

Whither The Eagle? April 1984

By Paul Shinoff Published in the San Francisco Sunday Examiner & Chronicle, April 8, 1984.

The United Farm Workers has arrived at a turning point and now must decide whether it is a labor union or a social movement.

For three years Carmen Garcia, her farm worker husband, Felipe, and their two children lived in a converted wooden boxcar, one of several dozen that made up the Sierra Vista labor camp near Delano, in the heart of the richest, most productive agricultural region on earth.

In summer, the ramshackle village sweltered in the San Joaquin Valley heat. Swarming insects flew through open windows. Snakes seeking shade slithered through holes in the broken walls. Winter rain turned the rutted dirt street to deep mud. Water leaked through the roof, dripped down the rusting water pipes and raw electrical wiring that poked through broken ceilings.

The Garcias paid \$190 a month rent to landlord Robert Maloy, a Bakersfield businessman, about one-third of what Felipe Garcia earned during harvest time.

“Homes,” Carmen Garcia explained, “are hard to find.”

The door had no locks. Last May, the eighteen-month-old son of neighbor Maria Dejesus tottered out into his yard by the young corn stalks that the family had planted to feed themselves, fell into an open sewer and drowned.

A decade ago, United Farm Workers Union representatives would have transformed the tragedy at Sierra Vista into an organizing campaign. But when the residents of the camp sought help last summer, they found it from a local tenants group and two publicly funded law firms. The story is in some ways ironic, for it was in Delano, 22 years ago, that a young migrant worker from Yuma, Arizona, by the name of Cesar Chavez launched what was to become the United Farm Workers Union with an audacious strike of grape growers and the support of a nationwide boycott.

The rise to power of the UFW is one of the great chapters in the history of California labor. Within fifteen years, Chavez propelled his fledgling union to a position of undisputed prominence on the state's — and the nation's — agricultural landscape.

By 1977, the UFW had ended a draining battle with the Teamsters and, politically, Chavez enjoyed the unqualified support of Governor Jerry Brown, who would later design a unique labor act for the union.

Chavez was the most visible, most influential Mexican-American leader in the nation. He became the conscience of a barren labor movement, the adopted cause of liberal Americans. The union was not only on the verge of organizing most California field workers, but was ready to jump across state lines to become the first national agricultural union.

Neither Chavez, nor the UFW, has yet made that leap.

Today, Chavez, personally, has a national following, but the union has relatively few members beyond California. Through he has begun an ambitious and initially successful

boycott campaign aimed at non-union producers outside California, it has yet to gain any new contracts.

In Delano, few of the grapes picked are shipped in boxes stamped with the black eagle of the UFW. The union claims no more than between 2,000 to 3,000 of the former 15,000 members it once had in the area. At the political level, the union faces a hostile state administration, a labor board that will inevitably become more conservative and growers who are willing to match union wage rates to keep the UFW out.

At most, 30,000 members paid dues during the peak harvest season last summer. That is less than 10 percent of the total farm labor work force in California — and down from an estimated 60,000 to 70,000 members reached by the union in 1973-74.

The UFW has lost the few contracts it once signed in Arizona, found itself at political odds with farm labor activists in Texas and retains only a single contract covering the Coca-Cola-owned Minute Maid orange groves in central Florida.

To top it off, the Teamsters Union has decided not to renew its non-aggression pact and is poised to renew organizing campaigns among field and packing shed workers. “They [the UFW] haven’t been doing a lot of organizing and they have not been getting a lot of new contracts,” said Secretary-Treasurer Dave Lindell of Teamsters Local 890 in Salinas. Teamsters now believe that with the vast majority of farm workers still unorganized, the UFW has given up any exclusive rights by default.

“We made faster progress once,” acknowledged Chavez. “That is not happening now.”

What has happened to the once soaring black eagle, and to the man behind it? It is a difficult question to answer directly, for there is no single measure against which to judge the man or his movement. There are no precedents.

Chavez is, above all, a man of extraordinary contrasts. As a young migrant worker in the early ‘60s he endured the general conditions of field work, the heat, the dirt, the pesticide dust, the miserable living conditions. Ten years later he was meeting as equals with the most powerful leaders of the land.

To gain rights for his people, Chavez on several occasions starved himself to a degree that has left him suffering permanent physical pain. Yet within his own organization he has isolated those who dared question him. He attends mass regularly, yet he cusses like an infidel. He truly loves his friends; he truly hates his enemies.

On a visit to San Francisco two years ago, he told me with some pleasure of how he had ducked away from bodyguards and hangers-on and disappeared into a bookstore. There, unrecognized and alone, he had found time to read in quiet contemplation.

