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Rauner sees his union-busting goal near

By Jim Broadway, Publisher, Illinois School News Service

The news [came down from Washington](#) last week. The end of labor unions as we have known them is almost certain to be pronounced by the U.S. Supreme Court. The "[Turnaround Agenda](#)" Gov. Bruce Rauner has been unable to see enacted here in Illinois will largely be realized in a 5-4 ruling someday soon.

The court announced last week that it will decide the case of *Janus v. AFSCME Council 31* which, [as you can see](#), has drawn nationwide attention as a rationale for [overturning a 40-year-old precedent](#) requiring non-union members to share the costs of collective bargaining that's done partially on their behalf.

Rauner initiated Janus in 2015. Its rationale is that being forced to contribute to a union's collective bargaining (there's no forced contribution to unions' *political* activities) violated state employee Mark Janus' rights under the First Amendment to the U.S. Constitution by requiring him to support something he opposes.

As the court's decision on whether to consider the case neared, Illinois Attorney General Lisa Madigan last month filed a fascinating [brief "in opposition"](#) to the relief sought by Janus, arguing that his rights are not abrogated by the precedent he seeks to overturn and that the court had prescribed his protections.

The Madigan brief is worth reading. It is relatively short for a legal document relating to a complex case, just 18 pages. The arguments are clear and compelling. You learn some stuff you didn't know, such as the fact that opposition to unions can be based on "religious" principles. But Madigan's plea was rejected.

That, of course, is one of the signals that public sector unions in Illinois (and nationwide) are doomed. The Supreme Court was just about to take up a similar case last year, brought by some [non-union teachers in California](#) - a case that was seen as almost certain to prevail - but Justice Antonin Scalia died early in 2017.

The GOP-controlled Senate then refused to consider any nominee offered by President Obama and a 4-4 split court ruling ultimately ended the California-case drama in 2016. But President Trump's nominee, now Justice Neil Gorsuch - perhaps even more anti-union than Scalia was - has taken a seat on the court.

It is yet another example of how much elections matter. America's ungainly habit of allowing a candidate garnering less than even a plurality of the vote to claim the presidency *does have consequences*. Collective bargaining for employees of governments at every level, in every state, seems now in mortal peril.

But unions are a "thing of the past," right? What does it matter? Unions emerged as protected entities in the 1930s, after horrendous abuses by corporate entities, by barons of the [Gilded Age](#). Working men died in the streets while fighting for living wages, for reasonable hours - for humane treatment generally.

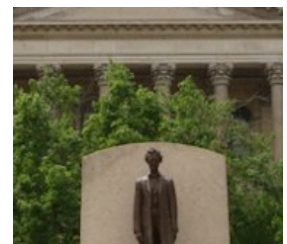
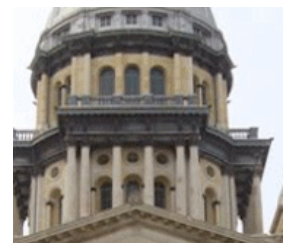
Have you noticed the return of the Gilded Age? No? You are not paying attention. When I started in journalism (1970), more than 30% of hourly employees were in unions, as were *nearly all public employees*. [Last year, it was just 10.7%](#) of all employees; 34.4% of public sector workers and 6.4% in the private sector.

As unions declined, [trends in Americans' incomes](#) were predictable.

What killed the unions? The Reagan Administration [proved they could be busted](#), but that isn't the whole story. Unions' leaders were also to blame, having proved [Lord Acton's admonition](#): "Power tends to corrupt and absolute power corrupts absolutely." There was [featherbedding](#), and thuggery, and dealing with [The Mob](#).

Major unions in the U.S. assumed a dark and violent persona. The first major public official to challenge them was the courageous U.S. Attorney General Bobby Kennedy - father of Illinois candidate for governor [Chris Kennedy](#) - in the 1960s. Growing corporate dominance now *brings Lord Acton's wisdom back to mind*.

Right-wing education "reform" group watches gleefully: The [Center for Education Reform](#), one of the nation's oldest and most obnoxious school privatization advocacy groups, sent [a memo to the media](#) this week, a glowing message about how the high court is about to come down on the side of "teacher freedoms."



The Center's "takeaways": a pro-Janus ruling would:

- Free millions of workers – public school teachers included – from compelled association—a clear violation of the First Amendment
- Millions of workers will no longer be compelled to pay union fees when opting out of union representation
- In addition to more take-home pay, teachers will have more freedom to innovate when opting out of mandated association with teachers' unions
- A pro-Janus ruling will have no impact on the ability for unions to organize and function
- The union-employee relationship should improve as unions will demonstrate their value to existing and future members

What does the future truly hold for Illinois teachers and other public sector employees? In the coming years - until long after Rauner's departure from the scene has been roundly applauded - the effects of his Supreme Court travesty will continue to [hold them down](#), to constrain their reasonable aspirations.

Eventually, years from now, [maybe the pendulum will swing back](#).

Chicago is "better educated" than other large U.S. cities. This we learned this week from [Crain's Chicago Business](#) columnist Greg Hinz, who seemed sort of surprised to learn it from Census data. He checked with demographers who seemed to validate his interpretation of the statistics.

There is a chart on the above-linked page showing that Chicago has edged out New York City as the metropolis whose population boasts the highest percentage of residents holding bachelor's degrees or higher - followed by Los Angeles, Houston and the "U.S. average," with Philadelphia trailing far behind.

What is the explanation for this growth in average educational attainment in Chicago? Chicago is, as Crain's has reported, "[a tale of two cities](#)." Generally, there's an inflow of higher-earning, better-educated white, Asian and black residents to north and northwest neighborhoods, and an outflow from the south side.

What about Philadelphia? Does this data point relate to [their reputation for grumpiness](#)? Is it a factor underlying their city leaders' apparent need to try to [quell profanity in public](#)? Intuitively, you might think "yes" in both cases, that those less educated display "poverty of vocabulary" conditions and, thus, swear more.

But there are [research indications](#) that fluency in profanity actually is a trait of folks with wide vocabularies. I'd like to think that, although I'm tested rarely in this regard, mostly just when I think of Rauner. I'd like to think, as it is described in the linked article, that I'd react like Gore Vidal to being punched by Norman Mailer.

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