Demonstrations at the Austin plant gate and company headquarters escalated from late March through mid-April. On March 27, about a hundred demonstrators tried to block the headquarters entrance, but police were able to move them out of the way. There was some pushing and shoving, some banging on car tops and kicking of fenders as executives drove in. Nyberg’s car received a blue “P-9” bumper sticker.

Over by the plant, the back gate of a truck loaded with pigs somehow came open, and many of the animals made a bid for life and freedom. “The pigs were falling all over the road—it was pretty wild,” recalled Mike Bambrick. The reluctant crossovers wandered about for a while until the police herded them inside along with the strikebreakers.¹

Six days later, on April 2, several hundred strikers and other demonstrators again blocked access to the plant, beginning at 6 a.m. They stopped cars with their bodies, then surrounded them and shouted, “Scabs go home!” Two “P-10ers”—including P-9 loyalist R. J. Bergstrom’s brother,
Ronald—drove a car into the crowd, and an injury was narrowly avoided. Police began making arrests, saying that demonstrators were vandalizing cars.

When the arrests began, the crowd surrounded the police, chanting, "Let them go." At one point, several policemen were mashed up against the Hormel fence by the angry, jeering crowd, though little more than their pride was injured. Ultimately, 13 people were taken to jail, and the gates were opened. Later, Vice President Lynn Huston was arrested when he went to the Law Enforcement Center to inquire about the others. And police served arrest warrants on 13 more demonstrators at their homes.

Most were charged with obstructing the legal process and unlawful assembly under the terms of the injunction. Two were charged with assault after they had grappled with police. Striker Ray Goodew, arrested before and a regular on the line, was thrown to the ground, injured, and maced, though he says that he repeatedly announced that he would do whatever he was told to do. He was later charged with resisting arrest.²

These arrests came on the day after what was to be the final negotiating session between the P-9 board and Hormel. The meeting at St. Edward's Church in Austin lasted only 50 minutes: After announcing that chief negotiator Dave Larson was unavailable, the company's spokesmen said that they had no new proposal to make and, with their contract in place, did not know how to resolve the dispute. The union demanded that the 800 replaced strikers be reinstated, to no avail. P-9's board was also attenuated, as more conservative members Keith Judd and Kenny Hagen had resigned. A new presence on the union side of the table was Texas attorney David Twedell, whose prime goal would turn out to be persuading local members to decertify from the UFCW and start a new union under his leadership.³
For the union, everything rested on the boycott and continued disruptions at the Austin plant. Across the country, over fifty thousand leaflets were circulated calling on supporters to “Shut down Hormel” at a “national march and rally.” Organizations were urged to “mobilize and send car caravans and busloads of supporters” to Austin for a week of activities beginning April 9.

The national call led Mower County attorney Fred Kraft to assert during a hearing on the criminal syndicalism charges that Rogers should be sent back to jail. Kraft said that Rogers was violating the conditions of his bail by organizing for the rally. The judge took Kraft's suggestion under advisement, along with the motion of defense attorneys Emily Bass and Mark Wernick that the criminal syndicalism charges be dismissed and the law struck down as unconstitutional.4

As a prelude to the week of demonstrations, food caravans from Wisconsin—organized by the Madison Oscar Mayer UFCW local, the Dane County Labor Council, and the Milwaukee support group—and more caravans from the Twin Cities joined up and delivered 140,000 tons of supplies on April 5. Appearing at a rally after this fourth major food delivery of the strike were three Madison executive board members, recently elected on a platform of opposition to the International's attacks on P-9, and the Dane County Labor Council president, David Newby.5

Four days later, “Shut Down Hormel Week” began. Hoffman and Goodnature had written to the governor that “the potential this week for a full-scale riot is the strongest it has been any time during this dispute,” and they asked for either National Guard assistance or “releasing the Minnesota Highway Patrol for use in riot and crowd control.” But Perpich refused their request for assistance. Public Safety Commissioner Tschida responded that they had all agreed during a February meeting that thereafter the matter would be han-
dled by local authorities. In a “confidential” memorandum sent out on April 7 soliciting help from police agencies across the state, Hoffman and Goodnature said:

First deployment to the scene will probably occur sometime around 0500 hrs on 041086. Officers should bring full riot gear including bullet proof vests and gas mask if you have them. . . . Due to recent experience we are strongly suggesting that you purchase a nut cup or athletic cup for obvious reasons. . . . Responding officers should understand that our plea for help to every law enforcement agency in Minnesota has been for the most part unsuccessful. We will be heavily outnumbered.

