

Wisconsin Governor Scott Walker's Strategies for Taking on Public Unions

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Shortly after his inauguration, Wisconsin Governor Scott Walker pushed for legislation to eliminate most collective bargaining rights of public workers (with the exception of firefighters and law enforcement) in Wisconsin. Walker argued that the move was needed to fix a budget crisis, even calling the legislation a "Budget Repair Bill," but his opponents believed it was a union-busting effort. In his public discourse, Walker continually denied that the legislation was about unions. Refusing to negotiate with public unions and State Assembly Democrats, Walker instead appealed directly to the public, even going national with his speeches and interviews. An analysis of his discourse reveals that he used emotionally-charged appeals disguised as appeals to reason. First, he crafted a scapegoat for Wisconsin's alleged budget problems: public workers. He further attempted to create divisions among different professions of public workers (teachers and firefighters, for instance) and between public union workers and other Wisconsin residents. Finally, he issued threats of mass lay-offs and firings if Assembly Democrats failed to allow a vote on the bill. Ultimately, Walker's strategies disallow even discussion about a legitimate public policy question: what role should unions play in the public sector?

Keywords: Collective Bargaining, Crisis Framing, Divide-and-Conquer, Labor Unions, Public Employees, Scapegoating, Scott Walker

Not since the 1960s have so many protesters swarmed into Wisconsin's capital. At the time of writing, protests have been taking place for two weeks, and, as of February 19, 2011, police estimates have put the number of protesters at approximately 70,000.¹ At stake is nothing less than public workers' right to collective bargaining, something fought for and won for private sectors workers in 1935. Attempting to take advantage of a crisis, whether real or perceived,² Scott Walker, Wisconsin's new governor, has argued that the state must eliminate workers' collective bargaining rights to avoid a budget shortfall. Walker has even called his elimination of collective bargaining a "modest request."³ Pub-

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¹ "Police Estimate Wis. Capitol Protest Crowd at 70,000." *Fox 6 Now.com*, Associated Press, Feb. 19, 2011. This number is based on police estimates and reported in hundreds of sources via the Associated Press, <http://www.fox6now.com/news/sns-ap-wi--wisconsinbudget-crowd,0,795967.story>, (accessed Feb. 25, 2011).

² Getting to the truth of Wisconsin's actual budget shortfalls in both the immediate and short terms is difficult. One fact is relatively clear, however: the budget shortfall, if indeed there is one, is quite small by comparison to other shortfalls the state has experienced in the past decade. Clearly, both sides are taking liberties with the actual nature of the so-called "crisis." See: "Rachel Maddow says Wisconsin is on Track to have a Budget Surplus this Year," *Politifact.com*, <http://politifact.com/wisconsin/statements/2011/feb/18/rachel-maddow/rachel-maddow-says-wisconsin-track-have-budget-sur/> (accessed Feb. 22, 2011).

³ Scott Walker, Press Conference, Feb. 18, 2011, video available: <http://youtube.com/watch?v+wjg9GSMRlSw&feature=player#t=23> (accessed Feb. 26, 2011.)

lic workers and their union leaders, unwilling to sacrifice collective bargaining rights (which are, arguably, the entire purpose of unions) have repeatedly asserted their willingness to give up portions of their salary and benefits.⁴ Walker has refused to negotiate. In other words, Walker has been talking *over* the unions—certainly not *to* them—making appeals for support directly to the public.

