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WHICH SIDE ARE YOU ON?

The Brookside Mine Strike
in Harlan County, Kentucky
1973-1974

Lynda Ann Ewen

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County, Kentucky, 1973-1974

LYNDA ANN EWEN

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In memory of Creed Maxwell and dedicated to Hattie Maxwell—a coal miner and his wife. Creed helped to organize the first UMWA local in Monongalia County, West Virginia. He and Hattie helped to build the community of Arthurdale, met Mother Jones, raised a large family, and taught their children to be proud. I am proud that my children can call them their great-grandparents.

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Cover Photo:

Lois Scott hands warrant for scab foreman Basil Collins' arrest to Sheriff Billy G. Williams on the picket line at Shields, near High Splint, on August 13, 1974. (from *Harlan County USA*)

Preface

When the IPFA approached me about writing the story of the Brookside strike, I was skeptical of my ability to write such a book. IPFA wanted a popular, readable book that would still present a reasoned and clear analysis. As a sociologist and an academic I have been trained to be scholarly and to write for other academicians. I was not sure that I could combine an analysis with a *story*. Still, I had become an IPFA director because I am committed to the idea that books representing the interests of working people had to be made available in a mass way. And I became a sociologist because I believed social science can be used to make the world a better place to live. So I agreed to try.

The extent to which this book has succeeded in the above task is largely due to the help and co-operation of many, many people, and especially to Barbara Kopple, the producer of *Harlan County USA*. By capturing the strike on film, Barbara insured that the feelings and statements of the participants would not be lost to history. By making a film for mass distribution she insured that tens of thousands of

Americans would come to understand coal mining in a way that otherwise would not have been possible.

As I read, talked with people, visited Harlan, and watched the film, I realized that a detailed analysis of the strike could fill several volumes. Recollections of the same event varied enormously, depending on who described it. I have tried to do justice to a complex social reality, be fair to those involved, and still tell a readable story. In the end, of course, I made the final decisions as to how to interpret what happened.

I would like to mention specific individuals who were extremely helpful: John Cox, Sudie Crusenberry, Minnie Lunsford, Harry Patrick, Marilyn Pearson, Barry Spilberg, and Bill Worthington. Bessie Lou Cornett and Houston Elmore not only gave me long initial interviews, but also answered numerous subsequent questions honestly and graciously. Lois Scott and Marilyn Pearson shared their personal diaries of the strike with me. Ellen Chapnick, formerly of the international UMWA legal staff, John David of the Center for Labor Education at West Virginia Institute of Technology, and John Taylor of District 17, UMWA, provided useful overall insight into the union and the coalfields. Editorial assistance from Jan Young at the West Virginia Institute of Technology and from Ashley Bullitt, Dave Ransom, and Jeff Freed of the IPFA helped immensely. Arlee Frantz of Vanguard Books nursed the manuscript patiently and creatively through production. And I would like to thank Joann Nutter and Ruth Pauley for secretarial help and moral support. I also relied on my friends, neighbors, and students—coal miners and their families—for insight into the consciousness of America's union miners.

I must gratefully acknowledge the understanding of my children—Beth, Amy, Julie Lynn, and John Creed—and the general support of friends and neighbors in my community, all of whom helped me keep my efforts in proper perspective.

*Lynda Ann Ewen
July, 1979*

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The answer to the question of how
and why the rights of property originate
is not for the purpose of a political
theory. The question of these
rights is the first object of government.
The first question of different and unequal
rights is according to the property of
the different classes and kinds of property in
the state. The rights of property are
the rights of the state and the rights of the
state are the rights of the state.

1

The Roots of Conflict

The first question of different and unequal
rights is according to the property of
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the rights of the state and the rights of the
state are the rights of the state.

The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and view of the respective proprietors, ensues a division of society into different interests and parties. . . . The most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of government.

James Madison, *The Federalist*, Number 10.

There is nothing nice about a strike. During a strike workers lose pay and their families suffer. Management faces loss of production and profits. If a strike lasts for more than several weeks, workers may risk losing their automobiles, furniture, and even their homes. Desperation can drive both sides to try to settle the dispute—sometimes through reconciliation and sometimes through force. Management may attempt to hold out and “starve” the union into agreement, threaten to close down the workplace and relocate somewhere else, or fire the striking workers and bring in scabs. The workers may throw up picket lines, threaten and harass management, or destroy company property. Under such pressures people change. A union may grow stronger and more militant or it may grow weak and corrupt under the pressure. Individual workers who have never before taken an active role in their union may become leaders or they may become discouraged and turn their backs on the union.

Much of the public is unaware of what unions do for workers. But when there is a strike the newspapers and TV are suddenly full of stories about the dispute, stressing the problems and gleefully seizing on any acts of violence that occur as good copy for headlines. Few Americans who have not themselves been part of a strike understand the complexities and problems of such activity. Most of the common knowledge of strikes is framed by the evening news or local newspapers, whose accounts are often superficial and biased. Yet American history is full of strikes—big general strikes that swept whole industries and even entire cities, and small strikes against individual companies that were won or lost in a short time. Strikes are as American as apple pie and ultimately have a great deal of influence on both our economy and governmental system.

This book is the story of just one strike, but one that illustrates all the excitement, drama, hardship, and violence that labor disputes in the United States have historically embodied. In a way it is unique. But the miners at the Brookside Mine in Harlan County, Kentucky, are not all that different from most people. The Brookside miners are part of Americana, a symbol of the recurrent struggle of working Americans to win a decent wage, to insure a safe environment in which to work, and to maintain an organization to protect themselves from the arbitrary practices of employers. A general lesson can be drawn from the Brookside story—a lesson that can help educate the labor movement and the American people about strikes and the role of the union.

It is impossible to understand what went on in Harlan County, Kentucky, in 1973 and 1974 without understanding what went on there in 1931. In the spring of that year miners in Harlan were striking and fighting armed company thugs in pitched battles. Workers across the country mobilized to support them. Most working people knew what was happening in "Bloody Harlan." Today the story of Bloody Harlan has been written out of most history books, like most of labor's history. As a result, the strikes and

demonstrations of today appear unusual when, in fact, they are a part of a recurring pattern in American history.

The roots of this conflict go back much further than 1931. Indeed, they go back to the founding of this country.

In the eighteenth century, industrial development in America was limited and most people were either small farmers, craftsmen, sharecroppers and indentured servants, or slaves. Following the American Revolution, the majority of citizens—the small farmers—posed a political question: would the new republic merely replace the British economic tyranny with a new American elite of wealth or would "democracy" include equalizing the wealth and resources of the new society? Small farmers had returned home after the Revolutionary War to find themselves deeply in debt for their lands and forced to borrow even more money to develop their farms. Scrip issued to soldiers during the War was largely worthless. On the other hand, the wealthy who had loaned the Continental Congress their money wanted to collect on the public debt—an amount that historians estimate totalled around \$60 million. Such money could be collected only by increasing the tax burden on the small farmer.

The result of such sharply conflicting interests led to a major rebellion by the farmers. Recognizing identical interests across state boundaries, they began a national social movement for financial and agrarian reform that would have stripped away the basis of propertied wealth of the elite and their consequent political control. This movement climaxed when Daniel Shay led an open rebellion in Massachusetts. Shay's Rebellion protested against creditors for foreclosing mortgages upon the debt-burdened farmers; against the lawyers for increased costs of legal proceedings; against the state senate, whose members were apportioned among the towns on the basis of the amount of taxes they paid; against heavy taxes; and against the Massachusetts

legislature for refusing to issue paper money. Even when the Governor put the rebellion down, he was unable to execute the prisoners because of popular sympathy for their cause. Thomas Paine and Patrick Henry, fiery orators of the Revolution, were vocal defenders of this populist movement. Governor Knox, a major holder of public securities and violently opposed to the popular movement, described what he saw as the small farmers' creed:

That the property of the United States has been protected from the confiscations of Britain by the joint exertions of all, and therefore ought to be the common property of all. And he that attempts opposition to this creed is an enemy to equity and justice and ought to be swept off the face of the earth.*

As the political and economic situation in the new nation became more unstable, the propertied classes moved quickly to provide an alternative to the existing Articles of Confederation. They called a Constitutional Convention which set down a plan for federalizing the government, centralizing authority, and placing control over the printing of money in the hands of a single government representing their own interests. Of the fifty-five men who wrote the American Constitution, not a single one represented the ordinary working person of the United States. The following economic interests *were* represented within that group: forty controlled large amounts of wealth based on ownership of public securities; fourteen were large land owners and speculators; twenty-four were bankers; eleven were merchants or manufacturers; and fifteen owned large plantations complete with slaves. They wrote a constitution that guaranteed their rights to their property. Northern industrialists and merchants, southern slave owners, and western land speculators were bonded by a common interest—"insuring domestic tranquility" meant the creation

* Charles A. Beard, *An Economic Interpretation of the Constitution of the United States*, New York: Macmillan Publishing Co., Inc.

of a federal force that could quell debtors' revolts, slave rebellions, and Native American resistance. This same authority served the coal operators of Harlan County, Kentucky, when the National Guard entered the coal miners' strike of 1931.

The original Constitution offered little in the way of political or economic protection for Americans who did not have major property interests to safeguard. Patrick Henry had even refused to attend the Convention, saying that he "smelt a rat"! After storms of protest swept the country, the elite promised to add a Bill of Rights offering some protections to ordinary citizens. States where the small farmers exercised political influence threatened to reject the Constitution altogether. The Constitutional Convention, however, had changed the rules of ratification. No longer did all the states have to ratify in order for the Constitution to pass. The Convention also provided for special state ratification conventions, which the framers of the Constitution believed would be more sympathetic than the hostile state assemblies.

The vast majority of adult Americans were excluded from voting in the elections of 1787 and 1788 for delegates to these ratification conventions. Slaves, indentured servants, the mass of men who could not qualify for voting under the property requirements, and women were all disenfranchised. Only five per cent of the population was eligible to vote. Even then the document was nearly defeated in Massachusetts (187 to 168) and North Carolina and Rhode Island refused to ratify it. Charles Beard, the noted American historian, summarized the struggle over ratification with these words:

Different degrees and kinds of property inevitably exist in modern society; party doctrines and "principles" originate in the sentiments and views which the possession of various kinds of property creates in the minds of the possessors; class and group divisions based on property lie at the basis of modern

government; and politics and constitutional law are inevitably a reflex of these contending forces.*

Thus American history *began* with a conflict between a small propertied class of wealth and the majority who lived primarily by their labor. The American people today tend to believe that the protections and advantages which they enjoy are the result of some sort of constitutional guarantee and that struggles such as the Brookside miners' strike are an "aberration" of the American Way of Life. That is not true. The benefits and rights enjoyed by working Americans are rights won only after long years of bitter struggle and social upheaval, starting with the protest that resulted in the original Bill of Rights. In 1788, when the Constitution became law in most states, human beings were still legally enslaved; women could not vote and had few civil or economic rights; any form of trade union organization was illegal; ordinary persons had no right to an education; there was no social security, unemployment compensation, or welfare in the event of economic hardship; and there was no protection against disabling injury or death on the job due to poor working conditions.

The process by which these rights were won can only be understood in the larger context of America's industrial growth. Industrial workers increasingly took their places alongside small farmers and craftsmen in the fight to win economic benefits and political rights. With the growth of the working class came the trade union movement, born in the earlier industrialization of Europe and brought over by immigrants. These newcomers, often wearing rags and speaking dozens of languages, dreamed of a Golden Land but soon discovered that American factories were as oppressive and dangerous as the ones in Europe.

Industrial growth challenged the form of production called slavery. As thousands of women sought factory work

**Ibid.*

and joined the fight for a union, they too began to demand political and economic equality. The nineteenth century in American history, then, is the history of three great social movements: the long, hard battle of working people to gain the legal right to organize themselves for the purpose of collective bargaining; the struggle of Americans of African ancestry and other minorities to gain political equality and full social and economic rights; and the determined movement of women for recognition as full human beings. Each was begun and fought through by quite ordinary people.

This book focuses on the history and the current problems of the first of these three movements. But in looking closely at the Brookside strike, it is clear that the issues of women and minority peoples are also involved. The key to winning the strike at Brookside was unity, and unity among working people needs to be based on full participation by all sectors of the work force, including minorities and women.

Today it is easy to take our rights for granted—the right to form a union and the rights of minorities and women to participate in public life without discrimination. But three important facts must be remembered: 1. rights that exist today were won only through bitter struggles in which thousands of people gave their lives; 2. such rights have not been fully won or secured for *all* citizens—there are still far too many who are excluded; and 3. without constant education, political involvement, and vigilance, rights already won can be taken away.



Breaker Boys

2

The United Mine Workers

Come all you poor workers,
Good news to you I'll tell,
How the good old union
Has come in here to dwell.

(Chorus)

Which side are you on?
Which side are you on?

We're starting our good union,
We know we're sure to win,
Because we've got the gun thugs
A-lookin' very thin.

If you go to Harlan County,
There is no neutral there,
You'll either be a union man
Or a thug for J. H. Blair.

They say they have to guard us
To educate their child,
Their children live in luxury,
Our children almost wild.

Gentlemen, can you stand it?
Oh, tell me how you can?
Will you be a gun thug
Or will you be a man?

My daddy was a miner,
He's now in the air and sun,
He'll be with you fellow workers
Till every battle's won.

Which Side Are You On?
Written by Florence Reece in 1931.

Eastern Kentucky is living proof that the myth that all working Americans are one great "middle class" is a lie. The people here live on land that contains some of the world's most valuable resources. Yet many can only afford small wooden homes without running water. Too many are crippled by injury or disabled by disease. And they survive under the domination of an industry that controls virtually their entire economy as well as their local and state governments.

Many of the people in eastern Kentucky have not shared in the goodies that parade across TV screens and shine out of glossy ads in magazines. This is not because they don't work as hard as auto workers in Detroit or steel workers in Chicago. Nor is it because they care less, for their history suggests that they care a great deal. But there is an overwhelming social reality in eastern Kentucky—no real union presence exists.

Today it is fashionable to criticize unions for all their failings; and some of these criticisms are justified. What critics of the unions fail to understand, however, is that life without any union at all is far worse. Without a union to represent his economic interests, the working individual is left alone to face the wealth and power of those who own and control industry. Without a union, the individual must fight alone for safety, health, and justice, and—as an individual—he can be quickly and effectively isolated. Today's generation of social critics have grown up in a society where unions have raised the general standard of living for large sectors of the population. They have forgotten what life is like when there are no counter-balances to industrial interests.

Before unions, women and children in the United States worked for fourteen hours a day, six days a week. The well-being of a mule was more important to a mine boss than the life of the miner—for “mules cost money but you can git another man fer free!” Men crippled or maimed by faulty machines or mine disasters were discarded by industry with no way to support themselves or their families. Wages were set at the lowest possible amount that owners could pay and still get labor; when labor was plentiful that amount was below starvation level. The early factories and mines of America were organized to create profit. It was not because the men who owned and ran them were either “bad” or “good”; it was because the competitive system of capitalism drove out of business anyone who could not maintain an equal or better rate of profit than his competitor. This economic law gave the owners no choice. If they were to stay in business they had to constantly seek ways to lengthen the working day, speed up production, and lower the wages of workers.

Faced with these conditions the working people of the United States gradually began to understand the necessity of trade union organization. That understanding did not come

easily. The newspapers, schools, and churches were overwhelmingly controlled or influenced by the rich. From all sides—the press, the pulpit, the schoolroom—workers were told that unions were “unnatural,” that unions denied individual freedoms, and even that unions were subversive plots against the United States! Union organizers were called atheists, communists, anarchists, or anything else that was considered “un-American.” These charges frightened many workers, especially those entering the factories and mines from farms. Yet the conditions of factory life and mine work overshadowed the propaganda; organization into trade unions was the only way to fight the threat of sudden lay-off, arbitrary firing, or a cut in wages.

The first working people's organizations grew out of mutual benefit societies whose goals were to provide help and insurance to families of those killed or maimed by work. These early associations were begun by skilled tradesmen and eventually grew into unions that brought together all workers engaged in a similar craft. In response to the need for broader forms of organization, groups such as the Knights of Labor, the Industrial Workers of the World, and the Western Federation of Miners attempted to represent American workers both economically and politically. The beginning of the “modern” American labor movement came in 1881 when different craft organizations formed the American Federation of Labor (AFL) under the leadership of John Jarett of the Amalgamated Association of Iron and Steel Workers and Samuel Gompers of the Cigarmakers Union. The AFL was a significant step forward in the trade union movement and soon became the dominant organization of American labor.

As the factories of America grew and became more automated, more workers entered the industrial workforce. The AFL was unable to respond to the changing economic conditions. With the introduction of more machine technology, assembly lines, and mass production, it was impossible to draw an exact line where the work of one craft left off and that of another began. The result was that the AFL

became embroiled in bitter jurisdictional disputes among its member unions and failed to aggressively direct itself outward toward organizing the unorganized. The AFL also had another weakness. Craft unions had historically discriminated against ethnic minorities, particularly minorities of color. This discrimination allowed employers of developing industries to employ minority workers denied membership in the unions and use them against union workers.

When the coal miners of this country organized the United Mine Workers of America (UMWA) in 1890, they formed a union based on work within a single industry, including all workers no matter what type of labor was involved. This kind of organization was called an industrial union as opposed to a craft union. Although the Mine Workers were not free of prejudices against minorities, they never developed a general policy of discrimination. In many instances, when coal operators attempted to use Southern Blacks, Italians, or Slavs to break a unionization effort, the Mine Workers proceeded to organize the newcomers into their union. Thus, minorities have been active in the UMWA since its inception.

It is not surprising that the miners organized the first major industrial union in the United States. Coal mining (and other types of mining) is one of the, if not *the*, most dangerous occupations in the country. Survival in the mines demands that all the workers watch out for one another and every miner understands that his safety and well-being is linked to the work of the others. This basis for unity helps explain why the UMWA has played a crucial role in the American trade union movement.

The most significant contribution of the UMWA to the U.S. labor movement was its leadership of the struggle to organize newer industries, such as auto and steel, along the lines of industrial unionism. By the thirties it was evident that industrial growth lay with such industries. But the AFL

was oriented toward craft unionism. Gompers and the other AFL leaders argued that only this type of unionism could succeed because it was based upon the principle of the self-interest of the individual worker. They believed that any policy that jeopardized the principle of craft unionism would threaten the entire Federation. According to them, industrial unionism had been tried earlier and had failed. Critics charged that they only cared about protecting the interests of the skilled minority, for by the time the debate came into full bloom the vast majority of industrial workers were unskilled and unorganized.

The UMWA was a member of the AFL and its president, John L. Lewis, tried to convince the larger organization to carry out the task of organizing the steel and auto industries along the lines of industrial unionism. But the AFL was unwilling to commit itself to that task and John L. Lewis and the UMWA left the AFL over the question. Lewis was joined by Sidney Hillman of the Amalgamated Clothing Workers, Charles P. Howard of the Typographical Workers, Max Zaritsky of the Hat, Cap and Millinery Workers, and a number of others. In 1938, they formed the Congress of Industrial Organizations (CIO). The CIO's aggressive and militant organizing drives, culminating in the formation of the United Steelworkers, the United Automobile Workers, and the United Rubber Workers, were funded largely by the UMWA. In a very real way autoworkers, steelworkers, and many other organized workers in the United States owe their unions to the miners.

Despite its leadership and strength in the late 1930's, the UMWA had experienced its own problems. From a position of strength and a membership of nearly 400,000 in 1920, the UMWA was hit by a rapid decline in the coal industry and in 1930 its membership had fallen to fewer than 150,000. Lewis changed his earlier tactic of an aggressive organizing posture to a position of accommodation and appeasement to the ailing coal industry. These changes in organizational policy had disastrous consequences for the coal miners of Harlan County in 1931.

In February, 1931, fifty-three men met to plan a union-organizing drive in Harlan County. They contacted the international office of the UMWA and were assured the backing of the national organization. But the international officers also told them to limit their activities to signing men up. They were not to strike.

At that time the United States economy was reeling from the depression and the coal industry suffered massive lay-offs. A new round of wage cuts and lay-offs in Harlan early that year fueled the dissatisfaction of the miners and as a result the union effort blossomed. On March 1, more than two thousand miners participated in a union meeting. Enthusiasm for a union ran high. The coal companies swiftly retaliated. The next day several hundred families were evicted from their company-owned houses. The companies also began to bring in mine guards, commonly called "gun thugs." And in March alone, Harlan Sheriff J. H. Blair swore in 26 new county deputies and 144 company employees.

Blair's actions were entirely legal. In 1931, the laws and courts held that unions were "illegal combinations in the restraint of trade." When workers held meetings, put up picket lines, and advocated their union to other workers they were therefore *breaking the law*. It was not until 1935 and the passage of the National Labor Relations Act that such activity became legal, at least for some workers.

But this was still 1931 and the miners of Harlan continued to carry out their illegal activities. In response the companies fired workers en masse, engaged strikebreakers and scabs, and deployed the sheriff and deputies to harass union supporters and events. Individuals sympathetic to the union were frequently beaten or jailed. Deputies came to the miners' homes and threatened their wives and children. The miners began to arm themselves and fight back. By mid-March the miners decided they had no choice—they began a strike that ultimately involved over 8,000 miners, nearly the entire workforce of Harlan.

The organizers concluded that a union could not be

organized without using the most effective weapon the workers possessed—their ability to withhold their labor. With the force of law on the side of the coal operators, a strike was the only means left to protect their demands for a living wage and safer working conditions. But the international union had told them not to strike, and when the strike began it refused to support the Harlan miners.

The international union, charged with representing the interests of coal miners in West Virginia, Kentucky, Nova Scotia (Canada), Ohio, and other areas, held the position that in this period of economic decline accommodation with the interests of the operators was essential. Otherwise, they argued, the price of coal would be less competitive with other fuels and even more miners would lose their jobs. Although this perspective made sense to those in Washington, the coal miner in Kentucky, who was trying to survive on starvation wages as he watched the coal operator grow rich, could not accept such reasoning. Thus, a conflict was set up between the higher levels of the organization and its rank-and-file constituency. This conflict eventually divided the UMWA and helped defeat the strike in 1931. Similar tensions were present in the Brookside strike of 1973 and 1974 but were overcome.