A journalist who has known him over the years said Chavez’s mood has saddened, become darker, more difficult. “I recall Cesar at the communal dining table, in good humor making self-deprecating jokes,” said the reporter. “He would seize a bowl of food and playfully mock: ‘Remember, I am the despot.’”

Today, Chavez continues to face lingering legal problems stemming from the ouster of a dozen dissident local officials from Salinas who challenged his leadership. Gone and disheartened are experienced organizers, white and Latino, who had hoped to create a professional union staff. Indeed, the question now is whether Chavez truly wishes to head

a trade union — whose membership and activities are restricted by law and purpose — or a broader and more ambiguous social movement.

As is the case with the national labor movement, the UFW's appeal has been undercut by its own success. Between June 1975 and June 1976, when working conditions in the fields were still particularly harsh, the first representation elections were held under the auspices of the state Agricultural Labor Relations Board. The young UFW captured 443 election victories in backlogged elections and 23,000 voted to join the union. The following year another 5,600 voted to join. Last year, the union won fourteen elections when 1,874 workers voted to join.

With that first flush of labor agitation in the '70s came media attention, then legislation to protect workers from pesticides and unsafe farm machinery, new emphasis on child labor laws and the end of the uncontrolled *bracero* program, which took unlimited advantage of Mexican nationals. Thanks largely to union efforts, work conditions in California agriculture were brought into the 20th century.

The union introduced health insurance and a pension program. Wages rose from below minimum levels to a point where members typically earn between \$6 to \$7 an hour, and can make substantially higher on a piece-rate basis.

Today, many such improvements are offered by growers without union contracts, thus undercutting the UFW's role. "There are still people who treat farm workers as though they are no more than tools," said Bill Camp, spokesman for the farm labor board members. "But [on many farms] there are significant amounts of money and staff time now being dedicated to work with them."

Growers' association offer employee medical insurance programs and large corporate farms have initiated pension plans, though only a limited number of steady workers can take advantage of them. While camps like Sierra Vista, where the Garcias lived, still exist, much of the old housing has been torn down.

"There were black times, when people were treated like non-human beings," said Sam Surabian, whose family has farmed grapes near Dinuba since 1919.

With 500 acres of grapes and fruit trees, Surabian is typical of the successful family farmer. He has only a few skilled permanent employees — a tractor driver, an irrigator — who earn \$4.25 an hour, but live rent-free with their families in small but comfortable houses on the property.

Surabian relies on a labor contractor for help during harvest and pruning seasons, paying those workers \$5.38 an hour — below UFW standards.

The union has had little success in organizing family farms like Surabian's, which make up the majority of Central Valley growers, due to the loyalty of the permanent employees and the difficulty in signing up those who work for contractors. Even when initial organizing elections are won, relatively few contracts follow.

"It is true we are getting elections but not contracts. It's true," said Chavez. "We have thousands of people waiting for contracts in California — and we have a law that said we can get them here. But now the employers are using all the tricks in the world to prolong and postpone."

Other observers who have followed the program of the union contend, however, that the lack of successful negotiations also reflects an internal weakness, the UFW's inability to maintain a trained, cool-headed, professional staff. This inability, it is explained, results from Chavez's decision to not build the UFW along traditional trade union lines, including all the dreary details of contract bargaining and grievance handling. Instead, he has sought to lead a broader social movement, a culturally homogeneous organization, seeking a vision which is very much his own.

When directly asked if the UFW should be led as union or a movement, Chavez was evasive. "I am interested in what works," he said.

There are also debilitating political problems today, in sharp contrast to years past. The union's influence in Sacramento had always surpassed the size of its membership, reflecting the magnetism of its leaders and the moral weight of the issues. There was also a matter of money. The UFW gave \$656,000 to state political candidates in 1982-83 to make it the fourth largest organizational contributor in California.

Chavez does not believe the UFW got what they paid for. "The political winds blow very hard — and very often in different directions," Chavez explained. "We don't have friends in politics."

Hundreds of thousands of dollars have gone to Assembly Speaker Willie Brown and State Senate President David Robert to be parceled out to candidates.

But, said Chavez, "If we had bought them, we would have gotten stuff from them. We couldn't get the (ALRB) General Counsel appointed," he continued, referring to the controversial selection by Governor Deukmejian of conservative David Stirling. "Isn't that ridiculous, with all the money we gave them?"