Walker's supporters, if not Walker himself, have acknowledged that the "Budget Repair Bill" is (and intentionally so) a union-busting bill.⁵ Repeatedly, however, Walker has attempted to assure Wisconsinites that his proposal is *not* about "union-busting";⁶ if it was, he has said, he "would have eliminated collective bargaining entirely," or he also "would have gone after the private-sector unions."⁷ Walker's basic argument on this issue is that if he wanted to get rid of labor unions, he would. Such an argument, although perhaps persuasive to the general public, holds no water because collective-bargaining rights in the private sector are legally protected under the federal Wagner Act. Walker has no power to "go after" private unions. Regardless, he has sought not to explain why union rights, such as collective bargaining and other negotiating powers, are being targeted but instead has focused his assault on the workers' allegedly bloated salaries and benefits as the main cause of budget concerns.⁸

This essay examines Walker's efforts to justify why the public workers' collective bargaining rights must be stripped, even though union members have stated their willingness to pay more into their health insurance plans and pension plans. Put simply, Walker's persuasive strategies, under closer examination, contradict his many other statements that his "Budget Repair Bill" is not seeking to bust unions. Moreover, I shall demonstrate that Walker's statement, although they have the appearance of appealing to reason, are actually emotional appeals *in cognito*. First, Walker is crafting the situation as a *crisis* in

⁴ "State Workers Willing to Bend on Concession, Not Bargaining Rights," *Milwaukee Journal-Sentinel Online*, Feb. 14, 2011, <http://www.jsonline.com/news/statepolitics/116162704.html> (accessed Feb. 22, 2011).

⁵ Even advocates of Walker's bill have come to admit that the bill seeks more to eliminate collective bargaining power than to bring into balance some immediate budget crisis. Walker himself, however, has to date still denied this. See Jonah Goldberg, "Public Unions Must Go," Opinion Editorial, *Los Angeles Times*, Feb. 22, 2011, <http://www.latimes.com/news/opinion/commentary/la-oe-goldberg-wisconsin-20110222,0,4678423.column> (accessed Feb. 25, 2011). One phone caller to Wisconsin Public Radio during a Feb. 24, 2011 *Ideas Network* news story even remarked that Walker should "man up" and admit that it's union-busting because union busting is a good idea. Additionally, one need only visit various articles and blogs on the Internet to find comment sections in which visitors to the website support Walker and argue strongly in favor of Walker's "union-busting." Walker's *supporters* understand what he is actually doing, support him, and yet Walker himself refuses to confirm it.

⁶ For video of Walker denying that he is union-busting, Scott Walker, MSNBC interview with Chuck Todd, *The Daily Rundown*, http://firstread.msnbc.msn.com/_news/2011/02/21/6099740-walker-im-not-a-union-buster, Feb. 21, 2011, (accessed Feb. 25, 2011).

At approximately 10:20 seconds into this interview, Walker denies that union-busting is his purpose and again immediately says the reason for the bill is about the budget.

⁷ Scott Walker, "Fireside Chat" address, Feb. 22, 2011. Text available: <http://www.jsonline.com/news/statepolitics/116696249.html>.

⁸ Many studies have discovered that public workers actually are paid less, even when factoring in their benefits, compared to private sector counterparts. Public workers also tend to have more qualifications, in particular in terms of their levels of formal education. See, for example, Jeffery H. Keefe, "Are Wisconsin public employees Over-compensated?" Feb 10, 2011, <http://www.epi.org/publications/entry/6759/> (accessed Feb. 22, 2011) in which he demonstrates that public employees are compensated anywhere from 4.8% to 8.2% less than private sector equivalents.

need of an immediate and drastic solution, a strategy that taps into anxiety and fear. Second, Walker is scapegoating public workers, suggesting that they, in particular union members, are the main cause of the financial crisis. This strategy lends itself to resentment towards and jealousy of public workers. Finally, Walker has used a divide-and-conquer strategy that pits public workers against other public workers, public workers against private sector workers, and public workers against everyone else (or, as Walker calls them, “taxpayers”).

Framing a Crisis and Amplifying Urgency

In this section, I will try to avoid a discussion about how real Wisconsin’s deficit crisis is. In all likelihood, this will not be known until the final figures are tallied. What we can safely discuss, however, are the ways in which Walker *amplifies* the urgency of the situation in an apparent effort to pass legislation quickly and with little or no negotiation. In short, Walker has employed a “drastic times call for drastic—and quick—measures” strategy. While appearing rational, such a strategy actually taps into anxiety about the economy and fear of what the future may hold. Had Wisconsin Senate Democrats not fled the state to prevent a quorum (which essentially functions as a filibuster, something most state governments do not have officially) the legislation quickly would have passed.