When a shoot-out on May 5th left three guards and one miner dead, the companies moved with the full power of both state and local government. Three hundred National Guardsmen were brought in. The Guard searched miners' homes and systematically confiscated all weapons. Forty-three miners were arrested for the May 5th incident, including the entire local union leadership. Tear gas broke up the meetings held by miners to protest the arrests.

The union effort had been broken. The UMWA completely withdrew all support for the organizing drive. A second union drive by the National Miners' Union attempted to maintain the momentum but it too failed.

The bitterness of defeat was compounded by further decline in the coal industry. Lewis's policy of accommodation appeared to have no effect. The demand for coal did in-

crease just prior to and after the Second World War. But with the exception of some very limited attempts, the UMWA did not return to Harlan. In 1973, when the Brookside strike began, only two other mines in the country—Glenbrook and Lynch—were UMWA mines. Most working miners were non-union.

In the fifties, American industry's conversion to fuel oil as its major source of energy meant thousands of lay-offs for miners in eastern Kentucky. Even those still at work discovered that the introduction of machine technology threatened the few remaining jobs. Again, the area was plunged into the throes of a depression that lasted over a decade.

Coal was rediscovered as a cheap fuel in the early seventies. By comparison, oil was rising in price. Abandoned mines were reactivated and new ones opened up. Former miners and young people from Harlan who had left to seek jobs and a better life in cities like Detroit, Chicago, and Cleveland began to come home. A new breath of life was blowing across the moribund union.

The United Mine Workers of America was at a critical juncture in its history. The decline of the coal industry after World War II had been reflected in a decline in union membership and in the vitality of the union itself. When Lewis retired as president in 1960, the union was involved in questionable business activities, including ownership of coal mines and bank and stock manipulations. Three years after Lewis's retirement, Tony Boyle took over the organization's presidency and soon came to represent all the negative aspects of a "Labor Boss." He had made his way through the union bureaucracy with minimal experience as a working miner. He ran the union with an iron fist, using the clout of his office, bribes, and outright violence against his critics. Boyle's salary was a comfortable \$50,000 with an unlimited expense account. He negotiated contracts with the coal operators which did little to protect the health and welfare of the men but which ensured his continued control over the

union. The miners were denied the right to vote on their contracts and even for their own district officers, who were appointed by Boyle. At the union's 1964 convention, Boyle met a growing challenge to his control by packing the assembly with illegal delegates—miners receiving "bonuses" from Boyle or retirees that Boyle could count on for support. Boyle even organized a "White Hat" goon squad that patrolled the convention floor, harassing and threatening dissidents. Ironically, the miners who made up the goon squad came from a small district that had few union mines but whose officers were fanatically loyal to Boyle—District 19 in Harlan County, Kentucky.

As the coal industry expanded, new miners entered the workforce and questions were asked. Boyle increased his repressive tactics. The growing tension within the union was blown open when the Mannington Mine in Farmington, West Virginia exploded in November, 1968. In the five years prior to the explosion the Bureau of Mines had cited that mine sixteen times for failure to carry out sufficient safety precautions. But Consolidation Coal virtually ignored the citations and the enforcement capacity of the government was nonexistent. Boyle had done almost nothing to fight the coal industry's increasing disregard for safety.

Seventy-eight men died in the Farmington disaster and the union was shaken to its foundations. In May, 1969, Joseph "Jock" Yablonski announced his candidacy for president of the union and vowed to clean up the organization. Yablonski, President of District 31 in Pennsylvania, was one of the few district leaders who had built a base of independent support without being fired by Boyle. Boyle's response to this threat was to order the elimination of his opponent. On New Year's Eve Jock Yablonski, his wife, and his daughter were brutally murdered while sleeping in their home. The murders touched off the rebellion that had been fermenting within the union. An organization called Miners for Democracy mounted a major campaign of protest and in 1972 succeeded in electing its reform candidate, Arnold Miller, president of the union.

It was at Brookside in Harlan County, Kentucky, that this new reform leadership faced its first major challenge. Would Miller's administration back the miners of Harlan who sought a UMWA contract in a region that had been betrayed by the union's national leadership in the past? Would Miller respond to miners in District 19, a district whose few existing union miners had supported Boyle against Miller? The Brookside strike became a symbolic test for the UMWA.

3

The Brookside Strike Begins

SUPPORT THE BROOKSIDE WORKERS

The Brookside workers have been on strike since August 1st. They have been fighting to get the UMWA recognized. They figure they have a right to pick who represents them. They figure they have a right to decent wages, decent benefits, decent safety conditions, above all a right to have a say in their own affairs.

The company has refused to recognize these rights of the workers. Your husbands, sons, brothers, and neighbors. The things they are fighting for are things that all of us workers want; their fight is our fight.

Right now, Eastover has brought in scabs. The UMWA has a restraining order against them, and an injunction is pending. The situation exposes that the police support and the local newspaper are working strictly in the interests of the company.

Worst of all is that the union leadership has not acted in the true interest of all the workers. They have taken the initiative and the leadership out of the hands of the rank and file. They have isolated the strikers from the people by not taking the union to the workers of Harlan County.

It appears that the only support that the striking miners really have is the honest workers of Harlan County. It is now the time for the workers of Harlan County to step forward and show and demonstrate our support of this strike. We will show Eastover that we support the workers and consider their fight as our own.

A special meeting is called to plan precisely how we will do this. It will be at Cloverfork Multipurpose Center, this Saturday, September 25 at 12 noon. We need many people at this meeting.

This leaflet was not put out by the UMWA.

Text of leaflet calling for wider community support.

"On Strike!" Signs carried by the miners on the morning of July 26, 1973 left no doubt as to what was happening at the Eastover Mining Company's Brookside Mine. The strike had been brewing for months. This day in July was the result of a series of actions by ordinary workers protesting unacceptable conditions at their workplace. Unlike strikes which may be called from "above"—by the official union bureaucracy—strikes that originate from the rank-and-file ("below") may cause problems for the union as well as the company. The strike in 1931 had been that kind of strike and Brookside was that kind of strike. The events that preceded and followed the first picket line illustrate the dilemma of rank-and-file originated strikes.

The previous owners of the Brookside Mine had defeated a UMWA organizing attempt in 1964 by simply closing down the mine and putting the miners out of work. The international had pumped over \$600,000 into the district in the last half of 1964 but the strike had been lost. Many of

the rank-and-file miners felt that local officials appointed by Boyle and international organizers had diverted the money for their own uses. Once again the miners felt they had been betrayed by the UMWA. In 1970 the local owners sold Brookside to the Eastover Mining Company, a subsidiary of Duke Power Corporation. Duke Power is the eleventh largest independent electric utility company in the country, with operating revenues over \$600 million in 1973. Based in North Carolina, Duke was famous for its opposition to unions. Brookside was not their only mine. Eastover also owned the High Splint Mine in Harlan County and two other mines in other Kentucky counties. So when Brookside opened up again in 1970, the miners found themselves working for a huge diversified corporation instead of a locally owned and managed company.

The Eastover management realized that union sentiment among some Brookside miners was strong, and they employed a well-known offensive tactic: they encouraged and then recognized another union, a union that they—management—believed they could control. This was the Southern Labor Union, notorious for its sweetheart contracts and close connections with management. Brookside miners had little respect for the SLU. Under this so-called union, the miners had neither hospital card, effective job security, nor a workable grievance procedure. Most serious in the eyes of the miners, however, was the fact that the SLU did little or nothing about safety.

Safety was a key issue at Brookside because the mine had what miners call "bad top." This refers to layers of rock that overlay the coal. As the coal is removed, the rock roof tends to crack and fall. Roof falls are the leading cause of death in the mines. Such falls occur frequently in mines that have bad top and lack adequate safety procedures to protect miners. Miners believed that the Eastover Mining Company cut corners on safety. The SLU and the company were blamed for the numerous injuries suffered due to roof falls and other safety hazards.

The Brookside miners understood that if they wanted real

union protection they were going to have to get rid of the SLU. And their discontent was encouraged by the changes they saw in the UMWA. The changeover from the Boyle regime (which they believed had betrayed them in 1964) to the reform-oriented administration of Arnold Miller gave them hope that the UMWA might be the union they needed.

Miners began to plan ways to get rid of the SLU. First a group including Jerry Wynn, Fats Curtis, Ronnie Curtis, Mickey Messer, Carl Noe and Grover Jennings started talking to fellow miners and to people in the community. In the up-coming election for officers of the SLU they decided to run a pro-UMWA slate. The miners would know that a vote for this slate would be a vote for the UMWA. The strategy worked and the slate, headed by Jerry Wynn for President, was elected.

The company knew what was going on and shortly thereafter found a reason to fire Jerry Wynn. The miners walked off their jobs. Eastover told them they would be fired if they did not return to work. But when the miners returned, the company retaliated by firing the other pro-UMWA officers. The miners struck again, this time writing and passing out a leaflet telling the community and other miners why they were striking.

Harlan County is part of District 19 of the UMWA and the striking miners appealed to the leadership of the district for help. They were told that the union's hands were tied legally; the men had to go back to work under the SLU contract until it expired. When the contract did expire several weeks later, the miners knew what to do. In late June the Brookside miners voted 113 to 55 to join the UMWA.

Eastover Mining Company never wanted the UMWA and now, forced to negotiate under the auspices of the new union, they stalled. After a month of fruitless negotiation, they broke off the contract talks. Without a contract the miners had little choice. They went out on strike.

Unlike the earlier walk-outs, this strike was legal. The company had limited choices: it could close down

operations, it could attempt to operate the mine using non-union miners, it could return to negotiations, or it could simply try to wait out the strike. During the first month Eastover did not attempt to work the mine and the miners' morale ran high. Their strike was going to be supported by the union.

Union support was not without its problems. The District 19 leadership was suspicious of the activity at Brookside and unsure of their relationship with the new union administration in Washington. Still they were forced to recognize the strike, for had they not supported it they would have been discredited throughout the district. Their support was hesitant however, and some of the miners began to demand that the international also show some support. Miller, who had campaigned on a platform of "Organize the Unorganized," could not politically afford to ignore this small group of determined Kentucky miners who had seized the opportunity to fight for a union of their choice. It is unlikely that Miller would have chosen eastern Kentucky for the demonstration of his new policies, as the difficulties of organizing against the powerful Kentucky coal operators were well known. But Miller had no choice. This strike arose from real conditions in eastern Kentucky, not from the drawing boards of the union's Washington headquarters. The official union responded to pressures from "below."

Shortly after the start of the strike, the Brookside miners were told that the international would send full-time organizers and pay strike benefits of \$100 a week. The presence of the organizers from Washington, strong Miller supporters, made the district union leaders nervous. But the two factions had little choice; if the strike were to be won, an uneasy alliance had to be maintained.

Eastover Mining Company shifted tactics in September. They obtained a court order limiting the number of pickets to three per mine entrance. The miners were outraged. Three pickets could not stop scabs! Eastover had decided to resume operation of the mine with nonunion labor.

During a strike there are two kinds of nonunion labor:

scabs and strikebreakers. Those who choose to not support the strike and keep on working are called scabs. Usually community and workplace sentiments combine to keep the number of scabs low. A company has to seek elsewhere to find workers. This is not easy for few want to travel to hostile territory, cross picket lines, and take someone else's job. Thus there exists a group of hardened men who become professional strikebreakers, moving from one strike to another. Often unable to hold down regular jobs, they are the "mercenaries" of the labor movement and are universally held in contempt by union workers. Many strikebreakers have criminal records; almost all of them like to use weapons and enjoy a good fight.

With the picket line weakened by court order, Eastover Mining Company brought together a group of over fifty men—scabs and strikebreakers—and created an armed caravan. They crossed the picket lines and the mine resumed limited operations.

This was a low period. Miners were confused and angered by the turn of events. What Eastover did was legal and the union seemed to do little to stop them. Miners began to turn on one another. Older miners criticized the union for not being more decisive; Boyle supporters attacked the Miller administration; weak union members uncertain about the strike talked about going back to work. The strike was on the verge of being lost.

The core group of Brookside miners involved from the beginning were not willing to be so easily defeated. A group of about ten met and discussed possible strategies. Taking part in their discussions was a newcomer, a young man from Chicago named Barry Spilberg. Barry was visiting friends he had met working in a Chicago factory. When the strike started he decided to stay on in Harlan to help. Barry contributed a different perspective to the group. His experiences with the multi-ethnic population of Chicago had convinced him that strikes could not be effectively won without the support of a wide range of people who all

understand that winning the strike is in their particular interest. He argued that if the Brookside strike remained an issue for less than 200 men and their families, it could more easily be isolated and defeated by a large corporation like Duke Power Corporation.

Recent events convinced the miners that Barry might be right. Together they worked out a plan based on organizing and mobilizing support for the strike from all around Harlan County. They decided to call a large community meeting and to issue a leaflet announcing it.

District officials and UMWA organizers sent by the international were placed in a difficult position. They were frustrated and angered by the court decision but were legally bound to uphold the ruling. If the organizers advocated breaking the law, the union would open itself to damaging lawsuits. They were especially wary of Barry, who seemed to be critical of their leadership. But they knew that the strike would be lost unless decisive action was taken. The question was how to convince nervous officials in Washington to adopt new and bolder tactics.

Dealing with the union in Washington was not easy. On the one hand Miller had brought into his administration young and militant advisers. Lawyers, researchers, and public relations experts, many of these young people had first worked with VISTA in Appalachia and later supported the Miners for Democracy movement. They tended to support more radical tactics. On the other hand Miller's victory had not swept the entire union. Conservative pro-Boyle representatives still dominated the International Executive Board of the UMWA.

For the union organizers at Brookside, the leaflet became a lever they could use on the international. The organizers argued that if the union did not sanction more militant tactics, these rank-and-file miners and an "outsider" might take over the strike. Although the union organizers were hostile to the leaflet, they used its call to seek out a more radical response from the international.

The authors of the leaflet did not want to undermine the

union or its support. When the organizers began to respond and take over the initiative, the miners involved changed their position and suggested organizing a mass picket instead of a mass meeting. The organizers took up the idea. A mass picket line involving community supporters, wives, and retirees would not violate the court order but could be used to stop scabs and strikebreakers from going to work. At the same time organizing a mass picket line would demonstrate that the strike had not been broken.

Initially the mass pickets were not officially organized by the union. Unofficially however, the organizers from the international and the local union officers did most of the work—painting picket signs, making phone calls, and providing money for gas to drive around the county mobilizing support. The first mass picket line was a success and each day the number of supporters grew. After several days supporters began to exercise their own initiative, first under the watchful eyes of the union organizers and later as an equal voice with union officials. In time the supporters, particularly the women, became the key leadership within the strike.

What happened at Brookside in September, 1973, was the curious development of a creative tension. This tension between the demands and initiative of the miners and the more cautious and careful concerns of union officials had the potential to destroy the unity between miners and their union and rip the strike apart. Instead, the tension became a motor driving the strike forward, each side groping to respond to the other and preserve their common interest—winning the strike. The small group of miners provided decisive leadership by the simple act of clarifying the issues and calling for wider support from workers in other jobs and from community people. Union organizers took up the call and the strike entered a new phase, passing from a narrow conflict between a few hundred coal miners and one company to a struggle of all the working people of Harlan County against the oppressive ownership structure commonly faced by all.

1973 Strike Chronology

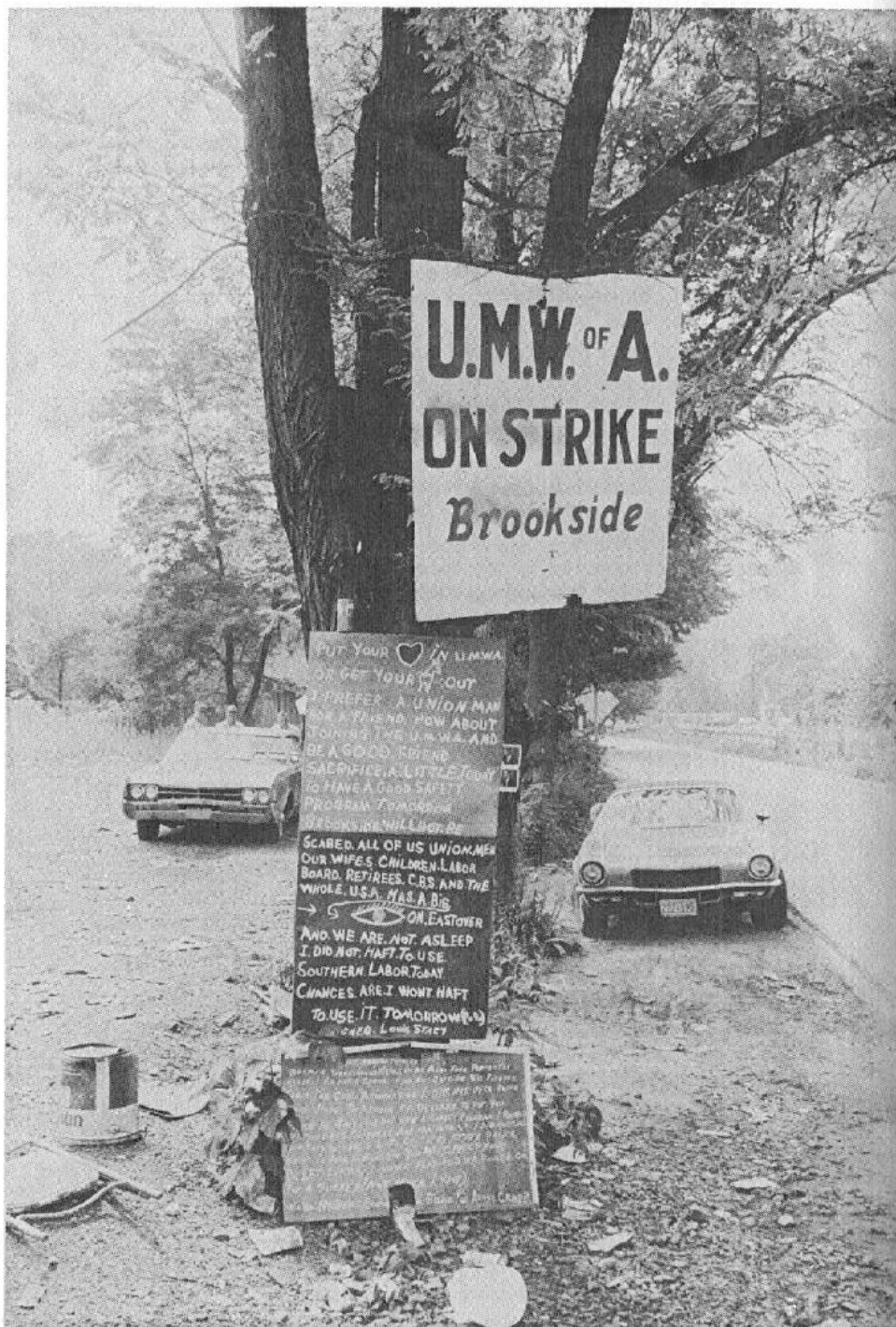
- June** Miners at Brookside vote 113 to 55 for the UMWA in an election conducted by the National Labor Relations Board.
- July** Contract negotiations break down and the Brookside miners decide to strike for union recognition and a contract.
- August** UMWA President Arnold Miller and other officers visit the Brookside picket line.
- September** Duke Power goes to court and gets an injunction limiting the number of union pickets at Brookside. The company uses scabs and strikebreakers to re-open and operate the mine. Women and retired miners organize pickets and stop scabs from going into the mine.
- October** State Police start arresting striking miners and women pickets for violating injunctions. Scabs and strikebreakers break the picket line with police escort. Women and miners are jailed and Duke Power gets contempt-of-court citations against 16 pickets. UMWA begins national publicity campaign about the Brookside strike.
- November** Federal mine inspectors find 72 safety and health violations at the Brookside mine. UMWA and Duke Power completely break off negotiations. Picket lines of 40 to 50 people at Brookside every morning.
- December** Picket lines become smaller. Eastover Mining Company increases production at the High Splint Mine.

1974

- January** Special Circuit Court Judge overrules previous court-imposed limitations on pickets.
- February** National Labor Relations Board rules that the UMWA can legally picket Duke Power's High Splint Mine. Kentucky State Court of Appeals reverses Special Court ruling. Number of pickets again limited. Eastover attempts to bring scabs back into Brookside. Pickets block scabs leaving the mine and fights break out. New contempt-of-court charges filed against pickets.
- March** UMWA organizes public hearings by a Citizens Committee of Inquiry, which hears testimony from striking miners and women supporters.

1974 Strike Chronology

- April** UMWA organizes a group of strikers and families to picket New York Stock Exchange protesting new issue of stock by Duke Power. Miners and wives use donated stock proxies to speak at Duke Power's annual stockholders' meeting. National Labor Relations Board issues statement blaming Duke Power for the breakdown in negotiations.
- May** Duke Power and the Southern Labor Union are caught trying to bribe a local UMWA official. UMWA files bribery charges. A Harlan County court finds eleven strike supporters in contempt.
- June** Eastover Mining Company sends eviction notices to eight striking families living in company-owned housing.
- July** Women's Club organizes large picket lines at High Splint. Some sympathetic miners at High Splint honor line but Eastover hires additional strikebreakers and scabs. Picket line at High Splint keeps mine closed. A retired miner is shot by a strikebreaker. Nearly 100 State Police escort scabs into High Splint and break picket line. UMWA President Arnold Miller calls an emergency meeting in Harlan to rally support for the Brookside strike. Miller meets with Kentucky Governor Wendall Ford about the use of State Police.
- August** Gun thugs begin campaign of terror, shooting into the homes of striking miners. Machine guns used against pickets at Brookside. Scabs and strikebreakers attack and beat up pickets. Mass demonstration of support called by UMWA. Thousands of UMWA miners come to Harlan for a rally and march. Striking miner is shot by strikebreaker in front of two witnesses. Two days later, he dies. Union officials, fearing open violence in Harlan County, increase pressure on Duke Power. Company agrees to negotiate. U.S. Department of Labor mediation service brought in. Duke Power offers contract. Brookside miners vote to accept it. The strike is over.



