtles," *New Labor Forum* 6, (Spring/Summer 2000), 23–29.

4. Michael Honey, *Black Workers Remember: An Oral History of Segregation, Unionism, and the Freedom Struggle* (Berkeley, 1999), 213–36; Robert Korstad, *Civil Rights Unionism: To-*

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bacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South (Chapel Hill, 2003), 334–45.

5. The initial news reports, buried on the inside pages of *The New York Times, The Wall Street Journal,* and *The Los Angeles Times,* all "framed" the Memphis Sanitation Strike as but one more of the disruptive municipal employee strikes that were then plaguing the big cities, most notably New York, where an illegal garbage strike had generated much editorial outrage. And this was the way the Memphis city fathers wanted it: the strike was futile because there was no legal provision for it. Moreover, early news reportage emphasized the large wage demands of the Memphis strikers. The fact that the entire workforce was African American was ignored until the NAACP belatedly advertised the civil rights aspects of the strike. "A Garbage Strike Plagues Memphis," February 13, 1968, 34; "Garbage Collectors In Memphis Spurn Plea to End Strike," February 14, 1968, 31, *The New York Times;* "Garbage Workers Strike in Memphis, Seek 33% Wage Rise," February 13, 1968, 12, *The Wall Street Journal.*

6. Leon Fink and Brian Greenberg, *Upheaval in the Quiet Zone: A History of Hospital Workers' Union Local 1199* (Urbana, 1989), 129–58.

7. Marion Crain, "Whitewashed Labor Law, Skinwalking Unions," *Berkeley Journal of Employment and Labor Law,* 23 (2002), 258.

8. The argument above is made in Marion Crain and Ken Matheny, "Labor's Identity Crisis," *California Law Review,* 89 (December 2001), 1767–1846.

9. David Abraham, "Individual Autonomy and Collective Empowerment in Labor Law: Union Membership Resignations and Strikebreaking in the New Economy," *New York University Law Review,* 63 (December 1988), 1281, 1314, 1316–23.

10. *Emporium Capwell Co. vs Western Addition Community Org.*, 420 U.S. 50 (1975), 56, 68–70; Staughton Lynd, "The Right to Engage in Concerted Activity after Union Recognition: A Study of Legislative History," *Indiana Law Journal,* 50 (1974–75), 720, 752; Crain and Matheny, "Labor's Identity Crisis," 1798–1800.

11. Molly S. McUsic and Michael Selmi, "Postmodern Unions: Identity Politics in the Workplace," *Iowa Law Review,* 82 (August 1997), 1366–69.

12. Steven Fraser, *Labor Will Rule: Sidney Hillman and the Rise of American Labor* (New York, 1991), 27–54; Nelson Lichtenstein, *Walter Reuther: The Most Dangerous Man in Detroit* (Urbana, 1997), 186–91; Roger Horowitz, "*Negro and White, Unite and Fight!": A Social History of Industrial Unionism in Meatpacking, 1930–1990* (Urbana, 1997), 206–42 passim.

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