First, Walker repeatedly has made the claim that Wisconsin is “broke.” Regardless of the reality, referring to the state as “broke” implies a strong sense of urgency. Walker continually repeated phrases such as, “we are broke,” and “we are facing a 3.6 billion dollar deficit.”⁹ That figure, \$3.6 billion, refers to projected shortfalls through 2013, a point that Walker has rarely clarified in his public statements. The actual predicted shortfall for this fiscal year is somewhere around \$130-140 million, an amount, many of Walker’s critics point out, is approximately the same as the amount of tax cuts for businesses that Walker enacted immediately upon becoming governor.¹⁰ No doubt repeating the much larger dollar amount of \$3.6 billion has been part of Walker’s strategy to amplify the reality of this “crisis.”

Second, Walker has threatened firings and lay-offs if the bill is not passed quickly. As of February 25, 2011, many “pink slips” (notifications of layoffs) already had been mailed to teachers and other public workers, amplifying the urgency not only to the likely-panicked recipient but also creating a newsworthy story for the media to cover. Those notifications are just the beginning. If Wisconsin Senate Democrats continue to refuse to return to Madison to allow a vote, Walker told his audience in his “Fireside Chat,” then at least 15,000 state workers and another five-to-six thousand local workers would be laid off before the end of June.¹¹

Wisconsin, like most states, is facing budgetary concerns. However, Walker’s discourse, I argue, amplifies the urgency. Even if immediate and drastic measures really are required to fix the budget shortfall, the public workers and their unions have already agreed to take pay and benefit cuts to solve the problem. For Walker, that has not been

⁹ Scott Walker, MSNBC interview with Chuck Todd. See also: Walker’s “Fireside Chat” Feb. 22, 2011.

¹⁰ Jason Stein, “Walker’s Business Tax Cuts Advance,” *Milwaukee Journal-Sentinel*, Jan. 20, 2011. <http://www.jsonline.com/news/statepolitics/114287604.html> (accessed Feb. 26, 2011.)

¹¹ Walker, “Fireside Chat.”

enough because, he has suggested, public workers and unions are also the primary (even sole) cause of such budget problems.

Public Workers and Unions as Scapegoats

Every crisis needs a cause, and the best cause for a problem is typically found when leaders are able to point to a person or a group of people to blame. Kenneth Burke argues that creating a scapegoat unifies opposition through the creation of a “foe shared in common.”¹² In this case, Walker has selected public employees, in particular public employees who belong to unions, as the primary enemy because they are the cause of the economic distress facing the state of Wisconsin. To be sure, public employees’ salary and benefits are a significant cost to any government, but they are not the *cause* of budgetary shortfalls. Since their salary and benefit costs can be known in advance, only other factors could rightly be blamed for a *shortfall*. Those other factors include but are not limited to: less tax revenue due to declining property values as a result of the housing bubble, less business profits due to a recession and tightened consumer spending, more people relying on public assistance due to loss of employment, and so on.

Yet, Walker has suggested many times that public sector workers are somehow the primary cause of Wisconsin’s budgetary concerns. As he put it, “The legislation I’ve put forward is about one thing. It’s about balancing our budget now -- and in the future. Wisconsin faces a 137 million dollar deficit for the remainder of this fiscal year and a 3.6 billion dollar deficit for the upcoming budget.”¹³ In the context of the speech, the sole purpose of which was to justify the actions towards public workers, Walker suggested that workers’ salaries and benefits are somehow the cause of the current (and even future) budget problems. Such a budget shortfall, if Walker desired, could most likely be solved by taking a scalpel to the budget rather than running after public workers with a chainsaw. But chainsaws are quicker and require less skill to operate. So does creating a scapegoat.