Photographer unknown

UMWA on Strike at Brookside.

Nature endowed the mountains of Harlan County with a majestic splendor. Even now, the rhododendrons and red-buds uplift the human spirit. Harlan has been ravaged and despoiled by man.

But man can undo the harm he has done. Man can cleanse the streams and air he has polluted. Man can reforest the hills he has stripped. Man can breathe a new hope into the lives of those in Harlan County; so long out of sight and so long neglected.

This, then, is the challenge to the Duke Power Company and the United Mine Workers at Brookside, and through Brookside, to all of Harlan County, to all of Appalachia.

From "Hard Times in Harlan County" by Daniel H. Pollitt of the Citizens Public Inquiry. Reprinted from the *Journal of Current Social Issues*, Vol. 11, No. 6, Spring 1974.

The first morning of the mass picket line a large crowd showed up near the entrance of the Brookside Mine. It was early and the sun was just coming up behind the mountains. People living in the small company houses around the mine woke up and turned on their lights. Early risers broke the stillness of the morning as they slammed doors on their way to the outhouse in the backyard. Eastover-owned company houses had no indoor plumbing.

A long snake of lights twisted down the road as the scab caravan approached the picket line. The first car in the caravan pulled up to the line and stopped. Seeing the women, the driver rolled down his window, stuck out his head, and yelled "God damn bitches!" One woman shouted back, "No more scabbing at Brookside! No more scabbing at Brookside!" Cars and trucks were now backed up, waiting to get past the line of women and men fanned out across the road. The pickets didn't move. Scabs began to honk their horns and shout obscenities. The women kept

up the chant. "No more scabbing at Brookside!" The driver of the lead car started up his motor and inched forward toward the pickets. The women stood their ground. He stopped. Some of the scabs got out of their cars and lifted their third fingers at the pickets. One scab got too close and a small angry woman lashed out at him with a long thin switch.

One of the strikebreakers called out: "Alright, men, let's go home!" The scabs began to back up and turn around. The pickets broke into cheers. "We did it! We did it!"

The mass picket line continued to hold back the scabs for several weeks. The court injunction limiting pickets applied only to the miners actually involved in the strike. The union was circumventing the injunction by using individuals not directly associated with the dispute.

The enlarged picket line also had another effect. Women who showed up at dawn morning after morning began to understand that they had an interest in the strike. Issues of the strike—better pay, better housing, safer working conditions—deeply affected family life. Historically such issues had brought forth family involvement in the coalfields.

In the late 1800's, one of the most important issues had been child labor. Not until after World War I did most states outlaw child labor. As late as 1910 the U.S. Department of Labor estimated that over two million children were working in industry. Young boys at eight or nine years of age started in the coal mines as "breaker boys." Perched over the coal chutes, they kicked apart large chunks of coal with their feet. Companies used older boys to crawl into small places where a grown man wouldn't fit. A mother might have a husband or older son killed or seriously injured and at the same time have a young son crushed by coal in the chutes, mangled under the wheels of coal cars, or buried alive in a hole too small for grown men to reach. Because of the desperately low wages paid to the miners and the numerous injuries and widespread disabilities suffered

by the adult worker, young sons were sent into the mines as a matter of economic survival. The fight to abolish child labor had to be a fight to insure safe working conditions and living wages for primary wages earners.

Younger women on the Brookside picket line learned about this history from the older women who had actively participated in the strikes of the thirties. Minnie Lunsford, in her seventies, was the leader among the older women. She was proud of the fact that she had always supported the union and helped pass the time on the picket line by telling stories about older days.

Minnie was a fighter. One morning a mean-looking scab drove his car further than usual and pushed into the picket line. Minnie stepped in front of the car. He growled at her to get out of his way. Minnie glared at him and shouted: "No, I didn't come here to git out of nobody's way. I'm stayin' put!"

The scab threatened her, "Git out of my way or I'll scoot you out!"

"Go ahead and blow me down," answered Minnie, "but I'll be right here on the ground, right on the tracks."

The scab was getting mad. "Go to hell," he said.

Minnie stamped her foot. "No, I didn't come here to go to that place. I said the picket line is the only place I'm goin' and I said if you cross the picket line buddy, you'll be there before anybody!"

The scab spit at Minnie and called her an obscene name. Minnie grabbed a better hold on her walking stick and moved quickly to the scab's open window. She stuck in her stick and whipped him around the neck and shoulders. He finally pushed her stick out, rolled up his window, and backed up his car.

As the women held the picket line, they began to realize the importance of their participation and their potential strength. In late September they held a meeting and organized themselves into the Brookside Women's Club. Purposes of the club included supporting the picket line, raising funds to buy clothes and pay medical bills for strikers, and

holding parties and picnics to keep up morale.

Women were not the only ones who organized support for the strike. In early winter the union organizers brought together retired and disabled miners to discuss a UMWA Booster Club. Carl Dykes, Hobie Grills, and Bill Worthington represented the disabled and retired miners and the Black Lung Association. These men hoped to organize the large group of older individuals who had been discarded by the mines because they had become too sick or crippled to work. Perhaps more than any other industry in America, coal mining creates this premature pool of "retirees"—men in their late forties, fifties, and sixties ravaged by the mines and suffering from bad backs, broken bones, and impaired breathing due to the inhalation of coal dust over the years. The latter condition is popularly known as "Black Lung."

The United States is the only one of the industrialized coal mining countries of the world still to have a major problem with Black Lung. Black Lung has been all but eliminated in Great Britain, Germany, Romania, the Soviet Union, and Australia. American coal companies refused to even acknowledge the disease at first. When public opinion forced their recognition of Black Lung, they adamantly opposed and sought to undercut legislation and enforcement of measures that would eliminate its causes.

Like the Brookside strike, the fight to get the coal industry and the American public to do something about Black Lung originated at rank-and-file level. Miners organized themselves into Black Lung Associations and began to pressure local and national lawmakers for protective legislation against this disease which eats into lung tissue and eventually kills. The Black Lung Movement began in the late sixties and was ignored by the official union under the leadership of Tony Boyle. It remained an independent movement in the coalfields, lobbying its own union as much as other institutions of society.

In Harlan County the individual most prominently identified with the Black Lung Association was Bill Worthington, a retired coal miner and a victim of Black Lung. Bill is a black man. Even though Brookside strikers included no black miners (the prejudicial hiring policies of Brookside management had seen to that), Bill made the fight for the union at Brookside his fight too. Bill believed that getting the union in Harlan was directly related to solving problems of black people. He held that only when working people had some power within the political system would it be possible for blacks to win genuine equality. Bill had known the terror of the Ku Klux Klan whose presence in Harlan had always kept blacks in "their place." He also knew that when the union was strong and organizing, the Klan had to hide, for it was as much an enemy of the union as it was of blacks.

Strong union contracts would benefit both black and white miners. The miners had a way of putting it: "When we is down there, all covered with coal dust, we is **ALL** black!"

The growing support from such groups as the Women's Club, the Black Lung Association, and now the UMWA Booster Club strengthened the strike. It looked like the company had been set back.

Several weeks after the formation of the Women's Club the company made a new legal attack. Eastover obtained a court injunction that now applied to women and supporters as well as to striking miners. Once again the company used the law against the strike. Tom Pysell, head of the organizing department of the International Union was in Harlan when the bad news came. He drove to the picket line, dreading the thought of telling the women and retirees that they could no longer legally picket. Tom and Houston Elmore, the organizer assigned to full-time work in Harlan, had already discussed the consequences of the injunction. Houston was particularly frustrated, for he realized the im-

portance of the growing community support. Houston was even in favor of expanding the strike to other mines. But he was continually told to wait by the international. They assured him that union lawyers would get the court decision reversed. However, there was no telling how long that complicated process might take. A ruling favorable to the union would do miners no good if it came so late that the strike had been defeated.

When Tom told the women the bad news, they were angry and confused. The Club called a meeting for that evening. After a long and heated discussion, those at the meeting decided to break the law and maintain the picket line. This was a decision that went against the directives of the union organizers. The following morning, when the women got to the picket line, State Police were already there with frozen faces and spotless uniforms. The women had decided what they were going to do. They were going to use tactics that they had seen on TV news reports of other protests. They were going to lie down in the road and go limp.

The state troopers lined up, pushing the women back against the side of the road. Most of them were young men, trying to remember their lessons in crowd control. Some younger troopers looked unhappy and confused. They were being used as a goon squad for the coal company and some of them privately sympathized with the miners. They figured they had to follow orders to keep their jobs, so they just tried to push the guilt out of their minds.

The scab caravan approached. The first scab car got through the picket line. The women laid down in the road, blocking the other cars and trucks. The State Police moved in and began carrying and dragging some of the prone women into patrol cars. Melba Strong was the first to be arrested. Lois Scott was next. The troopers had to drag her on the ground to the patrol car. Betty Eldridge gave them the hardest time. She kicked and fought back and they did not even attempt to carry her but dragged her the entire way to the patrol car. Once in the car they asked her if she were going to give them further trouble. If she was, they said, they

were going to handcuff her before they got to the police station. Betty lifted her chin and glared at them defiantly. "No," she declared, "I'm going in there like a woman. I'm proud of what I did."

As the police drove off with the arrested women, more cars and trucks pulled up. Houston Elmore had gone back to the motel where he stayed and called the nearby Glenbrook Mine. Glenbrook was one of two mines in Harlan County where the workers belonged to the UMWA. Miners there had made repeated offers to come and help on the picket line. Houston decided that today was the day. His call came as the morning shift was in the bathhouse, getting dressed to go underground. The Glenbrook miners, wearing hard hats and carrying equipment, quickly piled into their vehicles and drove to Brookside. As the strong and angry miners jumped out of the cars, the remaining pickets broke into grateful choruses of "When the Saints Come Marching In!" "They're like angels," a woman declared. "This is what heaven'll be like—lookin' up and seein' those saints a'comin' in!"

The women did not give up after the arrests.

Women, miners, and other supporters continued to hold the picket line. Eastover put pressure on the courts to enforce the injunction more effectively. In October, the court served seven women and nine miners with contempt notices and police arrested them for being on the picket line. The police also took along four small children: the arrested mothers had no one to care for their children.

Going to jail was a traumatic experience for the miners and women alike. These people were hard-working, patriotic Americans. Now, for protecting their right to a union, their society had assigned them a criminal status. State Police, judges, jailers, all treated them as having done wrong. The jailed union supporters *knew* they were right. The question that perplexed them was how a system that claimed to be "just" could jail them for fighting for justice. Why was it nobody came and put the mine owners in jail for

murder or assault when a miner was killed or injured due to company negligence? Settling into a bunk in the jail cell, one of the arrested miners summed up the feelings of the group when he commented, "It doesn't make much difference. We're prisoners out there anyway!"

Union lawyers quickly got the arrested supporters out of jail. The efforts of the pickets had not been in vain. Eastover stopped operation of Brookside and picket lines kept it closed. Attempting to make up for lost coal, the company increased production at its nearby High Splint Mine.

Hight Splint had a bad reputation among union miners. Bosses at the mine were said to be particularly mean. Word was that if a union man went up that hollow, he could get hurt. When Brookside struck, some of the men working there who opposed the strike had hired on at High Splint. So now there were even more anti-union miners there.

People become scabs for a number of reasons. Many miners who scabbed at Brookside or High Splint came from what were known as "scab families." Their grandfathers and fathers before them had been company scabs. Other scabs were suspicious of the union's ability to win. They had seen the union fail and had seen corruption within it. They decided they would rather just watch out for themselves. Union miners recognized these same problems but argued that a union was what its members made it. If workers laid back and didn't participate, then it was easy for big shots to run the union for their own benefit. Pro-union miners believed that a movement like Miners for Democracy could demand that leaders stay honest and responsive to the membership. To these miners the scabs' decision to look to the company for security was like chickens going to the fox for help if the chickens didn't like the rooster!

It was different with a nonunion mine. In that case the union people might call it a scab mine or a scab operation,

but they did not label individual workers at such a mine as scabs. However, if those workers decided they wanted a union, and an individual miner crossed the picket line, ratified, or did something else to hurt union efforts, then he was a scab. Union men saw undercutting the collective effort as selfishness and individualism. If a strike were won, the scabs were always happy to come back and benefit from better wages and safer working conditions. But they wanted others to take all the risks. Throughout Harlan County most workers detested scabs and treated them with contempt.

Through nearly one hundred years of organizing, the fact that all must stick together in order to gain benefits needed by all has been deeply impressed upon miners' consciousness. The union's slogan is "United We Stand, Divided We Fall!" Miners have learned through history that bosses, police, and politicians are generally opposed to them. But there are more miners than opponents. It is miners—not bosses, police, or politicians—who dig the coal. In their working experience miners have found that dangerous conditions can kill them all unless they stick together for survival. The same holds for the union.

The scabs and the professional strikebreakers were willing to work at High Splint and the pro-union miners there could not support the Brookside miners unless a picket line was set up. In January of 1974 the Women's Club began to demand that picket lines be put up at High Splint. The organizing staff and local union officials supported the idea. Houston Elmore checked with Chip Yablonski and the other lawyers at the international and they told him that the legal situation was shaky. If Houston took pickets to High Splint, the lawyers could not guarantee that they could keep the union out of trouble. It was possible that the union would be charged with staging a secondary boycott. (Striking or picketing a facility not directly involved in a labor dispute is illegal.) Miners and supporters learned another way in which the law could be used against them. Houston argued that closing High Splint would place extra pressure on the company. Finally the international agreed.

Houston Elmore had no special legal or organizing training. He had been a coal miner and had become involved in the reform movement in its early stages. He supported Arnold Miller's campaign, and after the election had been asked to come to Brookside as the on-site organizer from the international. When he was first assigned, Houston remarked, "Last week I could hardly spell 'organizer' and this week I am one!" But he learned fast and no one doubted his commitment to winning the strike.

His decision to go ahead with the High Splint picket line moved the strike to a new level. Eastover Mining Company had seen pickets close down Brookside and they were determined to keep High Splint open. When striking miners and women supporters had set up the first picket line at High Splint in mid-January, they did so knowing Eastover was prepared to fight them even harder. It was common knowledge that Eastover had trained gun thugs as security guards. Everyone knew there were machine guns installed in the building facing the entrance to the mine. Still the pickets came. The pro-union miners at High Splint honored the line and didn't cross it. Bob Davis was one such miner, actively working to keep his fellow High Splint miners from crossing the line. After the Brookside victory, the union lost the election at High Splint and Bob Davis was fired. He was blacklisted in Harlan County and out of work for months. When he honored that first picket line, he knew the risk that he was taking; but he was a union man.

On January 28th, special Harlan Circuit Judge Don Ward granted the union the right to unlimited picketing and the legal problems appeared to be resolved. On February 15th, the National Labor Relations Board ruled the union could legally picket High Splint. It seemed as though the courts were finally moving to protect the union's rights. But the victory was short-lived. On February 20th, the Kentucky Court of Appeals made a rule limiting the number of pickets. Union lawyers fought hard but the

courts of Kentucky were far more responsive to rich and powerful coal operators than they were to unions.

With the courts on their side, Eastover Mining Company could call state police for aid any time the picket line exceeded the number legally allowed. Miners and women who came to the line found that their efforts were less and less useful. Long months of harassment and hardship were taking their toll. Fewer and fewer people came out to the picket line. With heavily armed gun thugs involved, many men pressured wives to stay home so they wouldn't get hurt. Women who did go on the line morning after morning were angry with those who were not doing their share. Some women and miners began to blame the international. Nerves frayed and sores from the past opened up in bitter arguments. Eastover sensed the despondent mood of the strikers and decided that it was time to re-open Brookside.

What the company failed to understand was that discouragement can be turned around; their provocation in opening Brookside was exactly the medicine the strike needed. The morning Brookside opened Houston and the other organizers frantically mobilized all their resources. Members of the Brookside Women's Club tied up party lines, cajoling and threatening friends and neighbors until they promised to join them on the picket line. Shortly before quitting time at the mine nearly two hundred people gathered around the entrance, waiting for the scabs to leave. The women talked excitedly among themselves, knowing a confrontation was likely. No one was surprised when sheriff's deputies and State Police showed up. Several women said "Gestapo" under their breaths. In the past weeks the troopers had earned the nickname of the hated police in Nazi Germany, for union supporters could see little difference between the fascist Nazi state that had crushed trade unions and the police tactics in eastern Kentucky.

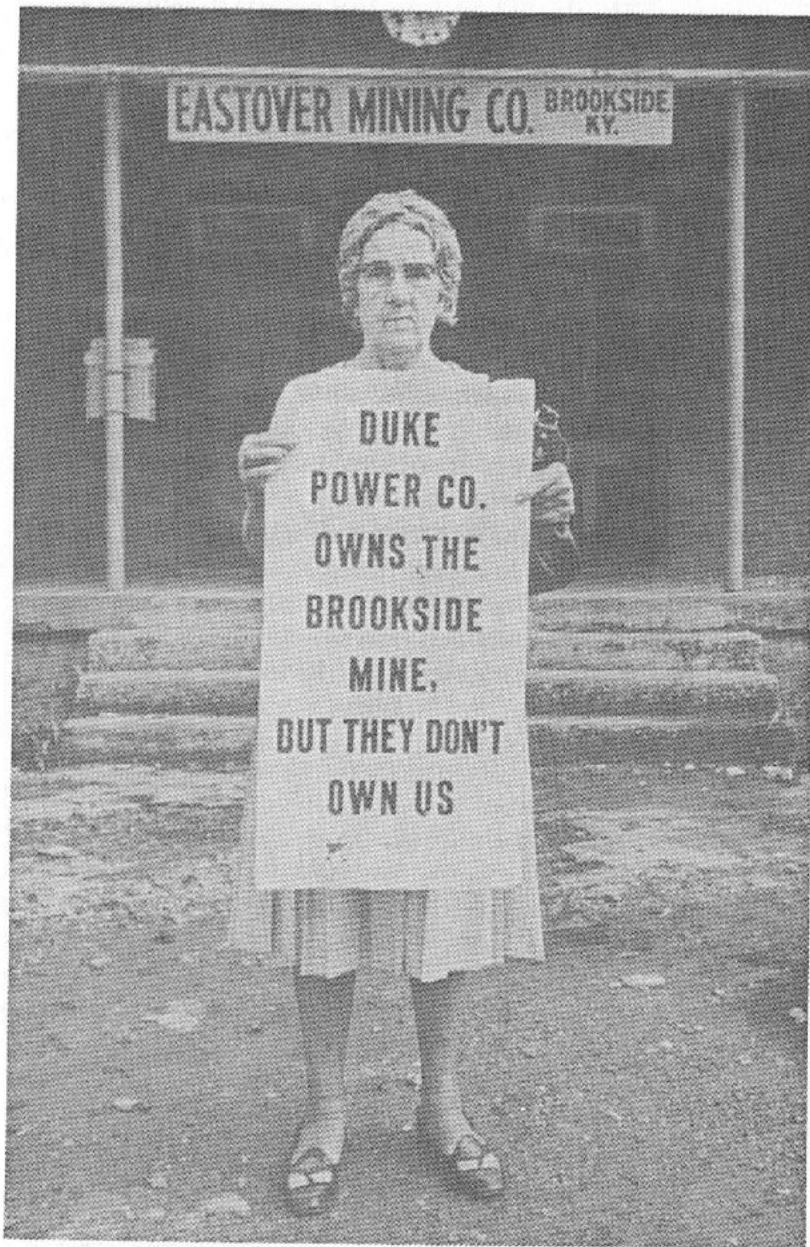
Ignoring names hurled at him by the crowd, State Police Captain Cromer got out of the lead car. Throughout the strike, first at Brookside and then at High Splint, Cromer defended the company willingly and with relish. The work-

ing people of Harlan had no love for this officer who enjoyed breaking their strike.

Someone shouted and the crowd turned toward the scabs coming down the hill. Police and deputies moved forward, formed a protective guard around the scabs, and escorted them into cars. Cromer turned and faced the crowd. "I'm going to take these guys out of here," he said flatly. A woman moved forward. "Ain't no man gonna take *my* husband's job and git away with it!" she shouted. Almost as though on signal, the crowd surged forward, the women in front. Captain Cromer reached out and grabbed a stick held by a woman. Waves of women swept over the police and Cromer was knocked to the ground, buried under a pile of furious women all trying to get in a punch. Other police hurried to his rescue, using batons to push the women away. State Police Captain Cromer stood up, bruised and shaken. The crowd cheered. Cromer glared at the crowd for a moment and then a trooper helped him into a car and drove off. After the strike was over, eleven union people went to jail for what happened that afternoon. But Eastover did not try to open Brookside again.

5

The Brookside Women's Club



Minnie Lunsford picketing office of Eastover Mining Company

Llewellyn Greenwood/Citizens Public Inquiry

Although Brookside stayed closed, pickets were unable to shut down operations at High Splint. Frequently the mine entrance was guarded by State Police. Scabs and strikebreakers crossing the picket line made no secret of the guns they carried. Strikers' morale declined. Attendance at Women's Club meetings dropped.

Membership in the Club fluctuated between forty and seventy-five, but there was a core of five to eight women who kept activities going. These included Dorothy Johnson, Sudie Crusenberry, Minnie Lunsford, Nanny Raines, and Lois Scott and her two daughters, Bessie Lou Cornett and Melba Strong. They were willing to assume the responsibilities of leadership, and this leadership grew as the attack on the miners intensified.

Lois Scott, who had a history of involvement in county politics, became the acknowledged organizational leader. She was a fighter and was willing to tell anyone off. Whether by cajoling, threatening, or pleading, she moved people to action.

Bessie Lou Cornett became the political leader of the strike. Although Bessie had not even finished high school, she had a sharp mind and an ability to put things together. Soft-spoken but stubbornly determined, she was able to analyze events as they happened. Through the strike Bessie Lou learned more and more about trade unions, politics, and the basic economic functioning of the system. She began to read more than she ever had before and translated her growing understanding into explanations for others.

Sudie Crusenberry was the moral leader of the group. To Sudie, winning the strike was *right*. An individual's actions were judged by what one did or did not do in support of that essential right. She was not willing to condone hesitation. The hardships that she had suffered all her life were a wellspring of strength for her and the other women.