The anxious plea brought out dozens of police and sheriffs’ deputies from other counties—the largest show of force since the withdrawal of the Guard.6

On the morning of the 9th, over a hundred demonstrators gathered across the street from the plant, their way blocked by police who were, in the words of one television account, “lined up heel to toe.” Hoffman later said, “It was a nice, orderly demonstration.” Crossovers went unimpeded into the plant, and there were no arrests.

The next day, the number of protesters at the plant swelled to over 350. They moved to block the drive twice, but withdrew when opposed by 60 policemen. Again, the demonstration was limited to waving picket signs and shouting at those who drove in.7

On the 11th, however, around 600 demonstrators plugged up the north gate before 5 A.M. It was still dark when I rode over there with Carole Apold, who was directed to pull her small Chevrolet into a wedge of cars at the gate, behind which the demonstrators massed. The light slowly came up on a beautiful early spring day, showing that almost all the
humans in the vicinity other than demonstrators were carrying cameras. Hormel security men videotaped the proceedings from platforms raised on the back of trucks inside the gate; police did so from the nearby interstate highway overpass; television newspeople and filmmaker Barbara Kopple’s film crew stood near us.

"Who are we?" the crowd chanted: "P-9!" A single American flag fluttered from the top of the automobile barricade. After a while, the State Patrol blocked the exit ramp leading from the interstate, and over a hundred police began gathering in small clumps, about a quarter of a mile away.

Around 6 A.M. the police announced over a loudspeaker: “You are violating a court order. If you do not clear the street, you will be arrested.”

The crowd responded with an eerie mix of sounds, signaling a readiness to meet whatever the lawmen had to offer. Fists thumped on cars in time to the chant, “No surrender, no retreat”; a variety of ululations, hoots, and yells played off this rhythm section.

More time passed, and nothing happened. Somewhere the police “brain trust” were puzzling out how to proceed. Perhaps they were hoping the demonstrators would get bored and leave.

Sometime after 6 A.M., there was a customary “third and final warning.” Everyone ignored it. One group of P-9ers were singing along with a tape of union songs put together by union member Larry Schmidt, folksinger Larry Long, and others.

Finally, the police began to form a cordon, lining up on both sides of the road from the car barricade to a distance of 40 feet away. Then a police van backed into the cordon. It was 6:30 when police attached a chain from the van to one car in the barricade and towed it a few feet away.
A larger police van pulled up to the end of the cordon. The crowd chanted, “No arrests, no arrests!” Then groups of five or six police made the first busts: During several charges, they grabbed individual protesters and hauled them away to the waiting van. Those arrested offered varying degrees of passive resistance. The officers had particular difficulty carrying burly Frank Vit and getting him into the vehicle. Each of the eight arrested demonstrators was frisked and handcuffed.

After a few such charges the crowd chanted, “This is not Johannesburg” and “The whole world is watching.” One Austin woman screamed at the police: “This is ridiculous . . . you should be ashamed!”

Six or seven officers charged again into the crowd, and this time were met with flying coffee, dirt, rocks, a squirt of liquid, and, frighteningly, the firecracker explosion of a red smoke grenade. The police—though not the news cameramen—retreated in confusion. “Get back, get back!” shouted one panicky officer.

The harmless red haze settled slowly. Demonstrators locked arms and advanced a step or two, while police regrouped slowly at a distance. The van drove away with those who had been arrested so far.