Unions are further to blame because, Walker has stated, collective bargaining “costs taxpayers serious money;” he also remarked that the “system is broken,” but fails to elaborate any reasons for such a claim.¹⁴ Such statements suggest that workers ought not to have the right to negotiate their salaries or benefits, and that the existence of the process of negotiation is somehow to blame for budgetary problems. Again, the budgetary implications of such negotiations are known in advance; the process of collective bargaining cannot possibly be the actual cause of budgetary problems. Yet Walker has placed the blame on unions, via their primary function of bargaining, for causing budget problems.

Divide and Conquer: Public Servants Versus “The Taxpayers”

Employers and anti-union politicians have long known that the best way to beat the middle class is to divide them. If one can find ways to show them that they are different and why they ought to dislike each other more than their boss or their elected officials, they will defeat themselves. Indeed, one of the primary functions of unions has been, histori-

¹² Kenneth Burke, *A Grammar of Motives* (Berkeley: University of California Press, 1969), 408.

¹³ Walker, “Fireside Chat.”

¹⁴ Walker, “Fireside Chat.”

cally, to attempt to convince workers that they all share a common plight that makes them the more similar than not to each other. Hence, labor's most persistent rallying cry has always been, "Solidarity!" Those against labor and working-class rights know, therefore, that the key to victory is destroying that sense of solidarity.

Walker has used three distinct methods to divide-and-conquer Wisconsin's working class. First, he has exempted police and firefighters from the removal of collective bargaining rights.¹⁵ This pits various professions within the public sector against each other. Second, and more broadly, Walker has continually used language that suggests that public workers are drastically different from everyone else. Third, he has used veiled threats of layoffs and firings, a technique that could cause dissention (i.e., "what if it is me; maybe I should support Walker?") within the unions.

Special Treatment for Police and Firefighters

The "Budget Repair Bill" excludes firefighters and police officers. Such an exclusion can lead to public workers in one profession (teachers, nurses, etc.) having resentment towards other professions (police, firefighters). Additionally, if Walker needs the police to quell the protests, he would no doubt rather have them on his side than on the teachers' side. Regardless of any legitimate reasons one may have to take away collective bargaining rights of teachers but not police, this move clearly possessed the potential to divide public workers. Interestingly, silence on this issue was Walker's primary rhetorical method of dividing-and-conquering. Overtly justifying such an action actually might have undermined its divisive effects.

Public Unions Versus Everyone Else

Walker continually has referred to private sector workers (and everyone *other than* public sector workers) as "taxpayers" and public sector workers as those who are causing the problems. In a press conference on February 18, 2011, Walker remarked that Wisconsin has millions of residents, and "we're not gonna allow for one minute for the protesters to feel like they can drown out the voices of those millions of taxpayers all across the state."¹⁶ Walker characterizes the "protesters" as somehow less than full citizens, and by differentiating them from taxpayers provides a subtle implication that they do not pay taxes like the rest of society.¹⁷

He has also used many narratives suggesting that public workers have it much better than everyone else, stirring resentment and jealousy towards public sector workers. In the February 18, 2011 press conference and in his "Fireside Chat" address, Walker has repeated narratives like, "workers in blue collar manufacturing are paying 20-50% of their health insurance" and that many workers in the private sector have seen pension contribu-

¹⁵ In hindsight, apparently, Wisconsin's Law Enforcement Association has publicly issued a statement "regretting" its endorsement of Walker for governor during the campaign. See <http://www.wlea.org/> (accessed Feb. 25, 2011). The statement indicates that Walker never said he intended to reduce the collective bargaining power of public unions, and that is clearly what this bill does.

¹⁶ Scott Walker, Press Conference, Feb. 18, 2011. Videos of the press conference are available on YouTube: <http://youtube.com/watch?v+wjg9GSMRlSw&feature=player#23> (accessed Feb. 26, 2011.)