Minnie Lunsford provided leadership drawn from history and experience. She made comparisons and taught lessons from the struggles of the thirties that strengthened the Club's ability to maintain its perspective.

Other women also played important roles. Each was needed. Theirs was a collective strength. Rather than passively following a single leader, each woman contributed whatever she could to the Brookside Women's Club.

Holding the Club together during bad times was a difficult task. Demoralization set in during the winter months as scabs and strikebreakers crossed the High Splint picket line. The miners, retirees, and women began to fight more among themselves. It was what the strike was doing to people: not enough money, fear of losing your job and getting blacklisted, exhaustion from getting up early every morning for picket duty and staying up late every night for strategy meetings. The strike brought out both the best and worst in people. The women found that some men were threatened by their participation and increasing leadership within the strike. Some marriages began to falter as men became hostile toward the changes they saw in their wives.

Unable to bear the pressure, a few women began to drink. One woman had an affair with an organizer, setting off storms of gossip.

At one of the mid-winter meetings of the Club, all these personal petty issues exploded. An older woman criticized a younger one who had been seeing other men since her husband had rejected her participation in the strike. The younger woman was defended by a relative who claimed the accuser was nothing but a drunkard. Hard and ugly words flew. The women at the meeting had lost sight of the real enemy. Sudie Crusenberry interrupted quietly but firmly, "I don't know about you, but I'm not after a man. I'm after a contract!" The women laughed and the tension broke. Bessie Lou Cornett spoke up, "Look, we've got to remember that we're together because we want the union. We can't let our personal lives and our personal differences get us fighting. We know we won't all agree about everything. Just so we agree on the important things!"

The women at Brookside had learned an important lesson. Throughout American history efforts by people to improve the conditions of their lives have been disrupted by differences that are actually irrelevant. White people's reluctance to work with blacks and other minorities on an equal basis divides communities and all suffer. Religious arguments between denominations and sects divide people when the real world they face is the same for all. Men's fear of women playing an active role splits families. Those in power who oppose social change use major or minor differences to splinter the majority. Only leadership that points out essential goals and tolerates necessary differences can maintain unity. The Brookside Women's Club developed that kind of leadership.

The leadership and independence of the Women's Club complicated relations between them and the officials of the union. Through the months of late 1973 and early 1974, the Club had served mainly as an extension of the union.

Even the militancy at Brookside, including the confrontation with the State Police, had been part of general picket plans approved by the union organizing staff. But now the Club understood that winning the strike was part of a broader fight. When union workers at Appalachian Regional Hospital in the city of Harlan asked for help, Club members joined them on their picket line (along with the local Black Lung Association and mine pensioners who used the facilities). UMWA retirees and the Black Lung Association supported the Brookside strike; in the hospital workers' strike, the Club saw an opportunity to expand the solidarity of workers in the county by supporting others.

Slowly the Brookside Women's Club was changing. Starting as a support group for a single strike the Club developed into a self-conscious women's organization committed to broader struggle for better living conditions and quality of life. Although the strike remained the central focus of its activities, the Club began to define larger goals.

The presence of an independent organization like the Club as a partner with the union demonstrated an important truth about strikes—although a strong union is essential to any strike, a union alone may not be able to win. To win, a union must appeal to and work with those who may not be immediately involved in the dispute but who understand that the union's success is in their own long-range interests.

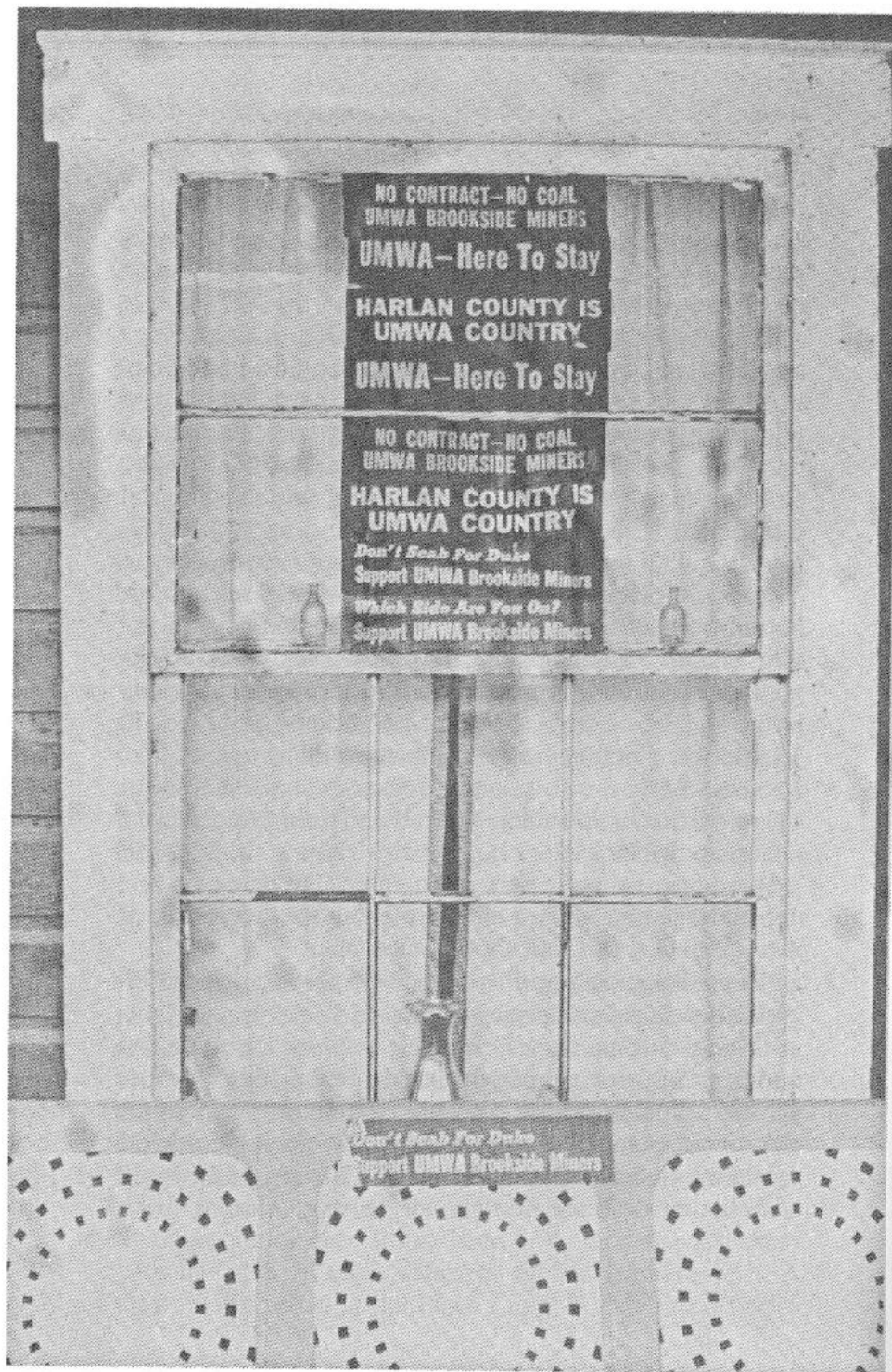
Time was testing the determination of the miners and the women. Winter became spring, spring became summer, and Eastover held out. High Splint was still open and no one seemed to know what to do. Every time a large group showed up to picket, the company called the police. In early July a few members of the Women's Club finally decided that if the hands of the union were tied, strikers and supporters would have to take matters into their own hands. Their resolution was strengthened by news that the company had given eviction notices to eight strikers' families. A meeting was called at the Black Lung Association office to

write a letter to all retirees, pensioners, and women. Calling for a new effort at High Splint, the letter set July 8th as the day. Over one hundred people showed up that morning to form the picket line. The line caught the scab caravan by surprise and forced them to turn back. As the scabs retreated for the first time in months, men broke out in cheers and a woman began to cry.

Once the scabs were gone most pickets left. A small group remained, talking and whittling. Not much time had passed when the pickets saw a strikebreaker's car coming back up toward the mine entrance. Minard Turner, a 63-year-old retiree, approached the vehicle. Arville Noland, a hired strikebreaker, hadn't liked being turned around and had come back looking for a fight. Arville taunted Minard. Minard cussed him back. One of the other retirees yelled out a warning to Minard: Arville had a gun. Minard reached for his only weapon, a knife, but it was too late. Arville Noland shot Minard Turner twice in the cheek. Minard fell to the ground while Arville ran across the bridge to company property. Before any of the other pickets could get to Minard, the gun thugs in the company building opened fire. Retirees and miners dove to the ground and tried to crawl to where Minard lay bleeding. When the shooting stopped, the miners got Minard into a car and drove him to the hospital.

Word of the shooting got out quickly. The company had upped the stakes. Minard did not die, but the fact remained that a strikebreaker had shot a union man.

The strike gained new strength from the successes at the picket line. But the shooting of Minard Turner was a sign of what was to come. In a final effort to break the strike, the company began a campaign of terror that spilled over into the entire county. Labor laws and internal problems within the union limited the organizers' ability to deal with the escalating violence. But the Women's Club stepped forward and assumed leadership in organizing a community response.



Llewellyn Greenwood/Citizens Public Inquiry

Poster Supporting the Strikers

The Community Responds

Those who profess to love freedom and yet deprecate agitation are men who want crops without plowing. This struggle may be a moral one, or it may be physical, but it must be a struggle. Power concedes nothing without a demand. It never did and it never will.

Frederick Douglass,
Black Abolition leader, 1857

Within minutes after Minard Turner was shot, members of the Women's Club and other strike supporters began to spread the word. They put out a call for another large picket line, and the next morning a solemn crowd gathered at the High Splint entrance. The miners and women were angry. Many carried guns and were prepared to use them. Arriving scabs saw they were outnumbered and outgunned; they turned back. But this time most of the pickets remained on the line even after the scabs retreated.

The union organizers stuck close to the line, trying to cool down the anger but keep spirits up. Technically, it was illegal for a union employee to actually picket. But the organizers were allowed to "check up" and they did a lot of checking up. Houston Elmore lit another cigarette and one of the women chided him, "You smoke too much, Houston!" Houston grinned. "Well, I've always smoked—but I sure have smoked a lot more since I got here!" The pickets laughed because they knew the strike was hard on

the organizers too. These men were often separated from their families for eight or nine weeks at a time, hardly had time to sleep, and got the blame when anything went wrong. Some of the organizers sent to help just didn't work out and Houston had to send them back to Washington for reassignment. But there were some—Houston, Dan McGlarnis, "Goat" Thomas, Lee Potter, and John Cox—who hung in there.

This morning John Cox was helping out on the line. Although John had arrived in the middle of the strike and felt that he was still getting to know people, he didn't regret coming. When Tom Pysell had called John and asked him to leave his job as international representative from Illinois and go to Harlan, John jumped at the chance. He admired the miners at Brookside; and he really believed the union's hope lay in organizing the unorganized. While wanting to be there, at times he still felt scared. Throughout the strike, the organizers received threatening phone calls. Just last night the phone rang several times and each time he answered it John had been informed he was going to die. One caller even told him exactly what kind of car he drove, where he had been that day, and where he would be the next.

Houston, John, Lee, and the other organizers responsible for daily events knew that the situation was explosive. The miners were in an ugly mood and the organizers feared that some striker or supporter who had been drinking might start shooting. If that happened, the company could begin an all-out attack on the strikers while charging that the union had started it.

The following evening individual scabs tried to provoke the pickets. They had been emboldened by the fact that Arville Noland had shot a union man and gotten away with it. One of the scabs, obviously drunk, tried to get through the line. The miners stood firm. He rolled down his window and cussed. The miners answered him in kind and began to bounce his car up and down. They threatened to strip the scab and throw him in the river. Somewhat sobered, and not anxious to take a swim, the scab backed up and left. But

other scab cars continued to cruise by, looking for a fight.

Lee Potter, another organizer, worried about recently arrived union supporters who might not know what to do if violence broke out. The National Lawyer's Guild sent young lawyers to help with legal aspects of the strike and several of these people joined the line. Lee sought them out and advised them to seek shelter behind tires of cars if shooting started. No one had ever told them before that a tire absorbs the impact of a bullet and makes a good shield.

The picket line at High Splint held for several days as tension mounted. Some nights company lights flickered in the mine buildings in an attempt to provoke miners into firing first. It was a war of nerves. The miners itched to let loose. One miner did pull a .38 on a scab but nothing happened.

Then the company succeeded in getting the State Police to come back to the picket line. Arriving one morning ahead of the scab caravan, they lined up along the side of the road and prepared to hold back the pickets. Twenty-five troopers were visible but word spread through the crowd of over two hundred pickets that the State Police had positioned snipers up the mountain sides, facing down the road. The police announced that the pickets were blocking a public highway and would have to let cars through. As the scab caravan approached, the miners stood firm. Then the police moved in, using their batons to push the miners back. For the first time in several weeks scabs broke the line at High Splint. After the scabs crossed, the snipers hidden in the trees above came down from the mountainside carrying high-powered rifles.

Getting the line back together and holding off the scabs had seemed like a tremendous victory. Now the police had come back to aid the company and their hired thugs. Miners and women alike were furious. The crowd began to mutter about the "Gestapo." A miner pointed out that a recent *United Mine Workers Journal* article on the strike said that Duke Power made \$90 million profits in one year. It was obvious to him that with \$90 million Duke Power could afford to hire scabs and strikebreakers and pay the police and

judges as well. Some miners argued for setting up union snipers and playing the company's game, only better. The organizers tried to calm the miners and keep the pickets from slipping into a defeatist attitude.

The next morning the police were back. The pickets were discouraged and fewer people were on the line. State troopers felt bolder and roughed miners up as they pushed them back. One miner was choked with a riot stick shoved under his chin while another trooper twisted his arm behind his back. The troopers laughed as they did it. Captain Cromer had found he could not rely on some state troopers because they were sympathetic to miners. To break the picket line at High Splint, he had selected troopers he could count on to willingly uphold their job of strikebreaking.

Despite the return of the State Police, striking miners got a boost in morale that weekend when Arnold Miller, President of the International Union, came to Harlan. This was Miller's second visit to the strike. He had visited the picket line shortly after the strike started and now he was back to kick off a support rally for Brookside. This time Vice-President Mike Trbovich, Secretary-Treasurer Harry Patrick, and some of the International Executive Board members came too. Nearly 4,500 miners and supporters packed into the Cawood High School gym to hear Miller. "The UMWA is going to give a message to the money-changing politicians and coal barons throughout the nation," he declared, pausing as the crowd broke into cheers. "We are here to stay. We're not going to be kicked around." Cheers broke out again. He concluded his speech with a promise to call a Memorial Period for all UMWA miners in support of the Brookside strikers.

After he left Harlan County, Miller went to see Kentucky Governor Wendall Ford and laid it on the line. If Ford didn't call off the State Police, he could count on the UMWA using all its muscle against him in the next election. Ford agreed to stop the strikebreaking activities of the State

Police. Hours after the meeting the police were withdrawn from High Splint. Miller had demonstrated that a union can function to protect its membership politically as well as economically. Too often union leadership is willing to let politicians tell them what is or is not possible. But when union leaders are ready to demand that politicians stop riding fences and take the consequences of their actions, politicians must listen.

Without state troopers to protect them, scabs could not cross the picket line. Again, the miners and their supporters closed down High Splint. But two days after Miller's meeting with the Governor, a federal court order limited the number of High Splint pickets to six. The union had succeeded in pressuring an elected government official. But they quickly found out that the federal judiciary, appointed for life, did not have to respond to popular pressure. The federal judges overwhelmingly represented the interests of big business, and Eastover could count on the federal courts for support.

Despite the court order, union miners were determined to hold the line at High Splint. The company was determined to break it. Far more than the legal six pickets gathered at the line the morning after the court order was issued. They had just taken their places across the road when company machine guns opened fire. Bullets hit the bank under the road and the side of the mountain above. The miners hit the dirt. Several minutes later the firing stopped and the men got up. "Where are the police?" one of the pickets demanded. The others shrugged their shoulders. They had come to expect this. If the union broke the law, the police were right there to arrest them. But if the company broke the law, the police were nowhere to be seen.

The shooting attack on the picket line was just one of many incidents of terror. Company gun thugs fired shots into the homes of union miners. Repeated attacks forced Tommy and Crystal Ferguson and their five children to

sleep on the floor for several weeks. They reported the shootings to the sheriff but nothing was done. Thugs shot up the home of Jerry and Dorothy Johnson. Thugs were not content to riddle the home of Mickey Messer with bullet holes; they also shot up his children's swing set.

Groups of scabs and strikebreakers roamed the county looking for a chance to beat up or verbally abuse union supporters. Decent people in Harlan County were outraged when a union man was abused by several thugs. Then came the beating of Paul Shell.

Paul was seventeen and at first hadn't paid much attention to what was going on with the strike. He got involved only after he was arrested by the State Police as he walked along the road near High Splint on his way to the creek to go swimming. He had started talking with the union organizers who came to bail him out and, since then, had been a regular on the picket line.

One afternoon he went to see his friend, Mickey Messer, president of the local union. Walking home from Messer's house, Paul was stopped by two scabs in a pick-up truck. They savagely beat him, threatened him with a rifle, ripped his clothes off, and pushed him into the river.

Word of Paul's beating spread like wildfire. A meeting of the Brookside Women's Club had already been scheduled for Sunday. Over thirty women came, the largest attendance in a long while. First the Club attended to its regular business, including the election of Sudie Crusenberry as its new president. Then the women began to discuss the week's events and to plan a response.

Lois Scott opened the discussion: "Y'all know that my youngest is fifteen. And God knows, it might have been him as well as Paul. We *can't* lay back and let 'em git away with this!" She reached down into her blouse, pulled out a gun, and waved it in front of the women. "I started out carrying a switch but I ended up carrying a gun. Well, you'd be crazy *not* to carry a gun now!"

Other women talked about what had happened to them:

shootings in the middle of the night, sugar in gas tanks, windows smashed on their trucks. Bessie Lou Cornett spoke up. "Even with the men standin' guard there's not enough of us. The men can't be at every house all at once." Bessie was referring to a group of miners and community people who stood guard at the homes of miners that had been attacked. "And if this all keeps up . . . well, some night our men are gonna catch 'em at it and there's gonna be a shoot out." She paused. The room was quiet as every woman there imagined the scene. Even if some thugs were hurt or killed, some of their own would surely get hurt or killed too. Bessie Lou went on. "It don't make no sense to have a war here in Harlan County in the middle of the night. The war that we gotta fight is on the picket line, for the contract."

Lois Scott stood up. "I say we women go up to the picket line tomorrow mornin'. If some of the men want to go with us, that's fine. But now it's up to us women. If we don't do something the scabs'll be runnin' this county!"

Most of the women agreed, but some were unsure of themselves. One of the younger women who had not been to many of the meetings timidly spoke up. "I agree with y'all and everything. But my husband—he was up at the line the mornin' the big company guns started shootin'. He don't want me to go up there no more. He says I'll git hurt." She looked confused.

Minnie Lunsford answered her. "Honey, a lot of men say that. They try to protect us women. But we got no choice. You jest tell your husband that. We got no choice. He ain't got no choice neither. 'Cause if they keep the mine open and there ain't no line—we done lost the strike. Is that what he wants?"

The younger woman shook her head. "No," she said, "he wants to win."

"Well you jest go on home, honey," Minnie said, "tell him we is gonna win—all of us."

This kind of problem had been with the Women's Club since the beginning. Some husbands, especially miners new to the union, fought against their wives' involvement. As a

result of beatings or simply for the sake of "family peace" some women dropped out or curtailed their activities. Other women challenged the dominating role of their husbands and found that they had only two choices: change his mind or leave him. Not all the men resisted. Many miners, pensioners, and disabled miners recognized the contribution their wives were making and encouraged their participation.

Members of the Club were sensitive to these problems, although no one saw the Club as a place to solve marital disputes. Still, when a member asked for help in dealing with a reluctant husband, Club members tried to offer support and occasionally would speak with the husband. The strike held no magic cure for the oppression of women. Yet the fact that without the women the strike would be lost forced many men to re-examine and change their ideas about what women could and could not do.

The meeting ended after the women agreed to call Bill Worthington to see if he wouldn't come to High Splint the next morning and bring some of the retirees. No one slept well that night. Since the strike began, life in Harlan was more and more like war. Everyone realized that the picket line the next morning was not going to be like the lines of nearly a year ago; but the women were determined to stand firm.

Early on the morning of August 12th, pickets gathered at Mack's Supermarket and proceeded to High Splint. There was a good turnout. Tight-lipped and grim, they all quietly took their places at the entrance to the mine. They could see the scabs' headlights approaching—a long twisting line of lights, like a dragon climbing the mountain.

Suddenly sharp, rapid gunfire exploded in mid-air. Machine guns seemed to be firing all around them. Women screamed and dropped to the ground for cover. Lois realized what was happening, and she was mad, really mad. The company was going to break the line by providing the scabs with a cover of bullets. Her anger overcame her caution. Instead of dropping to the ground, she moved forward. With bullets whistling over her head, Lois stood there shaking her

fist defiantly at the approaching scabs. She taunted them: "I'm a big enough target. Come shoot me!"

