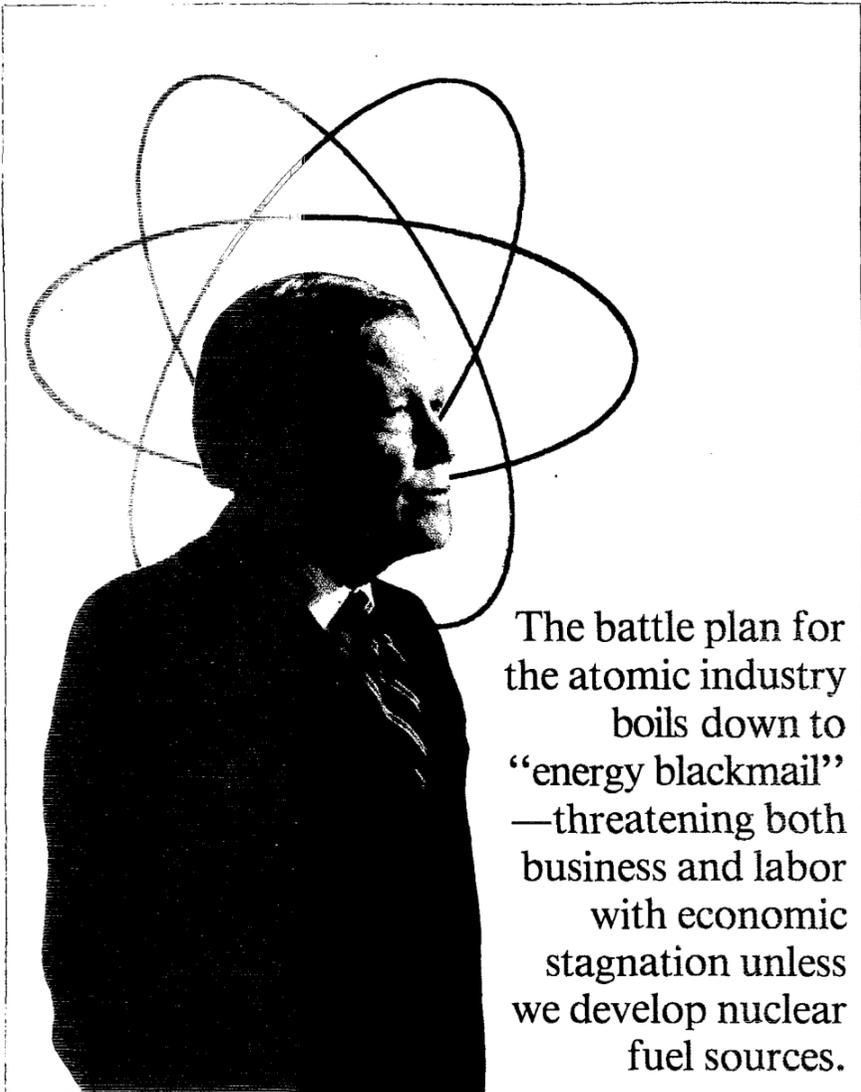


IN THE NATION

NUCLEAR POWER



The battle plan for the atomic industry boils down to "energy blackmail"—threatening both business and labor with economic stagnation unless we develop nuclear fuel sources.

Robert Kirby of Westinghouse.

Nuclear industry leaders launch their counteroffensive

By Mark Hertsgaard

SAN FRANCISCO

ATOP THE ROSE ST. FRANCIS Hotel, the General Electric executive searched the lights of San Francisco for some way to describe the new mood that had come over the nuclear industry since this spring's Three Mile Island (TMI) accident. "I think these guys," he gestured to the roomful of industry honchos crowded into GE's Hospitality Suite, "are tired of being kicked around. After Three Mile Island, they're ready to stand up and fight."

It was the first evening of the annual Atomic Industrial Forum (AIF) and the mood was festive, feisty, and determined.

The 31st floor of the St. Francis swarmed with activity as executives scurried from one suite to another, seeing old friends, renewing business contacts, and kibbitzing about the day's events. Liquor was free, but most old hands drank only moderately. They had attended enough of these conferences to know that evening socializing demanded as clear a head as the afternoon meetings.