Chavez does not limit his criticism to politicians and growers. He is surprisingly critical of fellow unions, particularly given the assistance those organizations have provided in the past. "We don't want to be a part of what is happening with the labor movement," he said. Indeed, Chavez and the UFW have recently had little to do with the rest of organized labor.

But of all the institutions and organizations which touch the life of his union, Chavez is most critical of the Agricultural Labor Relations Board, terming its effectiveness "a myth."

"If it was really that good, our union would be organizing and building. How can it be 'our' board when we have thousands of people waiting for decisions from that damn board that sits on its ass in Sacramento and doesn't do anything?"

Such criticisms are a sharp departure from past years, when it was the growers and conservative politicians who were the most vociferous critics of the agency. Formed in 1975 to provide legal mechanisms to replace the chaotic economic warfare that followed the emergence of the UFW, the ALRB was the nation's first such state body.

The most effective tool in the hands of the board is the "make-whole" penalty, under which workers can be awarded back wages and benefits lost as a result of illegal employer conduct. Because a number of make-whole awards are on appeal in the courts, no full penalty has ever been paid. Chavez charges that this is another indication of how the act has been stymied.

But growers and their attorneys believe that with a number of such cases now in the legal pipeline, it will be only a matter of time before they are hit with penalties ranging into

the millions of dollars. “Many of my clients have had to sign contracts because of the threat that the make-whole remedy would put them out of business,” said attorney Church. What the ALRB is telling me is that if the union says you have to hang your foreman at sunrise. I have to counter and say: ‘How about hanging him at noon?’”

The farmers’ strategy, said Church, is to hold on, wait until at least 1986 when the terms of board members Alfred Song and Jerome Waldie will have expired, to be replaced by candidates sympathetic to the politics of Governor Deukmejian and his grower allies. Anticipating that the board will make a political crossover, Church predicted that it would take two additional years to reverse decisions made by their predecessors. “I hope we will be able to survive,” he said.

Given the circumstances, Chavez gives curiously little comfort to his liberal defenders on the beleaguered board. “It appears to the world like it is a good thing,” said Chavez of the board members, all Brown appointees. “Essentially, we have a group of people who sit there and are going to be fair. But we have a governor who is not fair, signing their paychecks every week. How can they be fair?”

In the meantime, a storm of controversy boiled up over Deukmejian’s appointment of Stirling as general counsel for the board. Stirling, a former conservative Republican legislator, controls access to the board through his authority to decide which cases will be investigated and prosecuted, much like a district attorney directs which cases will be tried in court.

Stirling has angered the UFW by going along with a 27 percent cut in the ALRB budget last year. He also ordered a review of the make-whole formula. And noting that the state board settles only 7 to 10 percent of its cases before a hearing, as compared to 90 percent or more by the National Labor Relations Board, he had resolved a number of disputed cases rather than sending them on to trial.

In March, Stirling settled a \$10 million “make-whole” judgment against Ambatti Produce Corp. in the Imperial Valley for \$1.7 million. The settlement must be confirmed by the board, which has offered vociferous opposition to Stirling in the past.

“If the grower is determined to be wrong, he should be made to pay full dollar, and the farm workers shouldn’t be made to give up anything,” said Stirling. But he then added a qualifier: “If every district attorney’s office looked at it that way in situations where crimes were committed, the system would fall apart. We’re going to have to settle a great many more cases.”

Following Stirling’s Senate confirmation on January 23, Chavez announced that the union would start spending “a lot less money on politics.” And, he continued in a later interview, “We are thinking we have to get back to boycotts, back to hell-raising in the fields. We thought we could address our grievances through the board, but that is not to be. That is definitely not to be. We have to change our tactics now.”

The initial target of the of the new boycott activity has been the Salinas-based producer of Red Coach lettuce, Bruce Church, Inc., the nation’s second largest lettuce producer, which has been struck by the UFW since 1979 and has been judged guilty of unfair labor practices in contract bargaining by the ALRB. A “make-whole” judgment against the company, awarded last December, is being appealed in the courts.

The boycott had targeted Lucky stores until that chain agreed to drop the product in January after the union dispatched mailings to a selected group of 75,000 potential customers. The campaign reflected Chavez's belief that the traditional organizing methods are of little use. He has convinced the union's executive board to initiate a new program, the thrust of which moves the initial focus of the union's activities away from the fields and back to consumer and social welfare issues, while at the same time forming alliances with political groups which were the source of the UFW's strength in the '70s.