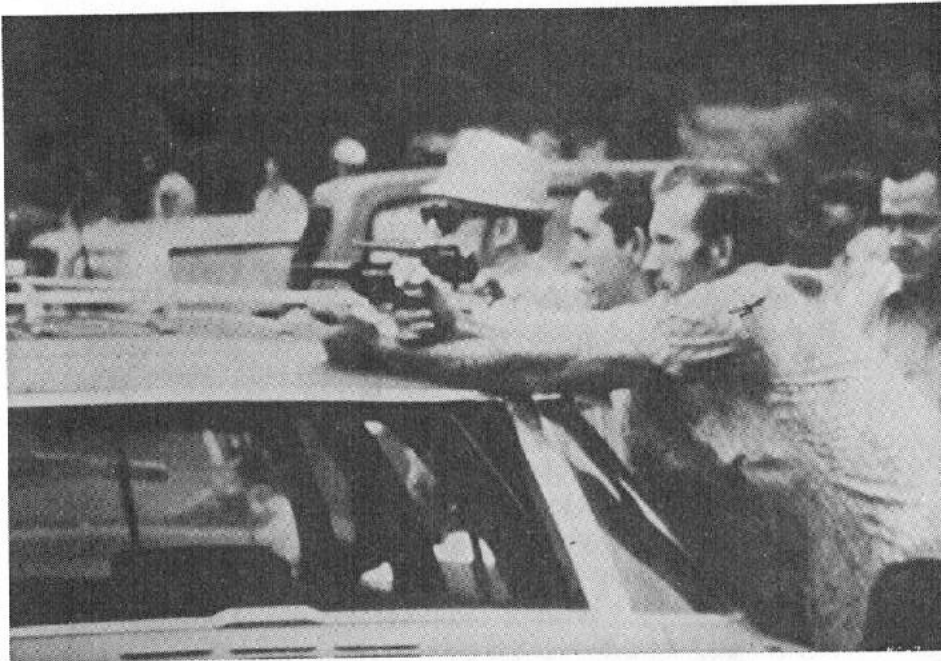
The cover worked and the line was broken. The scabs passed by and the firing stopped. The pickets got up, cursing and brushing themselves off. Then the scabs stopped their cars just over the bridge. Led by their foreman, Basil Collins, they came back across the bridge. They were carrying guns and lead pipes. The pickets held their ground. As the scabs began the attack, the women and retirees fought back.

One of the thugs pulled a gun on Bill Worthington and stuck it in Bill's stomach. He pushed Bill away from the other pickets. Basil Collins had his gun out too. Everyone knew that Basil hated blacks. Word in the county had it that he was active in the Harlan Ku Klux Klan, an organization that had never hesitated to beat, maim, or lynch black people. To Basil, killing a black wouldn't really count as killing a person.

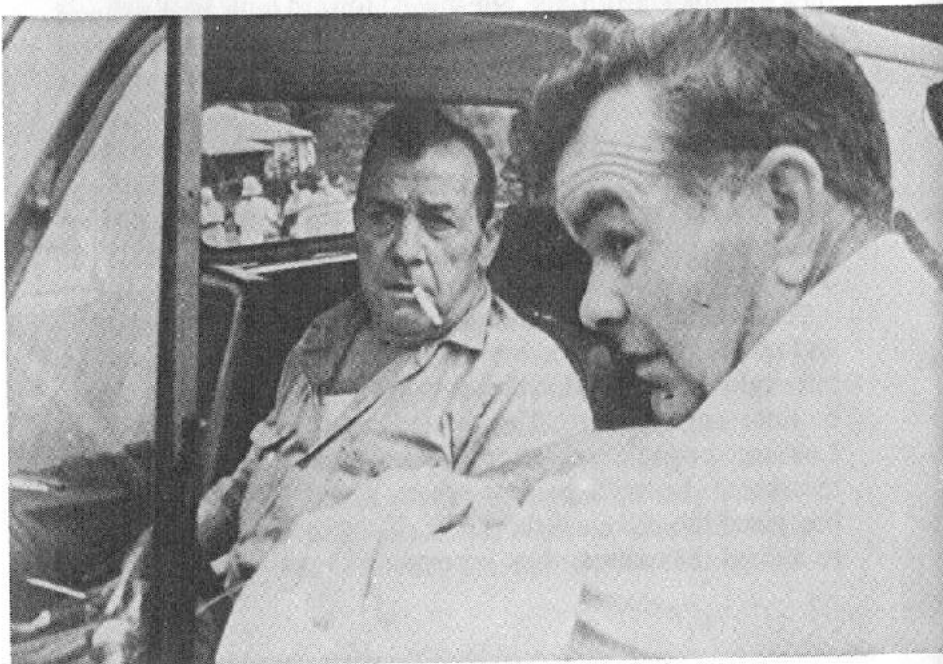
Bill had brought a pistol with him to the picket line. When he saw the thugs coming at him he had pulled his own pistol. Lois also saw what was happening and realized why they were picking on Bill. She moved toward him. Basil yelled out, "Kill that nigger!" Lois saw red. She screamed, her voice filled with rage, "That 'nigger' is a better man than you'll ever be!"

For a moment the general scuffle stopped and attention focused on the thug with his gun in Bill's stomach, on Bill with his gun pointed at Basil, and on Basil with his gun pointed at Bill. Bill dropped his gun and the scabs backed off.

As the thugs moved back across the bridge, the women and retirees re-grouped. Lois was still so angry that she was physically shaking. Machine guns on women! What could be done to stop *that*? The pickets were desperate. Bessie Lou urged people to go home and come that evening to a meeting at the multi-purpose center. The company's attack had given the pickets little choice. If they weren't prepared to defend themselves, they were going to get killed.



Striking miners protect the picket line at Shields (on the way up to High Splint), August 13, 1974.



Sheriff Billy G. Williams bringing the warrant to Basil Collins.

7

Counterattack

They say in Harlan County,
You're union when you're born.
You either walk that picket line,
Or you scab for old Carl Horn.

(Chorus)
Which side are you on, now?
Which side are you on?
Which side are you on, now?
Which side are you on?

Well, old man Norman Yarborough,
Is a scabbin son-of-a-gun.
But when the union came to town,
They put him on the run.

Don't listen to old man Yarborough,
Don't listen to his lies.
Cause union folks don't have a chance,
Unless they organize.

The miners on the picket line,
Have Eastover on the run,
Until they sign with the union,
They will not mine a ton.

The miners down at Brookside,
Are a courageous bunch of men.
And with their women by their sides,
Each has the strength of ten.

Duke Power thought they'd win this strike,
With the miners in misery,
But the union will shove it down Duke's
throat,
With a miner's victory.

Which Side Are You On?
As sung in Harlan County during the Brookside strike.

An angry crowd gathered that evening. Many women still looked shaken from the morning's experience. Leaders of the Women's Club had already decided on a plan. Not spelling out the details, all they asked was that everyone show up at Mack's Supermarket at five the next morning. It was important that there be a lot of people. Bill Worthington spoke, "If the women are gonna' bring ten each, then the men can too! If we each git one, hell, men, women, children, all, we can do it! It's time to stand up and be counted. If we don't we'll be thrown back five hundred years!" A miner added, "This ain't gonna be no regular picket line. Can't have a regular picket line with a 30-caliber machine gun shootin' at us!"

Two hundred and fifty people showed up at Mack's Supermarket the next morning. Instead of going all the way to High Splint the women planned to set the line up at a place called Shields. That way men could be stationed up the sides of the mountain as well as across the road. The

pickets proceeded up the road and stopped at Shields. The miners moved into position. They were heavily armed with rifles, pistols, carbines, and shotguns. No one claimed to feel like a hero, and one young miner openly admitted he was scared. But if you were a miner you lived with fear anyway. Everytime you went underground there was a fear in the back of your mind that you might not come out. So what was new about this morning? What had to be done had to be done.

The pickets moved a car across the railroad tracks to block the road. The car carried a big sign, "UMWA Booster Club." Local used car dealer Charles Gilbert had given the car to the Booster Club. It was the car's finest hour. "S'pose we have to move the car?" someone asked. Lois Scott grinned. "Cain't," she said. "We done lost the keys!"

The crowd waited. The sound of the approaching caravan put the pickets on the alert. The line of cars and trucks drew nearer. The sun was still not completely up and the men crouching behind the cars and alongside the road were not immediately visible. Basil Collins, at the head of the caravan, was the first to reach the pickets. He climbed out of his Scout, his hand on his gun and a cocky smile on his face. He assumed it would be pretty much a replay of the morning before. He'd get out, fire some shots, and maybe this morning he might "accidentally" hit someone. He stepped forward.

Then he saw and heard them. The still morning air was punctuated with the sound of guns being cocked. Basil took half a step backward and his smile vanished. Quite aware that these men were willing to die to hold the line, he knew that if any miners died, he would too. Basil Collins was not ready to lay down his life for the profits of Duke Power and Eastover Mining Company. He turned and reached for the Scout's door handle. It wouldn't move. He tugged. The door was locked. Basil had locked himself out! Swearing loudly he slammed his hand on the door. The crowd began to laugh. Basil got madder and more confused. He tried the other side. That door was also locked. Basil swore again and

went to the rear of the vehicle. The back window was open; hoisting himself up on the fender, he stuck his head in the open window. As his fat rear end disappeared into the truck the crowd howled.

Back in his Scout Basil picked up his CB and ordered the scabs to move forward. But no one moved. The women standing in the road began to sing "We Shall Not Be Moved." Although they were clapping their hands and singing, they were also swinging big sticks and allowing their guns to show.

Basil tried something else. He called the President of Eastover Mining Company, Norman Yarborough, on the CB. Yarborough told Basil to go into the mine and get a forklift to move the car off the tracks. Basil got mad. "If you're so God damn brave," he yelled into the CB, "then go git it yourself. There's over three hundred SOB's out there!"

Basil Collins could not move his scab caravan. But he was determined not to leave. So the scabs sat there as the morning sun got hotter and hotter. The pickets stood firm. The union organizers appeared, moving around the crowd and shaking people's hands. "If you've gotta leave, don't leave alone!" Houston warned. "And pass the word. Last night the scabs got one of our people alone and pistol whipped him. He's got a broken nose and a bad black eye!"

People from nearby houses came out to watch. Some brought jugs of Kool-Aid and thermoses of coffee and let the pickets use their outhouses. A scab leaned his head out the window of his car and asked one of the women if he could use her outhouse. The woman gave him a dirty look. "Ain't no scab gonna dirty up *my* outhouse!" she declared. The pickets laughed and the scab pulled his head in and rolled up the window.

Late in the morning, County Sheriff Billy G. Williams arrived on the scene. "What's he gonna do?" someone wondered out loud. Unlike the State Police, who were

directly controlled by the Governor, the Sheriff of Harlan County had to be at least partly responsible to county voters. The union had supported Billy G.'s candidacy. Now miners were wondering who controlled Billy G.

The Sheriff climbed out of his car, bare-headed and in short sleeves. He tried to look friendly as he approached the pickets. "I'm sorry, folks, but you're going to have to move that car. You're blockin' a public highway." Billy G. Williams was very polite. "You workin' for the company too, Billy G.?" shouted one of the miners. The Sheriff ignored the remark. "I got a job to do. You're going to have to move."

The pickets were angry now. There had been no sign of the Sheriff when the thugs had shot up the miners' homes. No arrests had been made for the beatings of union sympathizers. Now the company had called on him and here he was. "You collected our votes, but you collect *their money!*" shouted a miner. "You ain't no law enforcement officer, 'cause you don't enforce the law equal! And we're sick and tired of it!" Surrounded by cheering and clapping pickets, Billy G. turned abruptly and left.

Soon after he left, a wrecker pulled up. The operator climbed out and explained. "Sheriff called me. Said I had to move this here vehicle." He looked at the hostile faces around him and shrugged. "I gotta do what the Sheriff says." Sudie answered him. "No, you don't. 'Cause if you move this here car everybody in the county is gonna know you did it. And you just might not have much business anymore!" The tow truck operator looked confused. "Hey," he stuttered, "I ain't got nuthin' against the union. I think everyone should git his fair share. But I gotta do what the Sheriff says."

Minnie spoke up. "And the Sheriff done told us to move too. But we ain't moved!" The pickets laughed and the owner of the wrecker smiled. "OK, folks. I guess if you're in trouble, I am too." He climbed into his truck and drove off. The pickets cheered.

Billy G. Williams returned to try to convince the pickets

to move. As he approached the picket line, several hands thrust a warrant out at him. "What's this?" he asked. "A warrant for Basil Collins' arrest," said several voices at once. "Brandishing a lethal weapon!" declared Lois. "He had it on the picket line yesterday and we got proof." Billy G. was in a predicament. He stalled. "I can do this later."

"G'on. Give it to him now!" the women urged.

Billy took the warrant and walked over to Collins' truck while the pickets shouted out encouragement. "I'd like you to come down to the jail, Basil, and deal with this matter," the Sheriff said politely. "I'll be in pretty soon, soon as we're done," Basil answered. The Sheriff nodded. "OK." Basil was left there with his thugs. Despite a legal warrant for his arrest on a serious charge, the Sheriff made no further attempt to arrest him.

The pickets were outraged. When the Sheriff came back to try to move them, Lois confronted him. "You're lettin' him drive to town *after* you let him get up there!" Her voice was bitter. Lois had worked in Billy G. Williams' campaign for sheriff. But Williams' campaign promises to the union had been a lie.

The pickets held their ground. There was nothing the Sheriff could do. Food arrived. "Courtesy of the international!" Houston announced. The pickets crowded around the van, devouring sandwiches and drinking cold pop. In mid-afternoon the scabs finally pulled back and turned around. The pickets began to get ready to leave. Women hugged one another. As they climbed into their cars to leave, Bessie Lou looked at her sister. "Nobody got killed," she said, almost in awe. "When they knew we'd fight back they chickened out. If the State Police and Sheriff won't enforce justice—well, we jest gotta do it. And it works!"

The victory of August 13th was not easily repeated. The following mornings fewer people were on the picket line. Without the strength of a large crowd the pickets felt isolated and let down. The State Police were called in again

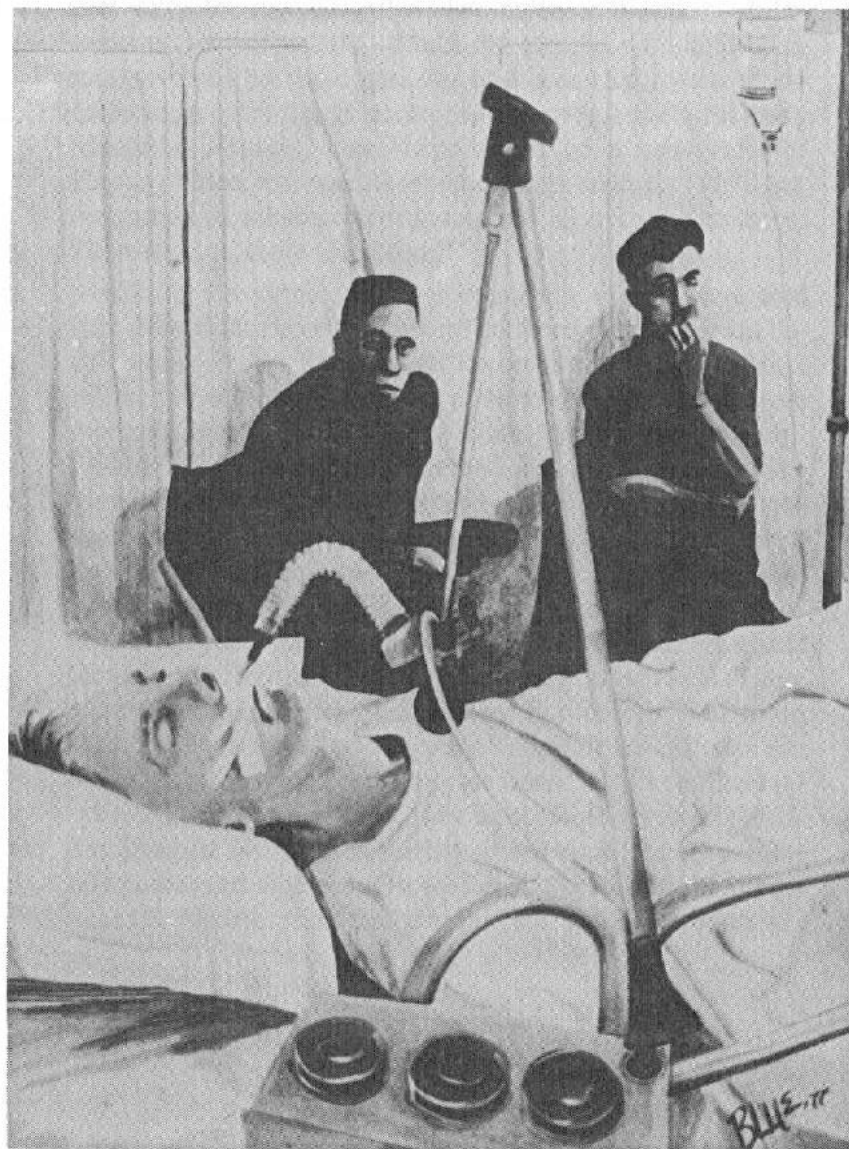
and more arrests were made. Lois and Bessie Lou argued that only by repeating Tuesday morning's action—hundreds of armed pickets—could the company be held back successfully. But the organizers had been told by the international to keep things cool until the end of the week-long Memorial Period, when there would be a mass rally in Harlan. "Just you wait," Houston kept saying. "We'll get thousands of miners down here from all over the country. Then we can *really* show 'em!"

At first the organizers and Brookside miners were told that thousands of miners would come to Harlan for an entire week. Picket lines would be set up not only at High Splint but all over the county. Hasty arrangements were made to sleep and feed all who came. The weekend the supporters were to arrive the international called and said the miners would not come until the day of the rally—Thursday, August 22nd. Although local union officials were disappointed, they were busy preparing for the rally. Wednesday night and Thursday morning thousands of miners flooded into Harlan. There was a massive parade through the city and a big picnic and rally afterwards. There were speeches, music, and parties. The presence of more than 5,000 shouting and singing miners from all over the country was a tremendous morale boost for the strikers.

On Friday, August 23rd, they went home. And on Saturday, August 24th, life in Harlan settled back into its pattern of tension and violence. On that day, the Brookside miners paid the highest price that workers can pay for a contract.

8

Bloody Brookside



The Vigil.

David "Blue" Lamm

Saturday, August 24th, was warm and clear. Striker Lawrence Jones spent the day helping his neighbor, Reverend Homer Jackson, haul hay. He left the preacher's to pick up his wife, Diane, at her mother's so they could go grocery shopping. On his way, he saw two of his buddies talking alongside the road. He stopped and joined them. Lawrence, Jim Howard, and Luper Middleton had been boyhood friends; now they were miners and union brothers.

"Ran into Bill Bruner in the store this mornin'," Lawrence said. "He was tight as a drum."

"Yeah," Luper nodded. "Bill's a foreman and been scabbin' up at High Splint. He's mad 'cause we've kept it closed down."

"I guess," Lawrence emphatically agreed. "He pulled a gun on me. Accused me of puttin' tacks on his driveway. He didn't do nuthin' tho'. He couldn't. Too many people around. Told me he was gonna 'see me later'."

Lawrence sounded worried. He was only twenty-three and it seemed like he had been on strike forever. His first

baby had come during the strike and now he had two people to support. He rubbed his forehead.

His cousin Jim patted him on the back. "Don't worry, Lawrence. Bill'll get sobered up and fergit the whole thing. Scabs always talk like that. Y'know everybody round here says Bill's father and grandfather was a scab too. Must be a disease that runs in the family!"

The three men laughed and started talking about the rally and the possibilities for an end to the strike.

Luper looked up. "It's Bruner!" he exclaimed. Bill Bruner pulled his truck up to where the men were sitting and climbed out, carrying his shotgun. Jim got up quickly and started toward Bill. "Ain't nobody here wants no trouble, Billy," he said. "Nobody's got anything against you."

Bruner knocked Jim out of his way and looked at Lawrence. "You're the monkey I want," he growled. Jim saw Bill's gun drop down. He fell to the ground and rolled over the bank just as Bill opened fire. Lawrence wasn't as quick. The scab's shotgun blast hit Lawrence Jones in the face, blowing part of his brains out over the ground. The other two men returned fire with their pistols, grazing Bill. He ran back to his truck and drove off.

The two friends rushed over to Lawrence, who gasped a few last words and then was silent. They carefully carried him to the car and rushed to Appalachian Regional Hospital. The doctors there administered emergency treatment and hooked Lawrence up to life systems machines.

The union organizers got to the hospital shortly after Lawrence was brought in. John Cox talked with State Police Captain Cromer. Both men agreed that Lawrence Jones was dead. The machines were only a way of postponing the inevitable.

That terrible afternoon other people came to the hospital to offer help and support. Jim Howard's father, Judd, was one of the first to come. He was enraged. Judd had loved his nephew Lawrence like a son. Judd was a miner at

High Splint and he had been crossing the picket line. He was a scab because he didn't trust the UMWA. But now the company had gone too far! And Judd Howard was not the only one who felt this way. Lawrence Jones had come from a union family. His father and grandfather had been miners and his mother was proud that her son stood up for the union. Lawrence's widow, Diane, was only sixteen years old.

The people of Harlan County united in a way they had not before. The company had killed one of their own. Those suspicious of the union or sympathetic to the company had been pushed beyond their limits. The company had not killed a union organizer or some outside supporter. A company man was responsible for the death of an ordinary, good, family man. A young man who had a lifetime ahead of him and who had wanted nothing other than the chance to make a decent wage under safe conditions was gone! The powder keg of Harlan County had been building up and now the fuse was lit. Throughout that night and the next day people came out of the mountains, carrying their guns and ready to do battle. Everyone waited to hear if Lawrence Jones would live or die.

Four days after he was shot, Lawrence Jones was declared dead. Shortly after the announcement was made, Lawrence's widow came up to the organizers waiting at the hospital. She spoke slowly and quietly. "I'd like one of you to sit in on the autopsy. . . . I don't trust them. They're going to try to git out of finding Bill Bruner guilty. Somebody's got to be there when they take the bullets out." She stopped and her voice came out in little gasps. "I. . . . I just can't. . . . would you?" Houston had turned almost white. He looked at the other organizers there. John Cox took a deep breath. "Sure, Mrs. Jones. I'll sit in." She smiled weakly. "Thanks a lot."

That night the miners, angry and bitter, gathered for a meeting. Houston Elmore chaired. Shortly before the

meeting he had received word from the international. He could give the men good news. First he let the miners express their anger and frustration.

An old-timer stood up. "Let's pick up our guns. We've done enough talking! It ain't jest one man that done this—it's the whole company! I'm an old man now an' I don't have much more to live for. I'll do it!"

A retiree argued for restraint. "A contract is what we're fightin' for. That's what Lawrence Jones died for. Every contract we've had to fight for. I've been around the blood, I tell you. One man died at my feet. If there's ever a time to hold our peace, it's tonight. The price has been paid."