The morning's plenary session was a favorite topic of conversation. It had featured a powerhouse of a panel: Sen. James McClure, R-Idaho, unaffectionately known as Mr. Breeder Reactor by anti-nuclear lobbyists on Capitol Hill; Robert Kirby, the head of Westinghouse, the industry's leading company; and Edward Teller, the Hungarian-born father

of the H-bomb and director emeritus of the Lawrence Livermore nuclear weapons lab at Berkeley.

The St. Francis ballroom was packed when AIF chairman Roger Sherman opened the session with the industry's official response to the findings of the Kemeny Commission. The commission, appointed by President Carter this summer to investigate the TMI accident, had recently delivered a strong indictment of the country's nuclear establishment, concluding that fundamental changes by the industry and the Nuclear Regulatory

Commission (NRC) were necessary to prevent further mishaps. Among other recommendations, the Kemeny Commission proposed a wholesale restructuring of the NRC and tougher punishments for industry safety violations. Soon thereafter, the NRC announced an extension on its temporary nuclear moratorium. (The freeze on operating licenses for new nuclear power plants took effect right after the Harrisburg accident.)

Sherman comforted his audience with the view that the licensing pause was only a political response by the NRC to congressional criticism. Except for the attack on the NRC, said Sherman, the industry largely supported the Kemeny findings and was "relieved that the Kemeny Commission didn't recommend a full moratorium."

McClure then took over and roused the hall with some well-placed attacks on the anti-nuclear forces. Nuclear opponents are an affluent, selfish, new class, he said, that want "to limit economic growth so that no one else's advancement will infringe upon their own enjoyment."

"These people honestly believe they know better than the rest of society," he said.

Conceding that nuclear opponents now have the initiative, McClure nevertheless asserted that "things can be swung to our side" through a combination of factual communication and bold leadership. "This struggle for nuclear energy cannot be won if nuclear proponents continue to surrender the moral position to our opponents," he said. McClure got a long ovation.

The room grew quiet when Westinghouse boss Kirby stood up to deliver the most important speech of the conference. It was significant that he spoke himself rather than sending one of his lieutenants. The Senator and, later, the scientist could rally the troops. Kirby would provide them with a battle plan.

With the help of a slide projector, Kirby quickly linked nuclear power with America's national security. He called the 1970s "the age of imminent oil catastrophe." Onto the screen flashed a global map. A thin white line stretching from the U.S. to the Middle East illustrated the fragility of America's energy supplies.

"Russian bases and Russian ships are located strategically so that they can cut the bulk of our overseas oil supplies in hours," warned Kirby. The second that Kirby uttered the word "Russian," a gigantic, blood-red hammer and sickle exploded onto the screen, blotting out America's oil lifeline. Under today's conditions, continued Kirby, "imposing any moratorium on nuclear power, a source of oil independence, is absolutely ludicrous."

The Cold War theatrics hint at just how angry and threatened the nuclear

industry feels, and how forcefully it plans to strike back. As the plenary session continued, it was clear that the corporations perceive the nuclear fight as being about more than just individual corporate profits. Consciously or not, they feel, nuclear opponents are really attacking economic growth and, by extension, the private enterprise economy that it sustained.

The point was eloquently made in H-bomb creator Teller's statement that, "We are in a desperate struggle against whatever you wish to call them—no growthers, environmentalists, elitists. They may well win the battle and, if they do, America is doomed and freedom is doomed."

According to Kirby, the struggle must be won by 1983 at the latest if the American economy is to endure and prosper. By then the industry must have convinced the public that it learned its lesson at Three Mile Island and that such an accident will never happen again. But just in case their born-again dedication to safety does not play in Peoria, the corporations should be ready to use that most fearsome of all capitalist weapons—the power to slow the economy and cast workers from their jobs.

The public, in Kirby's words, "will have to choose...between nuclear energy and some tough alternatives. Alternatives like inflation, higher unemployment, no economic growth and national insecurity." To complete the threat of energy blackmail, Kirby pointed out that such an "economic slowdown" would blast minorities, women and youth first and hardest.