The boycott campaign against Lucky Stores was the first of these programs. Boycotts, starting with grapes and then lettuce, have been a traditional weapon of the union. But now, the union is in the midst of installing new computer equipment which will give them the ability to mount a national boycott campaign against Bruce Church and the Red Coach brand, as well as other yet-to-be-named growers who have refused to sign union contracts.

The computerized mailings have concentrated in Detroit, Chicago and sections of New England, especially Boston, where Chavez said three major supermarket chains, including A&P, have dropped Red Coach.

The UFW also has moved to combine boycott campaigns with the creation of what Chavez calls a "Chicano lobby." This would make use of the union's computer equipment to do public polling on issues,, then use the union's contacts in Sacramento and elsewhere to push programs of special interest to the burgeoning but poorly represented Hispanic communities.

In Texas, the UFW supported a drive which won state unemployment and disability insurance for farm workers. And there, it will test its computerized direct mail system with a campaign on behalf of the state's 800,000 Hispanics in an attempt to gain public service jobs for workers who lost their jobs due to the frost which decimated the citrus industry last winter.

This will be the first attempt by Chavez, who has successfully influenced Democratic politicians seeking the Hispanic vote in California, to broker with the Republicans for that same constituency. President Reagan, said Chavez, "has to come across to get voters there."

Chavez claims 18,000 Texas farm workers have become "organizing committee" members of the union, though there are no contracts.

In the meantime, he seeks alternative vehicles to pursue his dreams, and his dreams clearly are expanding beyond the fields. "Up to now, we have been telling our supporters — there are supposed to be thousands in California — come help the farm workers do this, come help the farm workers do that. They are always helping. But we want to do something that is tuned to them."

Indeed, Chavez said the union would begin monitoring the quality and price of produce to aid urban consumers. "Food," explained Chavez, "is our mission."

"Mission" is not a word that has seen much currency in the lexicon of the modern American labor movement. But with its spiritual and proselytizing connotations, it is a word that accurately encapsulates Cesar Chavez's life and work. It means, says one dictionary, "to preach, teach." But not to compromise.

Life At La Paz

Isolated at the end of an unmarked side road, encircled by a series of tracks railroad engineers call the Tehachapi Grade in the rugged foothills southeast of Bakersfield, is the union headquarters they call La Paz.

A surplus county tuberculosis sanitarium known as Stonybrook Retreat, the UFW purchased it in 1970 and moved from its former offices in Delano.

There is a certain arid beauty about this spot, 1,000 feet above and 10 degrees cooler than the valley below. And Chavez, who suffers from potentially debilitating ailments caused by his earlier protest fasts, said he has been restored by the solitude.

“I feel better here. I do a lot of exercise,” he said, pointing toward the steep hillside. “I climb that mountain for an hour in the morning.”

Chavez lives with his family here in a two-bedroom, wood-frame home, the yard, beaten hard by his pet German shepherd. He says he tried raising a garden there but gave up for lack of time.

He is joined in this monastic-like retreat by 150 staff members and their families, who live in furnished dormitories, bungalows and trailers scattered across the semi-barren hillsides. It is not communal living, though there is a common kitchen for single employees. Community meetings are held, but often not more than monthly. For entertainment, there is a pizza parlor down the road in Tehachapi or trips to movies in Bakersfield.

The residents come here as volunteers, receiving \$20 a week plus an additional \$5 a month in clothing allowance. They must buy their own food.

For 1982, Chavez reported a total union income of \$7,445, according to the U.S. Department of Labor. One officer, Arturo Mendoza, earned \$9,364. Others earned between \$6,000 and \$3,000.

“The truth is that probably many of us would want more emphasis on community, but there is too much union work to do,” explained Reverend Chris Hartmire, a minister who serves as Chavez’s administrative assistant and press spokesman.

In the late ‘70s, Chavez developed a close — but short-lived — relationship with Charles Dederich, founder of the Synanon drug rehabilitation organization, and began a series of so-called “scream” therapy encounter groups at La Paz. And there were a number of intra-organizational spasms played out here which drove many supporters away from the UFW.

Ever since the union moved its headquarters here, critics have charged that Chavez has isolated himself, surrounded by loyalists and out of touch with much of the membership. “That is so much nonsense,” said Chavez, noting that in the three weeks prior to the interview, he had slept in his own home just three days.

Chavez has little patience with critics. He angered quickly when told that a close ally had suggested that the union would be better served by a reasonably paid staff.

“Then why doesn’t he give me the damn money to do it?” snapped Chavez. “We can’t afford it. We built the union with volunteers — at least we should get credit for that.”

And then, more quietly. “If we had a lot of money, of course, things would be different.”

— P.S.