Another miner stood. "That's all well and good. But who's gonna bring Bill Bruner to justice?" He answered his own question with a sneer. "It won't be the 'law' of Harlan County! If we don't do it, nobody's gonna do it. The murderer'll go scot free!"

As the miners spoke, those seated listened intently, some clapping while others remained still. They were confused. They had lived in Harlan County long enough to know that there was truth in all of what was being said. Indeed, the last speaker was correct. Despite the evidence of two eyewitnesses, the Harlan County Grand Jury failed to indict Bill Bruner for murder. Bruner was never brought to trial and the company transferred him to one of their operations in Virginia for his own safety.

The organizers held the trump card that evening. Once the anger had been poured out, Houston spoke. "Men, I've just been talking to the international. This afternoon they got Duke Power to talk. The government sent their top men in to make sure we got an agreement. Right now, at this minute, they're workin' on it and they said at the international we should have our contract by tonight." Houston paused and watched the faces of the men seated in front of him as his words sank in. "This Mr. Usery from the government—well, he is going to put pressure on the company. The government, it knows that if there's not a contract here in Harlan, then there's no tellin' what will happen." The

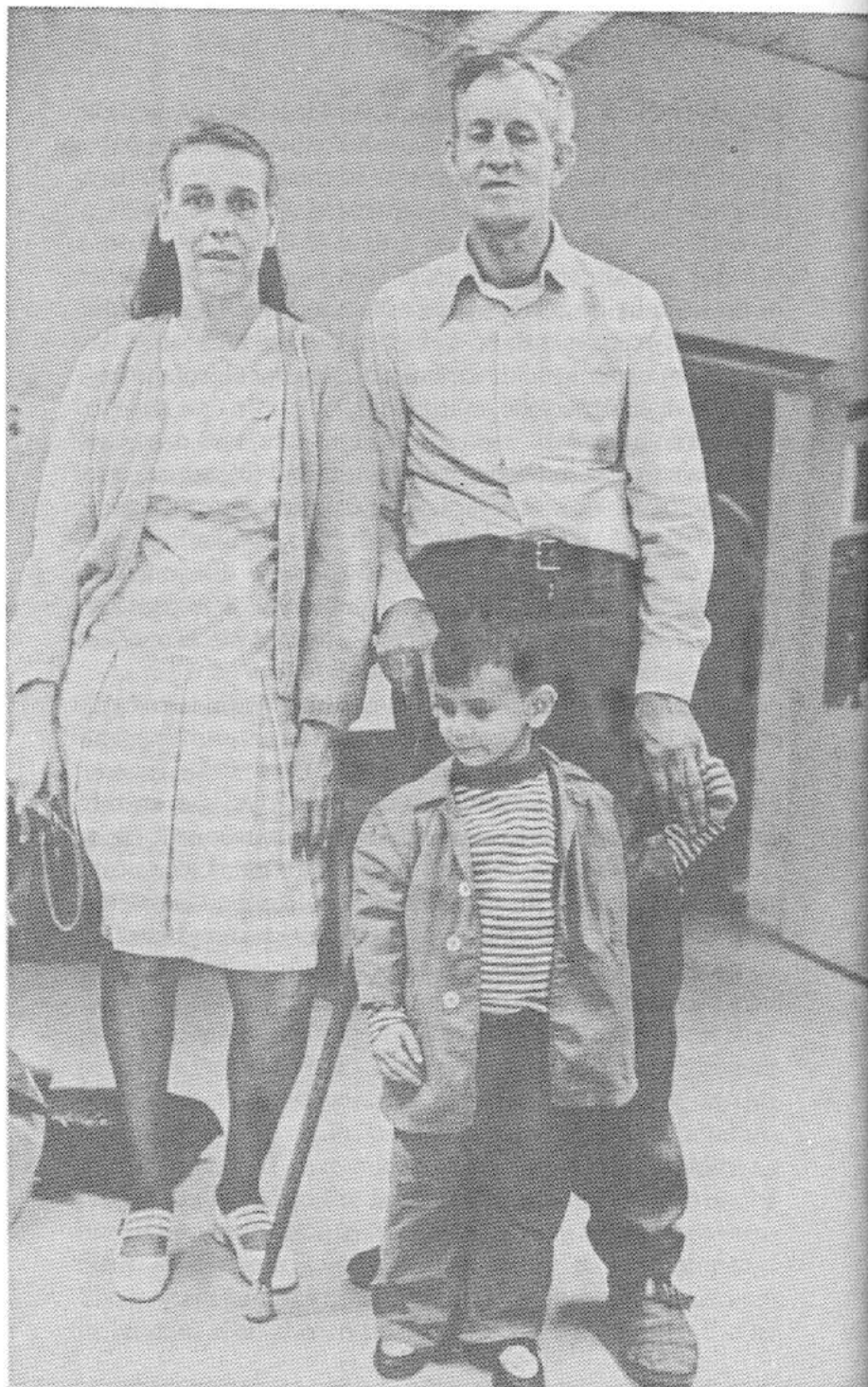
miners nodded, understanding what Houston meant. He continued. "But we gotta keep the lid on, we gotta keep the peace and give them a chance to get us our contract." When Houston finished, the miners applauded. They were willing to wait.

Many stayed around after the meeting, waiting for news of the negotiations. There were still about fifty miners at the community center at three o'clock in the morning when the organizers came in with an announcement. Norman Yarbrough had signed the contract!

Men ran out of the center, piled into cars, and drove up and down the roads beeping their horns and firing guns into the sky. They woke up most every striker who had gone home early. They had won!

The next day the union gathered to ratify the contract. Terms were explained and the miners voted. The contract was ratified and Local Union 1974 of the UMW came into being.

Lawrence Jones' funeral was a painful reminder of the cost of the contract. Arnold Miller and the other officers of the international came to the funeral. During the service, Lawrence's mother was overcome by grief. As she walked up to her son's casket she screamed and swooned. Tom Pysell gently supported her. Reverend Jackson, Lawrence's neighbor, preached the funeral sermon. He read the Bible [Ecclesiastes 5:12]: "The sleep of a laboring man is sweet, whether he eats little or much, but the abundance of the rich man will not help him to sleep."



Sudie Crusenberry with her family at the Citizens Public Inquiry.

Where a society depends primarily on the extraction of natural resources for its income and employment—as did the people of Appalachia—it is extremely important that a high proportion of wealth created by extraction be reinvested locally in other activities. The relatively low proportion of native capital did not produce such a reinvestment in large sections of the Appalachian region. Much of the wealth produced by coal and timber was seldom seen locally. It went down stream with the great hardwood logs, it rode out on rails with the coal cars; it was mailed between distant cities as royalty checks to nonresident operators who had bought rights to the land for 50 cents or a dollar an acre. Even the wages of local miners returned to faraway stockholders via company houses and company stores.

President's Appalachian Regional Commission,
quoted in *Mineral Resources of the Appalachian Region*,
Geological Survey Professional Paper 580. Washington, D.C.
Government Printing Office, 1968, p. 4

The Brookside strike was won by the people of Harlan County: striking miners, retirees, the Brookside Women's Club, and others in the community who supported the strike in different ways. Without the backing of local groups the strike would have been lost. But this pressure alone would not have been enough. Although the daily struggle on the picket line was the key to maintaining the strike, the strike could not have won without support from elsewhere as well.

In today's world, corporations own hundreds of different companies, control billions of dollars worth of assets, and operate in many different states and even different countries. It is almost impossible for a single strike against one operation of a corporation to seriously affect the overall business outlook of that firm. This was the case with Duke Power. The Brookside Mine was only one small piece of its total corporate holdings and the shut-down of Brookside alone barely affected the financial prospects of Duke Power.

Victory at Brookside was possible because the miners were part of a large and powerful organization, the United Mine Workers of America. The strike was won partly because the UMWA furnished support and resources to the miners that could never have been raised on a local level. The international staff of the union carried out a sophisticated campaign that took the cause of the Brookside miners to other sectors of society and combined publicity with political pressure from elected officials, churches, unions, and social action groups. The strike at Brookside was not just an economic activity by a determined group of workers; it became a national political campaign. That side of the story must be told as well.

When Arnold Miller and the staff at the international decided to throw the full force of UMWA support behind the strike, they made a serious decision. In the end, this single strike cost the union nearly \$2 million. Duke Power could write off many of the costs of the strike as tax exemptions and could pass on other costs to its consumers. But it was the working coal miners who support the UMWA who paid for labor's expenditures in this strike. Not included in the UMWA's expenses were the personal and social costs to the striking miners, who subsisted on benefits of one hundred dollars a week, or the extra donations made to the strikers by UMWA locals that voluntarily taxed themselves to contribute to the cause.

The international's support was critical to the strike in other ways too. Arnold Miller had brought to the international bright and enthusiastic young people with good educations and a commitment to the union. The legal staff was headed by Chip Yablonski, a Harvard Law School graduate and son of the murdered Jock Yablonski. The UMWA had one of the best union legal staffs in the country. Throughout the strike they constantly searched the law to find legal rationales for strike activities. They were willing to use the law offensively to attack the company in court.

When forced to defend the union, they were able to present carefully researched and well-argued testimony.

It was often difficult for the Brookside miners to understand the limitations of the law and the role of lawyers. Although sympathetic to the strikers, the lawyers often brought the bad news; they had to be honest with the miners about what might be expected. At one local meeting a miner, after listening to Houston explain what could or could not be done according to the injunctions, said, "Lawyers are meant to get you out of jail after you're in, NOT to keep you out of jail!"

The union backed up the legal fight with continuous publicity. In the early period of the strike most union publicity concentrated on convincing UMWA members that Miller's reform administration was different from Boyle's gangster-riddled rule. This was done through the *United Mine Workers Journal*. Under the creative editorship of Don Stillman, the *Journal* became more sensitive and more relevant to the everyday education of the miners than it had ever been. Miller gave several press conferences in support of the strike and visited the picket line in August shortly after the start of the strike. But as the strike dragged on and the company began its counter-attack, simply advocating the cause of the strikers to other miners was not sufficient.

Early in 1974 the favorable rulings by the National Labor Relations Board, the reports by the Federal Mine Inspectors regarding safety violations at Brookside, and the re-emergence of mass pickets provided the conditions for a broader publicity effort. Miller's staff argued that the strike could be won only if Duke Power itself were threatened. Rick Bank, Miller's administrative assistant, Bernie Aronson, head of the union's public relations staff, Tom Bethell, head of research, and Don Stillman, editor of the *Journal*, designed a new thrust for the union's publicity campaign. They named their strategy the "Dump Duke Power" campaign. This effort was designed to embarrass Duke Power back into negotiations and to gain enough sympathy and interest to minimize potential violence by strikebreakers and

police as the strike heated up. Its main features were the Citizens Public Inquiry, an informational picket at the New York Stock Exchange, and a confrontation between striking miners and Duke Power officials at the corporation's annual stockholders' meeting.

A month after these events, Eastover Mining Company and the Southern Labor Union made a crude attempt to bribe several strikers into breaking the strike. The strikers reported the attempt to the organizers and proof was obtained. The exposure of the bribery attempt fit right in with the rest of the publicity campaign.

Such efforts would capitalize on the fact that since the Black Lung Movement, the Farmington explosion, and the Yablonski murders, the press had been interested in developments within the coal fields and the UMW. The trick was to focus this press interest on the Brookside strike.

The first tactic was the "Citizens Public Inquiry into the Brookside Strike," funded by a grant from the Field Foundation. A panel of distinguished lawyers, politicians, academicians, and clergymen were invited to hear testimony, and investigate conditions in Harlan.* Carl Horne, President of Duke Power, and Norman Yarborough, President of Eastover Mining Company, were also invited but refused to come.

The public hearings were held at the Evarts Multi-Purpose Center. When testimony began, the meeting room

* Members of the Citizens Public Inquiry were former U.S. Senator Fred Harris from Oklahoma; former Secretary of Labor Willard Wirtz; Professor Jacqueline Brophy, Director of Cornell University's School of Industrial Labor Relations; Professor James Barber, Chairman of the Political Science Department at Duke University; Barbara Bode, President of the Children's Foundation; Father Geno Baroni, President of the National Center for Urban Ethnic Affairs; Dr. Raymond Wheeler, President of the Southern Regional Council; Professor Daniel Pollitt of the law faculty of the University of North Carolina; author and lawyer Harry Caudill; and psychiatrist Dr. Robert Coles.

was packed. Dan Pollitt, University of North Carolina Law Professor, chaired the session as miners and community members began their testimony. J. D. Skidmore, a Brookside miner, told the panel that during his time in the mine he and other men had been left underground numerous times without transportation or communication to the surface. If an accident or explosion had occurred, there would have been no way to get help. Miner Bill McQueen told how he had his fingers burned to the bone by a switchbox when Eastover wired around a short circuit and did not replace the fuse. Jerry Johnson testified that when he tried to get these and other safety violations corrected, the company transferred him twice to harder and dirtier jobs. And Bill Doan described his injury in a roof fall two months after the Southern Labor Union ordered the men to end a strike over bad roof conditions.

Witnesses also exposed Eastover's activities against the current strike. They told the panel that Judge Byrd Hogg dismissed the jury deliberating charges against seven women arrested for picketing before the jury could even reach a verdict. The jury was about to find the defendants not guilty, and Judge Hogg had already decided that they *were* guilty. The panel was shown documentation that until just recently Judge Hogg had been a coal operator himself, the owner of A & G Coal Company. The union produced proof that Eastover security guard Claude Beach had an arrest record which included a conviction for voluntary manslaughter and larceny.*

The hearings drew other people concerned about the strike. U.S. Representative Ken Heckler from West Virginia came to speak on behalf of the miners. Wilbur Hobby, President of the AFL-CIO in North Carolina, Duke Power's home state, also came to testify. His comments demonstrated the importance of mutual support among unions.

* See *Appendix I* for a list of the documentary evidence presented to the Citizens Public Inquiry.

I was 17 years old and I joined the Navy. A couple of years later I was in the South Pacific and John L. Lewis and his coal miners were telling this country to go fishing, because if there was no contract, then there would be no work. I was a patriotic young fellow as I said, fighting for my country, and I had the feeling at that time if I could be 7,000 miles away fighting for my country, then coal mines and coal miners back here could mine that coal.

I came back home and went to work in a plant and became interested in the labor movement and read about the history of the labor movement and including coal mines in Kentucky, and I saw the error of my ways. That I should not have been mad at the coal miners but I should have been mad at the coal operators as I am here today.

Mr. Hobby went on to point out that less than seven per cent of Duke Power's workers were unionized and that the existence of a so-called "right-to-work" law in North Carolina made it extremely difficult to organize there. He pointed out that victory by the Brookside miners would encourage workers in North Carolina and throughout the South to organize for union protection.

Some of the women testified too. Sudie Crusenberry spoke of her childhood in the coal camp. Then she described her husband's accident:

And my man was mashed up there, he was mashed up there in that mine. They sent a woman and told me they thought he was killed. And he laid for weeks and his legs were broken and other injuries and they sent him home to not walk no more. And do you know what they wanted me to do? They wanted me to put him in an old folks rest home. So I wouldn't do it, so I got to sitting him up in a chair and I would put my arms under him and walk him through the house and I finally got him to where he could walk on crutches. And that is how he is getting around today—on a cane.

Sudie's story underlined testimony heard earlier from a trustee of the union's health fund who described the poor health care existing in Harlan County and spoke of the need for the health benefits that a UMWA contract would guarantee.

The climax of the testimony occurred when Sheriff Billy G. Williams walked to the stage, interrupting the testimony of three women, to serve warrants ordering them to appear in court for violating the picketing injunction.

The day after the hearings investigators were given a tour of the mining camp and the company-owned houses. Nan Rainey, active in the Women's Club and a striker's wife, told about a recent Harlan County Health Department report showing that drinking water provided by the company was contaminated with fecal bacteria six times higher than the permissible level. Another striker's wife, Sue Noe, told how the company would harass union activists by arbitrarily shutting off their water supply, sometimes for as long as four days at a time. The investigators were most dismayed by what they saw with their own eyes: shack-like houses, gutted dirt roads, no indoor plumbing, children with decaying teeth and impaired hearing. Willard Wirtz, former U.S. Secretary of Labor, was clearly shaken by what he observed: "I have a feeling of tremendous admiration for people who preserve their dignity and pride in a situation like this," he told the press. "This country ought to be ashamed of itself for allowing these kinds of conditions. I am." Former U.S. Senator Fred Harris agreed. "Eastern Kentucky and Harlan County have some of the greatest natural resources in the country, but we're burning up people to make electricity. The people who are mining the coal that makes the electricity ought to share in the benefits, and it's clear from what we've heard here that they can't get the benefits or safety protection without a real union."

The Citizens Public Inquiry did receive press attention, although less than the union had hoped for. Duke Power publicly ignored the inquiry. Yet as a result of the investigation a small but regular stream of articles and television reports continued until the strike was settled.

When the union organized a trip to the New York Stock Exchange, more public pressure was applied to

Duke Power. Miners were asked to picket the Stock Exchange to encourage doubts among investors regarding Duke's financial viability. The union took out a full-page advertisement in the *Wall Street Journal* advising investors that purchase of Duke's new stock offering would be money badly spent. (The ad cost the union \$8,666.88.) The union also bought full-page ads in newspapers in areas served by Duke Power electricity, pointing out Duke's \$59,683 fine for safety violations and explaining that it would be the consumer who would pay the bill.

The New York picket line was followed by Duke Power's annual stockholders' meeting. The union had obtained several proxies signed over to miners, which allowed them to attend the meeting. By the time of the meeting, union publicity had already caused a drop in the price of Duke's stock. Four major church denominations—the Presbyterian Church, United Church of Christ, Unitarian Church, and Reformed Church of America—made public commitments to sell their Duke stock. Other unions agreed to sell any Duke stock they owned. The utility's stock had been declining since the campaign began and reached record lows in mid-May.

The stockholders' meeting was a new experience for the miners. The audience was made up mainly of flabby men in expensive business suits. In stark contrast were the miners with their broken teeth, calloused hands, hard bodies, and scars. The stockholders shifted uneasily, nervous in the presence of those whose labor paid for their yachts, European vacations, and private jets. Deep inside these businessmen knew the wealth they claimed for themselves was produced by the miners' blood, sweat, and sometimes lives.

After Carl Horne presented his report the floor was opened for discussion. Brookside miner Bill Doan stood up and spoke.

How come you hired gun thugs to harass us around, with your saying now that the issue is for a no strike clause? Well, if we had a no strike clause in there, Norman Yarborough could

kick us off that hill and there wouldn't be a thing we could do about it. But I tell you, we in Harlan County, all our life we been kicked around. We been put in jail, we been shot at, we got dynamite thrown at us, and then you don't want us to have nothing. Well I tell you, Mr. Horne, I'm going to be standing right there on the picket line, looking at you just as long as it takes. Thank you.

The businessmen listened and then went on with the agenda, incapable of truly hearing what was said.

The union's publicity tactics were different than those used by "Big Labor" in the recent past. Since the fifties, many leaders of organized labor in the United States have accommodated themselves to big business, often perceiving their role as the industrialists' partner rather than their antagonist. But the public confrontations used by the UMWA reflected the struggle of the rank-and-file worker with big business—not a "partnership" but a day-to-day struggle for a living wage, safety, and health on the workers' part, and for higher profits on the industrialists' part. The UMWA did not use publicity as a substitute for struggle. What made the "Dump Duke Power" campaign effective was its relationship to the real battle going on in the coalfields. Inasmuch as the campaign sought to influence union and church leaders and businessmen, it was successful.

But despite its success, the campaign suffered from a grave weakness, one not overcome until a year-and-a-half after the strike ended when an unknown movie producer released an electrifying documentary film.

That weakness was the failure of the publicity effort to successfully reach other workers, particularly those in the steel and automobile industries where family ties between coal miners in Appalachia and the factory workers of the Midwest are quite common. Steel, auto, rubber, and other industrial workers, whose unions had received the spark of life from the UMWA's support of the CIO, might have been

rallied to the support of the miners at Brookside. But the publicity campaign did not penetrate the ranks of these workers.

A conversation that occurred between a miner picketing the New York Stock Exchange and a New York policeman illustrates the fact that the policeman, although very supportive once he knew about the strike, had no idea of the issues at stake until he actually talked with one of the strikers.

The miner and policeman were watching several sewer and tunnel workers.

Miner: The tunnels here is just like a mine... only ours is about 42 inches high.

Policeman: That's incredible. I think these are more secure than mines are. I wouldn't mind going under here, but not your mines.

Miner: You wouldn't want to go into the mines. They make good profit off the mines, you know.

Policeman: Make good profit, but they keep it all themselves, right?

Miner: Yeah!

Policeman: Oughta spread the wealth. I thought you guys got paid a little more than you do.

Miner: We get paid real good.

Policeman: No, you don't. What's real good? Five dollars, six dollars an hour?

Miner: Yeah.

Policeman: That's not real good. I make more than that. Sure do. I make about seven.

Miner: God, that much; that's good money. We get all union strike benefits. But it's real hard, you know, to live on a hundred. Is your job dangerous, though?

Policeman: Are you kidding? This is what I do. It's a lot of bullshit.

Miner: A lot of people don't understand that the electricity burning over there, there's somebody dying every day for it. One man dies a day.

You've probably got medical and dental—free medical coverage. I'd save up money to buy a house, and the kids all get sick and I'd have to pay every penny of it. You got dental?

Policeman: We've got dental. All kinds of health. We've got drugs. I can retire at 36—half pay, ten thousand a year.

Miner: Well, they don't want us to ever be able to retire.

Policeman: That's bad.

Miner: That's the reason we're here; that's the reason we're on strike. Been on strike nine months.

Policeman: Nine months!

