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“Tired of Passion Fruit”: Nathanael West and the University of California Teaching Assistants Strike—A View from Yale

Joseph Entin

To those of us looking in from the outside, events in California frequently seem to adopt an apocalyptic cast. From Oakland's burning hills, to the uprisings in the wake of the Rodney King verdict, to the World-Series-interrupting 1989 earthquake, the Golden State seems to teeter on the edge not only of the continent, but of reality as we who live east of the Sierra Nevada know it. The larger-than-life quality of California existence was perhaps rendered most vividly in literature by Nathanael West, whose novel *The Day of the Locust* culminates in a massive riot at a movie premier. The uproar West describes is a nightmare of unorganized energy, a chaotic swelter of frenzy and frustration led by restless refugees from around the nation who have followed their dreams to California only to "discover that sunshine isn't enough. They get tired of oranges, even of avocado pears and passion fruit."

As I've watched the recent University of California teaching assistants strike from gray, slush-covered New Haven, West's comment that "sunshine isn't enough," that even "passion fruit" loses its luster, has been on my mind. Working as a teaching assistant, it seems, isn't enough—even in sunny California—if you don't have the ability to negotiate the terms of your labor.

In sharp contrast to the riot West depicts, however, the UC strike represents a masterpiece of organizational coordination. Watching the California teaching assistants mobilize in such dramatic and forceful fashion has inspired those of us organizing for GESO at Yale. To see—even if only through the near-sighted eyes of the press—graduate student teachers from such diverse geographic and institutional locations join forces in such concerted fashion has rejuvenated our sense of urgency and of possibility. At Yale, we know the difficulties of organizing 400 graduate teachers for an extended job action; organizing well over ten times that number—at disparate work sites—is a truly monumental feat.

In addition to generating visceral excitement, the California strike has also raised several provocative questions about the nature of graduate student organizing—and about the different organizing styles and social conditions operative at Yale and at the UCs—that we would do well to consider. Let me begin by providing a brief sketch of GESO's recent activities, and then offer some very speculative comments about what I think the California strike teaches us about the possibilities and pitfalls of graduate student organizing more generally.

GESO's Drive

In November, 1996, almost a year after the grade strike, the General Counsel of the National Labor Relations Board stated its opinion that graduate student teaching assistants at Yale are employees of the university, the first time such an influential source has recognized the rights of private-sector graduate students to unionize. The two years since the General Counsel's statement have been momentous ones for GESO: we have nearly doubled the size of our bargaining unit; won significant victories on material

issues (most notably health care, the costs of which were eliminated for single graduate students and halved for graduate students with families, a savings of \$800 and \$1,300 respectively); commenced a membership drive to file for an NLRB-sponsored election; and faced a fairly well-orchestrated, if predictable, anti-union campaign from the university administration.

GESO's most significant shift has been the addition of the natural sciences to our bargaining unit and the growth of our active membership. Our expansion has been accomplished by a broad-based campaign to build campus-wide graduate student consensus in support of contract negotiations. In the spring of 1998, we circulated a petition calling for the Administration to negotiate the terms of the teaching fellows program and health care benefits. Over 1,000 graduate students--a majority of those enrolled--signed the petition. The President of the university returned it, however, 24 hours after receiving it with a statement that he would never negotiate. In response to the Administration's blunt rejection of the petition, GESO initiated an NLRB card drive and is now close to having a majority of graduate students as members, despite having been talking to graduate teachers in the sciences for only just over a year.

As we move forward on a card drive, the Administration has intensified its anti-union campaign in a variety of different ways. On one hand, the Yale corporation is putting on a display of renewed benevolence. A new Graduate School Dean--a "kinder, gentler" administrator--has been appointed and is working hard to placate graduate students. The most significant result of the Administration's new strategy of public beneficence was caving to five years of pressure to reduce health care costs. On the other hand, however, the university is orchestrating a classic, hard-line union-busting program, including: an intractable refusal to negotiate with or recognize GESO; the maintenance of a weak graduate student assembly as a foil for the union; faculty-led small-group captive audience meetings for teaching assistants.

Over the coming year, we plan to move forward on two, reciprocal fronts--one, to file with the NLRB for a federally-sponsored union election; two, to *mobilize* and continue fighting for several material gains--including smaller section sizes, pay equity, an impartial grievance procedure, dental care, job descriptions, lower on-campus housing costs--through tried and true grass-roots means: rallies, group meetings with administrators, petition drives, etc.

Picket Lines on Golden State Campuses--The View from New Haven

I should begin these reflections by admitting that my view of the UC strike has been entirely second-hand. Although that fact places limits on my ability to speak in detail about the California fight, I think it does mean that I speak from a relatively representative (pro-union) position: I have seen the UC strike as most other graduate students in the 49 smaller states have seen it--from a distance and through the lens of my own campus struggles.

And it is through the lens of GESO's fight that I want to offer some thoughts on the way the California strike has looked from where I sit. What similarities do GESO and the California TA unions share, in terms of organizing conditions and challenges? How have the two struggles evolved differently? Finally, what might those similarities and differences suggest for the future of graduate student organizing?

Points of Similarity

The Yale and California struggles have several elements in common and these are worth underscoring. First, both campaigns have required organizing across disciplines, building bridges between students from the humanities, social sciences, and the hard sciences. Although GESO's strength, like California's, has traditionally resided in the humanities, where the job market crisis has been most severe, we have a strong core of young science leaders and have found that the institutional disrespect and lack of power is just as palpable (and sometimes, given the authoritarian power of principal investigators over their advisees, more so) in the sciences as in the other academic divisions. In addition, in certain science departments,

such as chemistry, biology, and physics, which have not been selected by the central administration "for excellence" (as have many of the pharmaceutical sciences), graduate students frequently suffer the lowest amount of financial support anywhere in the university. Although graduate students in the sciences typically receive higher stipends/salaries, the culture of the sciences--in which advisors are more clearly recognizable as "bosses" than in the humanities--often creates its own particularly poignant demands for respect and conditions for collective action.