¹⁷ Although true that public salaries ultimately come from taxes, I would think we could understand that not paying for public services like education and police protection is undesirable or even impossible.

tions “suspended.” In one specific example from his “Fireside Chat,” Walker expanded the narrative:

My brother’s in the same situation. He works as a banquet manager and occasional bartender at a hotel and my sister-in-law works for a department store. They have two beautiful kids. In every way, they are a typical middle-class family here in Wisconsin. David mentioned to me that he pays nearly \$800 a month for his health insurance and the little he can set aside for his 401k. He—like so many other workers across Wisconsin—would love a deal like the benefits we are pushing in this budget repair bill.¹⁸

Note that Walker does not make any claims about overall compensation or whether or not his brother earns more money than comparable public workers. Although he is comparing apples and oranges—school teachers holding a Master’s degree to a banquet manager and occasional bartender—Walker suggests that public workers not only have it much better than other workers, but also that they are being selfish for not agreeing to his legislation. All of these stories serve the function of arguing that public workers have it “unfairly good.”¹⁹ Walker stirs resentment towards public workers, avoiding the alternative argument that all workers deserve better, including his own brother.

Not-So-Veiled Threats

Threats of layoffs and firings further divide the public workers. Potential job loss also has the potential to cause public workers to reconsider their loyalty to each other or the union. One’s own loss of employment versus unity with one’s fellow workers is a difficult choice.

Walker has repeatedly threatened layoffs and firings, and, at the time of writing this, several thousand “pink slips,” including one to the Republican Senate leader’s wife,²⁰ already have been sent to teachers and other public workers. In his televised address, he issued an ultimatum: “Failure to act on this budget repair bill means (at least) 15 hundred state employees will be laid off before the end of June. If there is no agreement by July 1st, another 5-6 thousand state workers -- as well as 5-6 thousand local government employees would be also laid off.”²¹

¹⁸ Walker, “Fireside Chat.”

¹⁹ The research data does not completely support this stance. This underscores the importance of making accurate comparisons across the board, considering the job function, training required, and even location of the worker. Other variables that are often glossed over are race and gender. For more on discrepancies (or perceived discrepancies) between public and private sector pay, see Keith A. Bender, “Examining Equality between Public- and Private-Sector Wage Distributions,” *Economic Inquiry* 41, no. 1 (2003): 62-79; Adrian Furnham, Stefan Stieger, Tanja Haubner, Martin Voracek, and Viren Swami, “A Fair Day’s Wage? Perceptions of Public Sector Pay,” *Psychological Reports* 105, no. 3 (2009): 957-69; Michael A. Miller, “The Public-Private Pay Debate: What Do the Data Show?” *Monthly Labor Review* 119, no. 5 (1996): 18-29; Steve Sang-Hyop Lee, “A Reexamination of Public-Sector Wage Differentials in the United States: Evidence from the NLSY with Geocode,” *Industrial Relations* 43, no. 2 (2004): 448-72.

²⁰ “Senate Majority Leader’s Wife Given Layoff Notice,” Feb. 24, 2011. http://www.nbc15.com/home/headlines/Senate_Majority_Leaders_Wife_Given_Layoff_Notice_116833463.html?storySection=story (accessed Feb. 27, 2011).

²¹ Walker, “Fireside Chat.”

Implications

There is a legitimate debate that we could—even should—be having about the roles of unions in the public sector. Scott Walker, through his public statements, has largely attempted to sidestep that debate. Although sounding more-or-less rational, Walker's remarks actually eschew reasoning as an appeal. Rather, he has concentrated his rhetorical efforts on stirring emotions. His speeches and press conferences amplified, or even created urgency, where urgency might not exist (fear, anxiety), scapegoated public employees for Wisconsin's budgetary problems (blame, anger), and generally incited division among the working-class (hatred, jealousy). Regardless of one's position on public sector unions and workers, none of Walker's rhetorical strategies ultimately serve the public good, the main job for which he was elected.