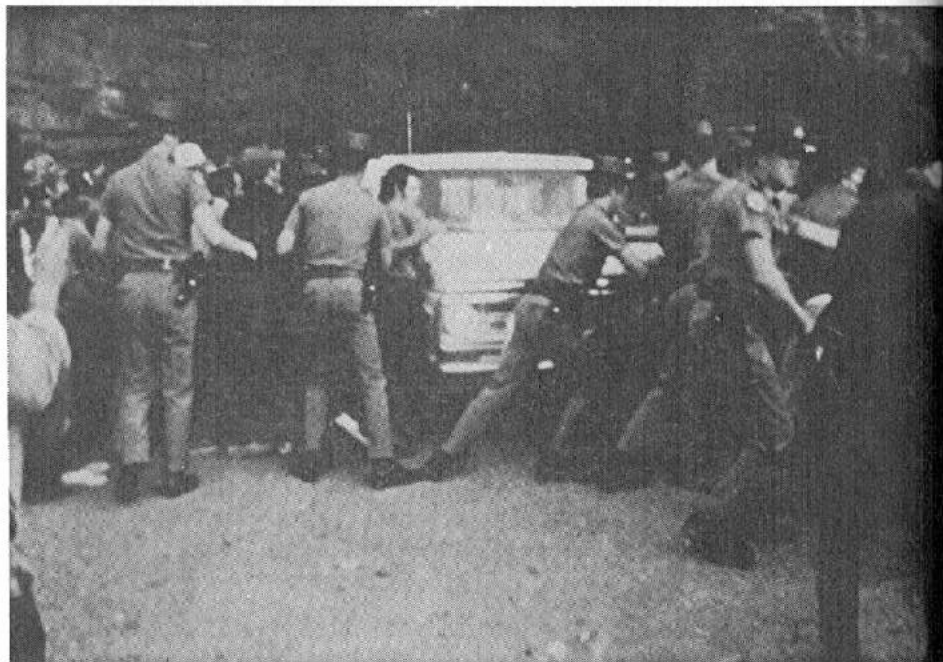
Miner: Nine months!

Policeman: I thought it was the first day!

Miner: No, this is nine months. They won't sign a contract.

Policeman: Good thing you came up here to get some publicity for you.

There is no way of knowing what might have been accomplished at Brookside if the UMWA had not only mobilized its own membership, but had also been able to bring the issues to the rest of America's working people.



Filming the police as they hold back the picket line.

10

Harlan County USA

When we arrived in Harlan we were filmmakers. After living with the people and sharing their experience and the dangers of the strike, we were filmmakers second.

I remember seeing an incredible segment in the film "Battle for Chile" where a Swedish cameraman who was part of a film crew doing work supporting the Allende government had focused on a soldier with a high powered rifle. Then suddenly the soldier fires right at him, the camera falls and you just see feet running by the lens. This is what it was like for us. The film became part of the striking miners' struggle. Our being on the picket line kept things from getting more violent. The scabs and gun thugs weren't going to commit murder in living color. The scabs and state troopers always kept trying to get us away from the picket line to block the camera.

Barbara Kopple describing her experiences while filming the Brookside strike.

The Brookside strike was taken to the people of America but not until more than two years after the strike ended. A film told the story and its title was simply *Harlan County USA*. The film, a documentary, was produced by Barbara Kopple, an artist with political convictions and a commitment to use film as a medium for reaching out to people. When the film was finished, Barbara knew she had made a good movie but had no idea that it would be acclaimed by the New York Film Festival and eventually win an Academy Award for best documentary of the year. She did hope the film would be viewed and discussed by workers throughout the country. That hope has been largely fulfilled and Barbara Kopple's contribution to the mineworkers' struggle is a story in itself.

Barbara and Kevin Keating arrived in Harlan in October of 1973. Their first contact with the picket line was the

morning the women had resolved to violate the court injunctions and lay down in the road. Barbara had been filming the Miners for Democracy movement and Miller's election and had originally intended to use the Brookside strike as a small segment of a movie about reforms in the UMWA. Arnold Miller had given the project his blessing and Barbara was already known and accepted by the union organizers at Brookside. The striking miners and the women were less sure about this filmmaker from New York. But as Barbara's commitment to the union and the picket line became clear over the weeks, she was accepted by them too.

The film crew became regulars on the picket line, attended strategy meetings with the organizers, and joined the Women's Club. At first they stayed in a motel but when they were harassed by company personnel, Jerry and Dorothy Johnson offered to let them stay at their home. Jerry, Dorothy, and their three children lived in a small house. The film crew had to sleep on the floor. Living with a miner's family through the duration of the strike gave the film makers an insight into events that could not have been gained by an outsider. Barbara got to know the miners, the women, and the power brokers of the community. She learned to wheel and deal her way into situations she felt were necessary to film. There is no doubt that shooting film inside the county jail is highly irregular, but Barbara convinced Trap Helton, the county jailer, that she was anxious to include his picture in her film, and so recorded the sights and sounds of men and women experiencing their first contact with jail cells.

The film crew's presence on the picket line was a constant irritation to the company. The miners noted that newspaper reporters and TV cameramen never seemed to be around when the company began any violence. But Barbara was there and, as one of the miners remarked, "They ain't gonna commit murder in technicolor."

Barbara had a run-in with Basil Collins, the company foreman and head scab, soon after arriving in Harlan. Trying to interview Basil as he crossed the picket line, she

presented herself as a newspaperwoman. Basil was charming; after all, he was a Kentucky gentleman. Yes, he would answer her questions. As she asked him about his role in the strike, Barbara realized that he had heard about her and knew who she really was. He asked her some questions back. "You from New York City, honey?" She said she was. "You like it down here?" Barbara assured him that she did. "Well," he grinned, "you may die down here." Basil hardly ever spoke to the men on the film crew except in obscenities or curses. But to Barbara he was invariably cordial, like a friendly rattlesnake.

Barbara and Kevin had been in Harlan for a couple of weeks when Ann Lewis joined the crew. They talked it over and decided to stay until the end of the strike. They got themselves hired as "stringers" for United Press International. Expected to write stories and send pictures about the strike from time to time, they could also carry official press cards. The cards helped them obtain filmed interviews with various officials, including Norman Yarborough of East-over Mining Company. But when the miners or community people asked who they were, Barbara did not say they were the press. She said they were an independent film crew making a movie because they thought what was happening in the UMWA and at Brookside was an important story that should be told. Some miners were still suspicious. They were used to apparently sympathetic writers and filmmakers who came to poverty-stricken Appalachia and then went home to make money from the stories they told about other peoples' hardships. Barbara tried to answer these suspicions honestly. She wanted to make a movie for the union to use. No one had given her a lot of money to make the film; in fact, she was deeply in debt. She would be lucky to break even after the film was finished.

The filmmakers understood peoples' hesitations. Barbara had seen camera crews from the television networks pretend to be neutral. They would come for a day or two, shoot

films of the most exciting events, and then take them back to the studio where the beliefs and prejudices of news-writers, editorial writers, and station owners would determine what would be shown and how it would be analyzed. The miners' side rarely won out. Barbara had decided from the beginning that she would not pretend to be neutral. She and the other crew members believed the strike to be a just fight.

Barbara had arrived at her decision to make political films before coming to Harlan. She was raised on a vegetable farm near Shrub Oak, New York but attended Morris Harvey College, a small private school in Charleston, West Virginia. For one of her classes, she did an art project with an anti-war theme. She got an "F," a grade she felt reflected disapproval of her politics and not her art. She transferred to Northeastern University in Boston. There she made a film rather than write a term paper for a psychology course. Her film was about lobotomies, the controversial operation in which part of a person's brain is surgically removed in order to create more acceptable behavior. After graduation she moved to New York City and went to film classes. She met people making short social documentaries, and learned about film editing in the process of helping them with their films. Because of her editing experience she got a job as an assistant editor and, perfecting her skills, went on to join film crews. This enabled her to learn about sound and camera work. She worked on political and social documentaries including *Winter Soldier*, a movie about Vietnam veterans and their memories and opinions of the war. This was the same time that Miners for Democracy were challenging Boyle's leadership. Remembering her stay in West Virginia and the miners she had met, Barbara decided to make a documentary film on the UMWA election.

After she had been in Harlan for about three months, Barbara was asked to make a short film to show at the

UMWA convention. Using footage they had already taken, the film crew produced a twenty-minute documentary about the strike. They showed the movie at the convention and the miners enthusiastically approved her work. The international used this film to raise money for the strike and to rally other locals behind the Brookside miners. Several months later, when Barbara's funds ran out, the Executive Board invited her to attend one of their meetings. She went to Washington, where union officials voted her a \$20,000 grant to continue the work.

But it was at this point that Barbara's problems with the international began. The Boyle supporters on the Executive Board were suspicious of Miller and nervous that the union was giving such strong support to a small strike. Although they rarely admitted their hesitations publicly due to the popularity of the strike in the union, behind the scenes they attempted to undermine the union's effort at Brookside. They perceived Barbara's film as an attempt by Miller to make propaganda lauding his own administration. These Executive Board members attacked the project, spreading rumors that Barbara was a communist. She was called back to Washington and told that the Executive Board had decided to put a condition on their final grant to her. She could have the \$20,000 only if the union had final control over the film. Arnold Miller did not defend Barbara because he was frightened by the attack on her. Barbara refused to give up control over the film. She was not willing to let her work be censored by a narrow-minded group of individuals more committed to some faction in the union than to the interests of the working miner.

The attack on Barbara by the Executive Board was partly based on her activities in Harlan. She refused to be a passive filmmaker and instead actively worked with the Women's Club and striking miners. Realizing that she had resources that could educate the strikers, she arranged for several labor films to be brought to Harlan for special show-

ings to the miners and their supporters. One of these was *The Inheritance*, a film on the history of the labor movement produced by the International Ladies Garment Workers Union. The most controversial film was *Salt of the Earth*. This movie is about an actual strike of copper miners in New Mexico. As happened at Brookside nearly twenty-five years later, an injunction by the courts limited the union pickets at the copper mine and brought women into the battle. These miners were predominantly Mexican-Americans who had to fight a double battle for their rights as workers and for their rights as a minority facing discrimination in the Southwest. The producers of *Salt of the Earth* used a novel approach; the strike was reenacted and, with the exception of a few actors, the stars were men and women who had actually participated in it.

Salt of the Earth was released at the height of the political purge of the American film industry. At the time it was made, movie producers had been frightened away from making films of any social relevance. *Salt of the Earth* was an anathema to the retreating film industry. Based on real events, performed by common people, showing workers and their families fighting for justice against an oppressive ownership, the film challenged all the stereotypes of Mexican-Americans. The copper miners and their families were not stupid "banditos;" they were dignified human beings capably organizing themselves to win their rights. The movie industry blackballed *Salt of the Earth* and charged it with being un-American and subversive. To this day the movie has never been given a "regular run" although copies are owned by unions and universities and it has been praised by film critics. UMW Executive Board members used the past slanders about *Salt of the Earth* to charge that Barbara had imported communist propaganda into Harlan.

Another thing they didn't like was the fact that Barbara was working with a group of women and miners to put out an independent paper in Harlan called the *Harlan Labor News*. As the strike progressed the strikers realized that the *Harlan Daily Enterprise*, the county's newspaper, reflected

the interests of the company in its coverage of the strike. The *Harlan Labor News* was an effort to provide a newspaper that spoke more directly to the working people of Harlan. It presented not only news of the strike but also information about welfare rights, social security, unemployment compensation, and issues of health and the environment. There were some union officials in Washington who wanted the union bureaucracy to control every aspect of the strike; they were suspicious of any independent activity that ultimately might be critical of the union or union policy. So they charged that the *Harlan Labor News* was some sort of communist plot.

When Barbara refused to accept censorship from the union, they withdrew the offer of financial support and passed the word to the organizers and miners not to have anything to do with the film crew. These warnings from the union officials in Washington were ignored by most of the miners and even the organizers. Miller withdrew all support of the film for as the strike grew more difficult, more criticisms of union policy were raised. By that time the film crew had become closely associated with the strikers and were part of the group raising criticisms and discussing policy. None of this stopped the filming, but it did affect the focus of the film. Barbara fully understood that comfortable union bureaucrats were not the decisive force in the strike. The working people of Harlan were doing the fighting, and it was their suffering and losses that led to victory.

When the strike was over Barbara returned to New York. Hart Perry had replaced Kevin on the film crew toward the end of the strike. He and Barbara later returned to the coalfields, first to film the ratification of the national contract and then to film a major wildcat strike the following summer. Altogether Barbara had over fifty hours of film. She spent long, hard hours digging through old photographs and films from miners' struggles of forty, sixty, and eighty years ago. And she had to have music. During

her time with the mineworkers Barbara had been introduced to men and women who wrote and sang about miners. She culled through songs and artists, selecting music that could be the background for the story.

Editing was the most difficult part. For nine months Barbara and her editing crew worked around the clock making decisions to cut certain scenes and include others. Often this entailed political discussion about the importance of an event and its meaning to potential audiences, as well as purely aesthetic considerations.

Harlan County USA was finished just in time for screening at the New York Film Festival. Described as the "surprise hit," it walked away with all the honors. When the film was nominated for an Academy Award Barbara never believed it could win. She arranged to attend the awards ceremony only at the last minute, when rumors began to circulate that her film would win.

The people who chose the film for an award must have been aware of the implications of their decision. They asked Jane Fonda and Lillian Hellman, two outspoken film artists known for their stands of political integrity on controversial issues, to make the award. *Harlan County USA* is what the movie industry calls a "cause" film, a movie advocating a change in society to correct an injustice or inequality. Of course, the definition of "cause" reveals that only issues that criticize the established power structure are seen as "causes." When a film such as *Gone with the Wind* justified white plantation society and the degradation of blacks, it was not labeled a "cause" film. And when *Green Berets* preached that American troops ought to be used to oppose wars of independence, publicists did not label it a "cause" film.

Given the prejudices of the U.S. film industry, the award to *Harlan County USA* was a breakthrough. It represented the shedding of past prejudices by some people in the movie industry. But the importance of the film is greater than its impact on corporate filmmaking. *Harlan County USA* is proof that an artist need not be confined by the conventions

and controls of a monopolized industry. Independent of Hollywood, Barbara Kopple created an artistic statement about an important event. She represents a new breed of filmmakers who have turned their talents toward the interests of ordinary working people. Unions and other organizations representing the American people must come to understand the importance of such art in communicating events and ideas and forging links between working persons and artists.

10¢ Donation

HARLAN LABOR NEWS

Volume 1
Number 1

August 1974

"HARLAN LABOR NEWS"

The "Harlan Labor News" is a paper by and for the workers and honest peoples of Harlan County. We have never had a real newspaper in Harlan County. The closest thing we have had is the "Harlan Enterprise". As is well known, that paper has historically been a company, scab paper. In the past it has been owned by a coal operator. The way they run their paper now, it may as well still be. The "Enterprise" enthusiastically covers things such as Horse Shows, weddings and church events. It very rarely and then briefly deals with the pressing issues and problems that face the workers of Harlan County. By not saying anything or just very little, the "Enterprise" attempts to whitewash the immoral and criminal deeds of the coal operators and their stooges.

Now with the "Harlan Labor News" the workers and honest people of Harlan County got a paper they can call their own. We do not claim to be impartial, we are on the side of what is right. We are on the side of workers and people fighting for a decent life and their basic rights. We are on the side of the UMWA organizing drive in Harlan County. We are not afraid of facts. We will use Facts and the truth to point out and clearly show that the cause of labor in Harlan is the just and correct cause. We are not afraid of and will print the truth. We will attempt to expose and show up all the enemies of the honest people of Harlan County. This includes the exposing of opportunism and corruption within our own ranks.

We call on all honest people of Harlan County to help get this paper going. We need people to write articles, help put the paper together and help distribute it. continued Page 2

"THE STRIKE"

As most people know, at Highsplint, there has been a tense struggle between the scabs and gun thugs on one hand, and the courageous union men and women on the other hand, who have been fighting to bring the UMWA throughout Harlan County. In this way, we can build a better life for ourselves and our families. Yarbrough and Duke Power have paroled felons and murderers out of jail to be gun thugs against the strikers. Most of the miners at Highsplint - about 130 - have been honoring the picket line. The hired thugs have shot up some of the pickets homes, have beat up some women on the picket line and have beat up a young man. These fascist attacks on us and our union are enough to get any honest minor mad. Because of machine gun fire by the thugs at Highsplint on the pickets, it became almost impossible to continue the picket line at the bridge at Highsplint. Therefore the picket line was moved to Shields - 1 mile from Highsplint. On Tuesday and Thursday these scabs and thugs were successfully held at bay and did not cross the picket line.

These attacks also enraged fellow coal miners throughout the country. A general memorial strike has been called throughout the coal fields starting Monday, August 19 and continuing through the week. We see this memorial as in support of the UMWA Brookside Strike. There will be about 500 to 700 miners coming to town Monday to show their support. On Thursday there is called a march in which there will be several thousand miners participating. With these fellow miners, all of us in

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Aftermath

I would like to say this. It has been said about our astronauts in terms of the moon, that they are able to walk on land that nobody has ever set foot on before. The coal miner does this every day that he works underground. He puts his feet in places where no man has ever been before. Also, as far as the knowledge a coal miner possesses, the man can take a pair of pliers and a screwdriver and repair just about any kind of machinery, has to be a smart man. Because with the knowledge and braveness that a coal miner possesses they certainly deserve more than what they have been getting here at Brookside.

Don Dalton, testifying at the Citizens Public Inquiry.
Reprinted from the *Journal of Current Social Issues*,
Vol. 11, No. 6, Spring 1974.

The UMWA contract at Brookside was a genuine victory, and the miners were confident that Brookside was only the beginning. When photographs of the new local were taken, the former strikers held up signs reading "Harlan is UMWA Country" and "Eastern Kentucky is UMWA country." In the aftermath of the bitter, thirteen-month strike, there was hope for the future.

But the events that followed the Brookside victory suggest that the issues involved—decent wages, safe and healthy working conditions, and a political environment where the interests of the people are represented—cannot be won by a single strike. Indeed, the victory made the opposition bolder and more determined to isolate the Brookside victory.

In May, 1974, toward the end of the strike, the women and miners who had been served with contempt-of-court citations had to appear before Judge Hogg. This was the judge who, in order to get the guilty verdict he wanted, had dismissed the jury before it could agree on its verdict. This

trial was no different. Bessie Lou Cornett stood up in the packed courtroom and spoke.

Could I say—because I haven't had a chance to give any testimony today—I knew we weren't going to get any justice. You say the laws were made for us. The laws weren't made for the working people of this country. There's a person missing here today and that's Carl Horne. The law is made for people like Carl Horne and not for us. So I knew when I came here without offering any testimony or getting up. . . I knew what I was doing at Brookside because that's what I wanted to do. For once I was able to take the offensive instead of coming down here and taking a step backward and trying to defend what we did. What we did is right and we all know that.

Miners and community people had applauded. But Bessie Lou's outspoken ways and leadership during the strike also earned her enemies. Some of those who disagreed with her merely dismissed her as crazy. But the coal operators and politicians saw Bessie Lou as a threat to their control. She was singled out for attack both personally and politically.

Bessie Lou's marriage had never been particularly good. Like many young women growing up in hardship, she had believed that getting married was a solution to all problems. She married before she finished high school and was seventeen when she had her son, Stephen. During the strike her husband saw her changing into an independent and stronger person with new ideas. He felt threatened and began beating her. Bessie Lou began going out on him. They were not unusual; the strike disrupted the lives of almost everyone involved in it. But because of her role in the strike, Bessie Lou's personal problems became a weapon the operators used to punish her. They did it in the cruelest possible way—they took away her child.

After the strike Bessie Lou and ten other people went to jail for their activities on the picket line. While in jail Bessie Lou was told that her husband, whom she had finally divorced, wanted to take away her son. During subsequent hearings Bessie Lou found out that she was indeed losing her son because of her role in the strike.

Judge Brock, who heard the custody case, was a former

lawyer for the Harlan Coal Operators' Association. Her husband's attorney was Wix Unthank. The Unthank family were well-known union haters. Wix's uncle, Ben Unthank, had been named in hearings in the thirties as the hired gun thug responsible for the deaths of six union miners.

Throughout the legal proceedings Bessie Lou found her opinions on the union and on politics were to be major grounds for finding her an unfit mother. Wix even argued that Bessie Lou must be a communist because during the strike she had stated her opposition to fascism. What was so bad about fascism, Wix Unthank wanted to know. Bessie Lou answered that she knew about fascism because people in her family had gone to fight Hitler after he had killed millions of innocent people and destroyed trade unions. According to Wix, the only people who would want to oppose fascism were communists. Wix Unthank also tried to smear Bessie Lou by berating her friendship with several black people. Throughout the court hearings Unthank referred to blacks as "niggers." These types of arguments, held in a court of law, were what tested Bessie Lou's ability to care for her son!

Bessie Lou had no money to fight a court battle. She received \$120 from the Committee on Religion in Appalachia and hired a lawyer who tried to help. But the judge had already made up his mind. This young woman was obviously a threat to society and was more than likely to bring her son up to be a union supporter. So Stephen was taken away from Bessie Lou and given to the custody of her in-laws.

Bessie Lou was not so easily stilled. Along with the other women and miners, she had learned an important lesson in the strike. They now knew that people who are well organized and have clear objectives can win battles. So even after the strike was over, Bessie Lou, Lois Scott, Dorothy Johnson, Sherry Benson, Barbara Callahan, and others continued to publish the *Harlan Labor News*, which was handed out by supportive retirees. When the Harlan City Council decided to "urban renew" away the black com-

munity (Georgetown) in Harlan city, its residents found support from the *Harlan Labor News*. The black community had supported the miners; now they needed help. Members of the Brookside Women's Club and other people from the strike joined black leaders to form a Save Georgetown Committee.

At the same time, the Women's Club and other organizations continued their support of union efforts at High Splint and other nearby mines. But the UMWA was not making the same commitment they had made to Brookside, although other mines were even more difficult to organize. To keep the union out, the operators raised wages from \$30 a day to as high as \$70 or \$80 a day. It was hard to convince miners making more money than they had ever seen that wages would drop as soon as the union withdrew. The operators moved against the union in another way as well. Realizing that the union would move on to other mines after Brookside, the operators had consciously begun to hire anti-union miners in an effort to stack any vote for union representation. Miners known to be strongly pro-union in these mines found they were fired for the smallest excuse. Under these conditions and lacking an all-out effort by the international, the UMWA lost the election at High Splint. Other losses followed. The enthusiasm of the days after the Brookside victory faded.

The power structure of Harlan County, seeing union defeats at the other mines, decided it was time to strike at their opposition. They attempted to make an example of Bessie Lou Cornett. With her out of the way, the other women and miners involved in political action might be intimidated into silence.