Second, TA unions at the University of California and at Yale have faced vocally anti-union, ideologically intractable administrations. At both schools, the administrations have made it clear that they will only negotiate when *compelled* to do so. The University of California administration's line, quoted in the December 18, 1998 issue of *The Chronicle of Higher Education*--"We continue to believe that teaching assistants are not eligible for collective bargaining"-- is virtually identical to Yale's assertion that "TAs are not employees" and that collective bargaining is "inappropriate" (whatever that means) in a university setting.

Third, both struggles illustrate the necessity of waging a multifaceted campaign. Making gains against such powerful, anti-union institutions requires fighting simultaneously on multiple fronts: winning the battle for public opinion; employing political pressure; mobilizing an active, militant membership. As recent events in California suggest, only the strategic combination of these elements (e.g. political pressure from the state Assembly in conjunction with a massive walkout) will give TA unions decent hopes for success.

Fourth, and an extension of the previous point, we should be aware that legal strategies alone will never produce union victories. Recently, the law has stepped in decidedly on the side of graduate teachers--the administrations at both Yale and California have had their rationales for opposing TA unions demolished by recent court rulings and legal decisions. All that remains is retrograde rhetoric and ideological intransigence--"Apprenticeship now, apprenticeship forever!" as George Wallace might have said, had he been a university president--in the face of the turning tide of legal opinion to the contrary. (This past fall, the Yale administration provided a stunning instance of speaking out of both sides of its mouth. A memo from the Provost to the Dean, transparently designed to flame anti-union sentiment among the faculty, warned that a union of graduate teachers could inhibit the free exchange of ideas. The provost stated: "As a legal matter, a faculty member might not be fully free to talk about his or her views with respect to the propriety of the union's positions . . ." In another memo to the Dean dated the same day, however, the University's General Counsel, blatantly contradicting the Provost's memo, explained that faculty members can make any argument about unionization, provided that these arguments are not paired with threatening or coercive statements. The General Counsel cited Section 8(c) of the National Labor Relations Act, which clearly states that "The expression of any views, arguments or opinions . . . shall not constitute or be evidence of an unfair labor practice under any provision of this . . . [law], if such expression contains no threat of reprisal or force or promise of benefit." Obviously, the administration knows that unionization does not threaten free speech, but, in a desperately cheap and malicious attempt to enlist the faculty in union-busting, it is willing to say just the opposite).

The contradictory memos from the Yale Administration reminds us that legal discourse will always be open to a certain amount of "interpretation," even misuse and manipulation. Legal support might be a necessary precondition for TA union success, but it's certainly not sufficient--not by a long shot. Although as scholars we are trained to believe that truth prevails, abstract truth often doesn't obtain when it comes to the power politics of union recognition. In the final hour, our fights will not be won in courts or the pages of the press, however crucial those arenas, but on picket lines and campus sidewalks, in committee meetings and conversations with members in coffee shops and in hallways.

Reflections on Some Differences

The struggles being waged by Yale and California teaching assistants for union recognition clearly occur in very different institutional contexts. The University of California is an immense public institution, dispersed across several campuses; Yale is relatively small, private institution located on an extremely insulated, if not entirely contiguous, campus.

Of the differences outlined above, the most meaningful is likely the distinction between public and private. The UC administration is, at some final (if often indeterminate) level, accountable to the "public" and thus susceptible, in a way Yale is not, to direct pressure from the state government. Conversely, Yale is a private corporation and is accountable to no one but its alumni in the form of corporation board members, many of whom are themselves executives of large (anti-union) corporations. In the 1996 contract fight with its clerical and maintenance unions, Yale showed absolutely no compunction about rebuffing public opinion and political pressure in its attempt to subcontract union jobs and cut union pension benefits.

Beyond institutional differences, one potential difference, I imagine, between the California and Yale struggles, is the style of organizing. In a fashion any union would envy, it seems that the UC organizers have fostered a climate of expectation and outrage and, consequently, are able to organize TAs to join the union and walk out on strike at same time. At Yale, our organizing mode has traditionally been somewhat different, perhaps in part because we've been engaged in such an uphill battle for legitimacy (if recognized, GESO would be the first TA union at a private university in the United States). Our organizing rests on developing long-term, one-to-one relationships between members and organizers. At Yale, our goal is to have one organizer (who comes to a weekly, departmental committee meeting) for every five members, to achieve an organizing ratio that allows for a depth of discussion and of mobilization that wouldn't be sustainable if we had a smaller committee. In the last instance, these relationships are what holds our union together--and it exactly these personal relationships that the administration, no matter how powerful its propaganda or intimidating its tactics, will ultimately never be able to match.

This is what I take as the prevailing lesson of recent TA labor struggles: the fate of any graduate teacher union drive depends not so much on the specific institutional context or the particular material issues at stake, but on the strength and dedication of the organizing committee and the quality of organizing. Both the Yale and UC struggles face common base-line conditions: at both Yale and the UC system, undergraduate education depends on the work of graduate student teachers. At both places, graduate students are not allowed to negotiate the terms of the work they do. The fate of our respective struggles--and of TA struggles around the country--depends, not on legal cases or political pressures, but on how well we organize, on the level of trust and sense of confidence we build among our members. Recent events in California give me hope that this is a proposition that as a movement we're taking seriously.

Joseph Entin, Yale University