With the stakes and options thus neatly arranged, Kirby assigned responsibilities for the fight ahead. Washington should hurry up and solve the problem of radioactive waste. The government's

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By Robert Howard

IN THE 1930S AND '40S, THE UNITED Mine Workers became the paradigm for America's industrial unions. Miners were, in John L. Lewis' phrase, "the shock troops of American labor." The UMW was the model to which all unions aspired.

The long, 30-year decline of the UMW has turned this symbol inside out. The union is now considered something of a pariah, a special case whose peculiar history of corruption, violence, internal disunity, and poor leadership has placed it on the margins of the labor movement.

The story of the UMW is one of the breakdown of power. The major corporations, primarily big oil companies, that are rapidly expanding their control over the coal industry are attacking the ideological foundations of the union. In the process, they are destroying the uniform system of benefits that linked miners to each other and to their union, replacing it with a new system based on the identification of the worker with his employer.

To fully grasp what miners are losing, we must first understand what it was that they had won. The roots of the present crisis are found in the UMW's triumphs of the 1940s. The enormous demand for coal induced by World War II gave coal miners the power to push their demands to the limit. A wave of war-time strikes led by Lewis had three goals: to spread the union throughout the industry, to establish the first coal mine health and safety laws, and to win comprehensive health and retirement assistance tailored to the unique needs of workers in America's most dangerous industry. Each goal was to reinforce the others; each was to expand the miners' control over working conditions.

The greatest accomplishment of this period was the UMW's Health and Retirement Fund, established after the strike of 1946. Bitterly opposed by industry, union-wide health and pension benefits were funded by a tonnage royalty on all coal produced in union mines.

As the coal boom of the '40s became the extended decline of the '50s, the Fund faced financial difficulties. The shift to oil drastically reduced coal production and, with it, Fund revenues. The industry-union co-operation that typified coal in the 1950s can be explained in part as an effort by the UMW to stabilize the industry and solidify union control over the benefit system. The vehicle of this co-operation was the centralized UMW-Bituminous Coal Operators Association bargaining structure that has shaped industry labor relations ever since.

But now the same pressures that are splitting the BCOA are also destroying the health and retirement system. In 1978, the western operators negotiated a separate agreement with different health and pension plans. And, after a three-and-a-half-month strike, coal operators in the East, led by Consolidation Coal, abolished the health plan as well, replacing it with a conventional private insurance system. The pension fund is the next company target. Many observers believe that Consol's withdrawal from the BCOA is the first step in an effort to restructure pensions, like the health system, along individual company lines.

Dismantling this industry-wide health and retirement system weakens the union and divides miners. Replacing the Fund with a system based on the individual company makes them dependent on the corporation in a way they never were before.

It is important to grasp the unprecedented nature of this change as it is experienced by the individual miner. The present state of coal-field health care is a revealing example. Most attention has focused on the fact that now the miner must pay for health services—up to \$200 per year—whereas before they were free of charge. But the change cuts deeper.

First, the quality of coal-field health care has been compromised. The primary accomplishment of the Fund was the network of community health clinics throughout Appalachia, financed in part by a retainer from the fund. These clinics pioneered preventive services shaped to the special needs of a semi-rural population engaged in uniquely dangerous in-

COAL

Part II

LABOR

A troubled union loses ground



In 1974 miners marched in Harlan, Ky., to protest company violence against strikers at the Brookside mine.

dustrial work. However, the shift to a commercial, fee-for-service system means the clinics no longer receive a Fund retainer. Many have been forced to cut back both staff and the services.

According to the contract, every miner still receives equal benefits. But, practically speaking, the multiplicity of insurance companies—each coal company contracts with a different one; some clinics deal with as many as 15—means a multiplicity of interpretations about what is allowable under the contract.

Finally, the miner has also lost something less tangible, but perhaps more important. What used to be the union's health system now belongs to the company—a subtle form of dispossession.