On July 14, 1975, Bessie Lou was arrested on charges of kidnapping a woman, her neighbor, and her children. The man bringing the charges against her was reputed to be an active member of the Ku Klux Klan. The February after the contract had been signed, the Klan had re-emerged in Harlan County, running an ad in the *Harlan Daily Enter-*

prise advertising for members. Their activities increased through the spring as they rode robed through the night, burning crosses and holding rallies. Bessie Lou was singled out, for she had fought hard for the Save Georgetown Committee as well as for the Brookside miners, and the Klan wanted to discourage what they called "race mixing." At several rallies, Bessie Lou's life was openly threatened. Other people who had been involved in the strike also received death threats.

A defense committee was hastily organized and the people Bessie Lou had worked with began to publicize her plight. The miners brought pressure on the international union and Arnold Miller responded with a strong letter denouncing the Klan in the *United Mine Workers Journal*. The UMWA's stand was reinforced by the thousands of telegrams, letters, and petitions that flooded into Harlan County and into the office of Kentucky's governor demanding that Bessie Lou be freed. Lois Scott called the FBI and they entered the case, quickly establishing that no kidnapping had occurred and Bessie Lou had been falsely charged. Despite the FBI findings and an obvious lack of evidence, the State Police continued to press the case. It was well known in Harlan that sympathizers and even members of the Klan held important positions in the State Police force. But the grand jury called to hear the evidence against Bessie Lou included local people who understood the nature of the trumped up charges. They would not indict Bessie Lou. Backed by an outpouring of public support, Bessie Lou was released. In spite of extensive evidence showing that her frame-up was a conspiracy, those who filed the false charges were never indicted for criminal activity. The coal operators still controlled "justice" in Harlan County.

Through the fall of 1975 and into 1976, the Klan continued its campaign of harassment and intimidation. In February they attacked the home of a family in Cloverfork and burned it to the ground. During this period the Harlan County Sheriff denied protection to people who had been threatened and flagrantly refused to investigate cross-

burnings, shootings, and reported beatings. Harlan County was becoming "Bloody Harlan" once again.

The failure to unionize the area's mines was underlined in blood in March of 1976 when two explosions ripped through the Scotia Coal Company's Black Mountain Mine, killing twenty-six miners and three federal mine inspectors. This mine was in Letcher County, close to Harlan, and reflected what had been happening in the coal industry since the Brookside strike. The demand for coal to replace oil encouraged companies to push production even harder, to the near total neglect of safety. The companies were quite willing to pay higher wages if they could insure that no one would insist on observing safety measures that could slow down production or if they could avoid quality but expensive health benefits. At Scotia's Black Mountain Mine, safety inspectors had repeatedly cited the company for dangerous violations. But the law had little enforcement power and without the presence of a union to back up safety demands, the company could willfully ignore federal recommendations. Miners at Scotia who complained too loudly about safety were fired after the company suddenly discovered something undesirable in their work record. Even after two explosions, operations at the mine were suspended only briefly; the company paid a few small fines and then went back into operation.

Blue Diamond Mining Company, the same company that owned Scotia, owned a mine in Stearns, Kentucky. Blue Diamond is a subsidiary of W. R. Grace Company, a large multinational corporation. In March, 1976, miners at Stearns voted to affiliate with the UMWA and struck for a union contract.

The Stearns strike could have been the follow-up to Brookside for an organizing drive in eastern Kentucky, particularly given the anger and frustration felt by miners as a result of the Scotia disaster. But the Brookside strike came at a time when new union leadership was being tested and when there were few major battles in the coal fields. The

Stearns strike began two years later, after the Miller administration had done a turn-about. The international supported the strike, but put much less effort into it than it had put into the Brookside strike. By the time the Stearns miners struck, the staff members key to the Brookside victory had either resigned or been fired by Miller. In the three years of the Stearns strike, miners and their supporters faced violence more intense than at Brookside. But public opinion was not aroused by a union public relations campaign, and the international did not bring thousands of miners into the area to support the strikers. Without the glare of publicity the State Police and Sheriff joined with the company's gun thugs and strikebreakers to create an atmosphere of terror. Anxious to end the strike the international union accepted a deal: the company agreed to accept the results of a new vote. But the National Labor Relations Board ruled that scabs could vote in the new election. The striking miners boycotted the election, protesting the ruling that would allow men who had taken their jobs for three years to vote. The international cut off strike benefits and the strike was defeated, not because the miners had refused to stand strong but because the international gave in to pressures from the company and the government.

During the Brookside strike differences between the needs of the miners and the more cautious approach of union leadership had surfaced. But these differences had been worked out. At Stearns they were not worked out and thus led to a tragic defeat.

What happened to Bessie Lou and the union in the two years after Brookside illustrates the pitfalls of jumping to conclusions about the results of any single strike. Only a careful analysis of conditions within the union and of the environment around it can help explain why and when union policies protect their membership or betray them. Ultimately the individual union member, family members, and community supporters must take upon themselves the responsibility to educate themselves and participate to insure their unions truly represent the interests of those affected.



People of Harlan County unite against the Klan.

12

Some Lessons Learned

Major Legislation Affecting Union Organizing

- 1935** **National Labor Relations Act (NLRA)**—passed by Congress as a response to strike wave sweeping the country; granted right to organize for purposes of collective bargaining to most employees in the industrial workforce; specified unfair labor practices against employers.
- 1947** **Taft-Hartley Amendments to the NLRA**—passed by Congress under pressure from employers to limit union rights; secondary boycotts outlawed; unions cannot hold members responsible for activities such as scabbing; allows individual states to pass laws forbidding union shops (14-B); allows employers to sue unions for money damages; allows federal government to force striking unions back to work.
- 1959** **Landrum-Griffin Amendments to the NLRA**—contains “bill of rights” for union members to protect union democracy; gives federal government the right to intervene in internal union affairs; gives international unions the right to penalize local unions by putting them in receivership for up to 18 months.

NOTE: Individual states can pass additional legislation further limiting union activity. In Kentucky, the original injunctions limiting pickets were based on legal arguments that large numbers of pickets would provoke “violence.”

Faced with overwhelming odds, the Brookside miners and their families stood strong and determined. Coal miners are American workers who have particularly dirty and dangerous jobs. They are also loyal citizens who believe that their country should stand by its commitment to “liberty and justice for all.” Seeing themselves cast as criminals, the miners, their families, and supporters clung to their vision of justice. Harassed and terrorized, they maintained their dignity and patience. They remained loyal to their union while they criticized its mistakes. The miners and women of Harlan were not cardboard heroes and heroines. They complained about their hardships; they fought among themselves and fought with their leaders. They were tempted to give up and they were tempted to take an easy and violent way out. They sometimes attacked the wrong enemy and sometimes lost sight of their goals. But out of their strike they forged an organization and an understanding that allowed them—very ordinary people with all the ordinary weaknesses—to stand tall and win.

Ordinary people do not always win. Strikes are lost more often than they are won. Too many times petty jealousies and fears destroy unity and lead to defeat. What was present in the Brookside strike that laid the conditions for victory? What happened after Brookside that led to the subsequent defeats? What does Brookside say about the future of the United Mine Workers and the entire American trade union movement?

The conditions for victory at Brookside might be summed up in the following way. First, the strike originated at the membership level. It was conceived and carried out by the workers themselves. Second, the workers were able to appeal to a union that, at the time, needed to be responsive to its members' needs. The newly elected president had not insulated himself from his membership nor had he established control over a bureaucracy to protect himself from members' demands. Third, the union had acquired a staff of educated and trained people who brought with them skills and talents along with a broad perspective of what was necessary to win. Fourth, the strikers accepted and followed leadership broader than that of "the union." The strike became the common concern of the strikers, the Brookside Women's Club, the Harlan Black Lung Association, and the UMWA Booster Club. Independent local organizations and leaders not tied to the union structure provided a wider base of support. At the same time, these local groups added a perspective that prevented the union from defining issues in terms of narrow union interests. They demanded that the strike be run in the general interest of the working people of Harlan County. Fifth, the strike became a cause among other sectors of society, providing a basis of financial and political backing reaching beyond just the union's membership.

Conditions for the subsequent defeats were also present at Brookside. The very fact that it cost the UMWA nearly \$2 million to win union rights for less than two hundred men

suggests that union rights in the United States are not in reality "rights." The National Labor Relations Act guarantees the right to a union in unambiguous terms:

It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practise and the procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.*

But at Brookside, the "right" of a company to run coal had greater legal weight than the "right" of the miner to a decent wage at a safe job. The overwhelming lesson of Brookside is the way in which the courts, laws, judges, and police represented and defended the interests of management.

The financial and personal costs of organizing are demonstrated by the Brookside strike. Workers do not endure long strikes unless they believe victory is possible. The sacrifices demanded by such a strike require that those involved be committed to their cause. But today's workers have little understanding of either labor's history or the role of unions. Many school curricula avoid serious discussion of unions or the union movement; and if brought up at all, it is often presented in a negative light. Textbooks laud "free enterprise," painting a rosy picture of industrial society that bears no relation to the reality experienced by the working class student. As a result, youth entering the workplace and joining the union have little knowledge of the heroic sacrifices made in the early days of the union

* Section I, National Labor Relations Act, July 5, 1935, "Findings and Declaration of Policy"

movement or of the history of antagonism between unions and the captains of American industry.

If the strikers knew labor history and had been taught how to make a political analysis, groundwork for an informed, conscious understanding would have been created. Such understanding is the basis for a long-range commitment and for loyalty to one's own interests and the interests of one's fellow workers.

In the past decades few American unions have carried out this kind of union education. Some union leaders claim the membership is not really interested. Other union leaders understand that an educated membership is far more capable of questioning and criticizing its own leadership. Entrenched union leaders, who fear the close scrutiny of their members and who could not provide acceptable explanations for union policies if asked the right questions, would prefer that members not learn to ask the questions. But the cost of failure to provide such education is a high one for unions. For in strikes like Brookside, the members enter a long and difficult period of hardship with only a minimal understanding of their own union and of the union movement in general and with almost no real understanding of how political power is actually exercised in the United States today. Thus they are not prepared to sacrifice past their own limited understanding of what is at stake.

Lack of understanding on the part of workers is compounded by the anti-labor legislation and anti-labor judicial rulings that characterize U.S. labor law today. An analysis of labor legislation passed since the National Labor Relations Act of 1935 shows that unions today must organize and survive under very limited conditions. At the end of World War II, one-third of America's non-agricultural workforce belonged to unions. Following the passage of the anti-union Taft-Hartley amendments in 1947, organized labor went into a serious decline. Since then, with the exception of public employee unions, unions have lost member-

ship relative to the growth of the workforce. Today less than one-fifth of America's workers are organized.

Ironically, the largest American unions failed to wage much of a battle against many of these legal restrictions. Afraid to mobilize their membership, the unions attempted to "lobby" their opposition. Electoral maneuvers by the unions were no match for the money and power of such anti-labor lobbies as the National Association of Manufacturers and the National Right-to-Work Committee. As the union movement found itself legally boxed in, union leaders moved to a defensive strategy. They chose to hold on to workers already organized rather than bear the costs and risks of organizing workers in regions where unions had not been based historically. For a time such accommodation appeared to work. The large unions had been founded in the North and Midwest and grew and prospered there, although they represented a smaller and smaller proportion of the total American workforce. Many union leaders grew fat and comfortable, removed from the punishing speed of the production line, the toxic fumes of the chemical plant, or the coal dust of the mine. They reached unwritten agreements with management that certain concessions would be made and certain compromises reached. They were no longer genuinely responsible to their membership.

As the American economy has become more unstable, industry demands more work from the employed worker while more workers face periodic lay-offs or permanent unemployment. The demand for increased profit is reflected in greater speed-up and less concern for worker health and safety. By the late sixties worker unrest in the coal fields, in the auto industry, the steel industry, and other areas of work led to a series of wildcat strikes across the nation. These walk-outs were safety strikes by angry workers acting against the wishes of their own union officials. The workers had attempted time and again to alter working conditions within the plants and mines through the grievance machinery, but received no satisfaction from either their own union or management. Eventually they gave up and

resorted to the last weapon workers possess—one that neither the union nor management can ever really take away—the right to withhold their labor.

Industry found one way to avoid organized resistance was to move their plants, giving rise to the “runaway shop.” An exodus began after World War II, but increased in intensity in the mid-sixties and early seventies as American industry moved out of the unionized North and Midwest and into the non-union South, Southwest, Puerto Rico, and foreign countries such as Taiwan, Mexico, and the Philippines. Conservative union leaders had backed U.S. foreign policy that maintained dictators in such countries. But now that policy backfired, as these dictators promised industry a favorable climate, meaning the organization of unions would not be allowed or would be limited to company unions.

Even in the United States, the South and large sections of the West fell under the sway of “right-to-work” laws. Section 14(b) of the Taft-Hartley Act allows states to pass legislation overriding provisions of the National Labor Relations Act and outlawing union shops. Without the union shop it is difficult to maintain a trade union organization. In states with “right-to-work” laws, unions must give everyone in a shop they have organized whatever benefits are gained from collective bargaining; but any individual has the right of not joining and not paying dues. The result is that an individual can get union benefits without sharing any burden of the costs. For the union it means fewer resources with which to carry on bargaining, strikes, and education. The company, of course, spends a great deal of time and resources encouraging non-membership in the union. Sooner or later, the union is undermined.

An understanding of the Taft-Hartley Act—especially section 14(b)—is critical to any analysis of the United Mine Workers of America. When Arnold Miller took office, approximately 70 per cent of all coal mined in the

United States was mined by UMWA miners. But as coal companies increased production they did so selectively in areas of Appalachia where the union was weak or in the South and West where most states have “right-to-work” laws. Miller’s administration was incapable of devising a strategy to counteract this development, and by the time Miller ran for re-election, the percentage of coal mined by UMWA miners had dropped to 40 per cent. The coal companies could then carry out their threats: if Miller did not give them what they wanted, they could still produce large amounts of coal without the union. Miller was boxed in and his response was increasingly defensive. He began to seek accommodation with the demands of industry, especially in areas of health, safety, and retirement. But as Miller compromised, he faced more and more resistance from his own membership. Mass wildcat strikes broke out in the coal fields during his administration that were as much a challenge to the union’s leadership as they were to the coal operators. Arnold Miller saw himself as a threatened man and he reacted by firing staff and appointees who questioned or disagreed with him. As a result, he isolated himself from his base in the union. Today the UMWA president is a beleaguered man.

It is all too easy, however, to shift the blame to a single individual or to cynically claim that power always corrupts and any leader will go bad. The truth is that what happens in the union is directly related to *conditions* faced by the leadership. They must be held responsible for the decisions they make but, on the other hand, no man can single-handedly alter major social conditions. If the United Mine Workers of America (and other American unions) are to preserve all that is fine in their fighting heritage, they cannot expect any one person to save the union alone. The UMWA will become a pacified, weakened union with an intimidated leadership if the membership allows that to happen. If miners come to understand the lessons of their own history; if they work to achieve a real analysis of the legal and political conditions facing their union; if they study the

economic realities of the coal industry and the American economy in general; then they can devise organizational strategies to expand and revitalize their union.

Miners in Appalachia who have no real union protection must be organized; the miners in the rapidly expanding western coalfields must be organized. Union members must actively work within the structure of their organization, speaking out at local meetings and letting their demands be known. They must also be willing to organize independently of the union, as advocates of Black Lung legislation did. Today such independent organization has grown up around the miners' newspaper, *The Coalfield Defender*.

Miners must also be willing to work within politics. The Taft-Hartley Act must be repealed, and legislation protecting the rights of workers must be passed. The miners must make common cause with organizations such as the Texas Farmworkers Union, which is fighting for the repeal of the Texas "right-to-work" law; with the small farmers being pushed off their land by huge agricultural conglomerates; with poor black and white workers in the South who face the terror of the Ku Klux Klan as they attempt to win economic and civil rights; and with the unionized workers of the North and Midwest who are watching their jobs disappear as companies run away to nonunionized areas of the country.

The organizing tasks that lie ahead of the UMWA and all trade unions in the United States will require enormous financial and political sacrifice by the unions and their members. The right wing, the most anti-union sector of the power structure, has launched a vicious and formidable campaign to take away what union rights exist. Unions will have to go back to their history to remember that great sacrifices were once made and enormous victories won. The history of the United Mine Workers is rich with such examples.

To win the union in southern West Virginia the miners had to organize a people's army that marched across Blair Mountain, in Logan County, confronted the company's army of hired gun thugs, and defeated them. The companies called in the National Guard and the U.S. Air Force. It is the only time in American history that the U.S. Air Force bombed American citizens. The march was defeated and it looked as though the union were broken. But John L. Lewis bankrupted the union treasury to organize the coalfields of southern West Virginia. The UMWA defied federal court injunctions, kept the miners out on strike, and won.

Today's miners and today's labor movement must remember that unions are part of a political movement and not an exercise in business organization. They must recapture the dedication and tireless commitment that has historically characterized the American people as they have fought for their rights. Brookside demonstrates that such a fighting capacity has not been exhausted. Now more than ever before, rights won by American workers in decades past are being eroded. Only a determined and united stand, originating from below and demanding that leadership be held responsible to the needs of all working people, is capable of achieving the kind of unions needed today by America's working people.

Step by step, the longest march
 Can be won, can be won;
 Single stones will form an arch,
 One by one, one by one.
 And, by union, what we will
 Can be all accomplished still.
 Drops of water turn a mill,
 Singly none, singly none.

A miners' song of the 1870's

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Appendix I

Documentary Evidence Submitted To Citizens Public Inquiry Into The Brookside Strike— March 11 & 12, Harlan County, Kentucky

I. Health and Safety

Federal mine inspection reports of violations of the 1969 Coal Mine Health and Safety Act for:

1. Brookside No. 3 mine which show that the company was cited October 2, 1972 for having no fire sensors on the underground belt conveyors and that no fire sensors had been installed as of August 31, 1973.

2. Brookside No. 1 mine which show that from March 13, 1973 through July 16, 1973 the mine was operated with no dual braking system on three of the four locomotives and that through at least September 12, 1973 it was operated with no brakes on two of the locomotives.

3. Brookside No. 3 mine which indicate that from March 28, 1973 through at least August 31, 1973 "proper weekly examinations for hazardous conditions could not be made" because of water accumulations of 18 inches or more in four different parts of the mine.

4. Brookside No. 3 mine which show that from March 28, 1973 through at least August 31, 1973 the mine was operated with a deluge water system that was "inoperative."

5. Brookside No. 3 mine, dated November 14, 1973, showing a total of 72 violations, including "51 loose, broken, or missing roof bolts were observed at several different locations along approximately 4,500 feet of supply track haulage way."

6. Statistics supplied by the federal Mine Enforcement Safety Administration indicating that during 1972 the Brookside mine had a disabling injury rate nearly twice the national average—88.24 accidents per million man hours at Brookside compared with a national average of 46.28. In 1971, the accident rate at Brookside was 139.65 compared with a national average of 46.28.

II. Working Conditions

1. Contract between Eastover Mining Co. and Southern Labor Union, dated May 1, 1972, which provides wage rate of \$1.89 per hour for "old men, boys, temporary help."

2. Southern Labor Union Sick Fund By-Laws for Brookside, Kentucky, providing for \$1 per man per week checkoff for sick fund. Witnesses charged the fund for the Brookside local containing \$2,500 has been absconded with by the SLU.

III. Intimidation and Violence

1. Arrest and conviction record of Claude Beach, hired by Eastover Mining as a security guard at the Brookside mine. It contains a 1954 charge of murder—conviction for voluntary manslaughter and sentenced to 10 years; 1962—charged with carrying a concealed weapon—charge dismissed for

lack of prosecution; 1967—charged with grand larceny—pleaded guilty to petty larceny; 1970—charged with murder; and 1973—found not guilty.

2. Complaint filed with the National Labor Relations Board by Grover Jennings charging Duke Power with firing a Brookside miner, Jerry Wynn, on May 15, 1973 for trying to support the United Mine Workers. The NLRB reinstated Wynn with full back pay.

3. Photographs of Eastover Mining Co. supervisor standing on Eastover Mining Co. office property taking photographs of Brookside miners on picket line.

4. Photograph of bullet hole made by high power rifle fired into truck ridden in by Brookside miners—Carl Noe, James Turner, and Ronnie Childers.

IV. Health

Report from Harlan County Health Department, 10/23/73, shows the drinking water at the Brookside coal camp is "highly contaminated" with fecal bacteria with a coliform count of 24. The highest permissible level is 5.

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WHICH SIDE ARE YOU ON?

The working men and women of Harlan County, Kentucky, have earned a special place in American history. In the thirties the county was dubbed "Bloody Harlan" as impoverished coal miners fought armies of hired gun thugs and police. In 1973 and 1974 the miners at Brookside struck for thirteen long, hard months to get the union of their choice.

This strike took place at a critical moment in the history of the United Mine Workers Union. The resentment of the membership over the stagnation of their union and its domination by corrupt elements led to the election of a reform slate of union officers. This new leadership faced its first major test at Brookside.

"Which Side Are You On?" is an analysis of this strike. But it is also the moving story of the strikers and their supporters: of Bessie Lou Cornett who sacrificed her marriage and the custody of her son to stand up for what she knew was right; of the other women of Harlan who stood firm on the picket line and took a leading role in the strike; of Barbara Kopple, a then unknown filmmaker from New York who didn't just make a movie but also used her skills and resources to support the strikers; and of the striking Brookside miners, who ultimately paid the blood price for their right to a union.

LYNDA ANN EWEN is uniquely qualified to write this story. After receiving her Ph.D. from the University of Wisconsin, she taught at Wayne State University and at the Detroit Labor School. She is currently on the faculty of the West Virginia Institute of Technology, which is located in the heart of the coalfields. Here Lynda Ann has been actively involved in helping to develop a Center for Labor Education. She has also begun a course in the Sociology of Women and has researched such topics as the role of the Right Wing in the textbook controversy, the coal miners' wildcat movement, and the efforts by public employees in West Virginia to win the legal right to unionize. Lynda Ann is the editor-elect of the journal *Humanity and Society*.



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