At the same time, the poor economic situation in coal—some 20,000 miners have been laid off in the past year—has generated widespread job insecurity. Those still working say that production speeds up, in spite of the slump, as competition intensifies and companies begin

to close their least productive mines. "Since last December, we've had about five pep-talks," says one miner. "Shut-down speeches I call them."

When miners are pushed to produce, mine safety suffers. By mid-November, fatalities in West Virginia mines totaled 31 for the year, topping the 30 mark for the first time since 1975. Most officials—union leaders included—are hard put to explain the increase. They talk about "human error" and "individual carelessness." But the campaign against "over regulation" being waged throughout American industry has hit coal as well. State and federal safety inspectors (most of whom are former company foremen) are easing up on enforcement. In West Virginia, there is even a campaign to allow the state's Board of Coal Mine Health and Safety to weaken existing state laws.

Richard Cooper has been a union safety inspector since the position was created in 1973. He claims that the gains

made in health and safety are now being whittled away: "We're beginning to go back to where we were in '73 and '74." As enforcement grows lax, the union has to "enforce state and federal laws through the grievance system."

Leaders of labor and management claim that arbitrations in the coal industry have declined since the 109-day strike. Recent evidence suggests that while this was true for awhile, grievances are on the rise again. Howard Green, a union field representative in the UMW's District 17 in West Virginia, says that the increase is primarily in two areas—health and safety and labor discipline.

Labor relations textbooks define arbitration as a neutral mechanism for the resolution of workplace grievances. Howard Green sees it as a mechanism for displacing conflict rather than resolving it by taking it out of the hands of the individuals involved. For safety issues, in particular, to be forced into arbitration is already a bad sign.

Green offers an example: According to the contract and the law, miners have the right to refuse to operate equipment they consider unsafe. However, such a decision must be made in "good faith"—a judgement call that often ends in arbitration. In one case, the Arbitration Review Board—the "Supreme Court" of the industry grievance system—reinstated miners who had been discharged for exercising their safety rights. But the Board failed to award them back pay for the period they were out of work. "Miners are not going to be safety consciousness if they feel the law won't back them," says Green.

Arbitration plays a central role in the systematic weakening of the UMW. Some companies use the system to punish local unions financially. An average case costs both parties about \$500 but some that have reached the ARB have cost as much as \$42,000. Too much arbitration can bankrupt local unions and the district.

Arbitration is also a handy mechanism for coal operators to win gains from the union that they could not achieve in contract negotiations. For example, BCOA hard-liners failed to win sanctions against wildcat strikers in the 1978 contract. But two subsequent ARB decisions have accomplished the same end. Now, anyone found responsible for "fomenting" a wildcat can be fired without consideration of past work record or extenuating circumstances. Rich Trumka, a former miner and UMW lawyer, explains: "It behooves the companies to violate the contract. They force a case into arbitration and even if they lose, they still get away with it for however long it takes to get a decision. Whereas if miners strike to enforce the contract, they get fired."

Arbitration, too, is a form of dispossession in a union where "no contract, no work" has long been the rallying cry of the rank and file. Sentiment against the arbitration procedure is nearly universal in District 17. At a meeting to prepare for the union's constitutional convention—now in progress in Denver—some 40 district locals voted unanimously to urge union leaders to negotiate the removal of the ARB from the next contract.

For the miners it is the most vivid example of an increasingly familiar experience—ceding their power and their fate to others—the private insurance companies, the state safety experts, the arbitrators, the corporation itself.

The sense of loss that shapes miners' lives includes a deep uncertainty about what they can do to change it. "Nobody has got the answer," says one. "People are looking for somebody."

One response to the present crisis is to call for a renaissance of traditional union activism—the right to strike, organize the unorganized, repeal of Taft-Hartley and other anti-labor laws. Such echoes from the militant '40s are essential but at present they are little more than slogans, far removed from the economic goals and political realities.

Another temptation is to "break with the past" entirely, to confront radically changing economic structure with new practices and new tactics. In response to Consol's withdrawal from the BCOA, some miners talk about "targeting" a strike against Consol exclusively during

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