Seven o’clock came and went. Demonstrators sang “We Shall Not be Moved” and “Solidarity Forever”; the first rank still stood with arms linked, but others milled around, smoking cigarettes and drinking coffee.

Some police donned gas masks, and all put on their riot helmets. It was as if their dress determined the surrounding circumstances: Had they put on tuxedos, they might have proclaimed the occasion a fancy dress ball; attired as they were, they announced, “We are declaring this situation a riot. Any further arrests will be felony arrests. You must
leave this area immediately or we will be deploying tear gas.” The demonstrators stood their ground while the peculiar announcement was reproduced in triplicate. Finally, a dozen smoking canisters were fired.

Smith & Wesson No. 2 Riot Agent CS2 smells like an incredibly pungent gunpowder. I saw some demonstrators throwing the gas canisters back toward the police as I ran to the east—a bad choice, since the wind carried the fumes right behind me. Both sides were forced to abandon the immediate area. People coughed, spat, and wiped their eyes as they ran, attempting to rid themselves of the gas's noxious effects. Eight further arrests followed. Showing up late for the action, Austin's KAAL-TV was in position to film a group of five police converging on a fleeing demonstrator, punching him, and flinging him to the ground before applying handcuffs and leading him away. Other demonstrators regrouped just to the west of the plant gate, avoiding the wind-blown vapor. But a rank of police pushed them back, opened the gate, and, at around 8:20 A.M., escorted the scabs in.

All parties held post-demonstration news conferences. Seizing upon the riot angle, plant manager Arnold said that Rogers and Guyette only talked about peaceful protest—“They say one thing and do another.” Goodnature and Hoffman offered reporters a display of rocks and the hull of the red smokebomb. They said that some officers had been squirted with a “mace-like” substance, and that eight had been taken to the hospital (mostly, it turned out, suffering from their own tear gas) and released. They announced that 17 people had been arrested and would be charged with “felony riot”—including Ray Rogers, who had been apprehended several miles away in the K-Mart parking lot. Then the sheriff berated the UFCW: “If that International does not take over the union now, they’re the most incompe-
tent union in the entire country as far as I'm concerned. . . . It's about time they showed a little guts here."

At the union’s press conference, Guyette said that the union’s peaceful demonstration had been turned into a riot by police. Told that Hoffman was calling for the union’s parade permit to be revoked, the P-9 president said, “This is the kind of stuff we talk about happening in Communist countries, yet we have it happening before our very eyes. . . . We don’t call it Communism, we call it Hormelism.”

Attorney Bass announced that the criminal syndicalism charges against Ray Rogers and Corporate Campaign had been dismissed in their entirety by Judge Bruce Stone, who had also ruled the statute unconstitutional. “Within minutes of having the first charges dismissed, the state has chosen to arrest Rogers a second time,” she noted. “We have to ask the state, ‘Why is it you need one, two, perhaps three shots at the apple before you can prove your case?’”

To an impartial observer reviewing the slowly developing events at the plant gate, the “riot” charges would seem preposterous. Nevertheless, the Minneapolis Star and Tribune chimed in, proclaiming the “Outburst among worst in state labor history.” (Contradicting itself, the article cited two small, recent strikes involving greater violence: In one a strikebreaker had been shot off his motorcycle, and in the other a truck had been overturned and burned.) The St. Paul Pioneer Press and Dispatch editorialized that the violent confrontation reaffirmed the wisdom of calling out the National Guard in January.

No one had been seriously hurt, no property had been damaged—yet seven Austin union members and nine out-of-town supporters from as far away as Boston and California were charged with felony riot, gross misdemeanor riot, un-
lawful assembly, and obstructing the legal process. Rogers and Guyette faced charges of aiding and abetting the felony, gross misdemeanor, unlawful assembly, and obstruction of the legal process. Lesser charges were brought against 25 other union members, including all the executive board. Rogers was placed in solitary confinement, and Guyette went into hiding.9

In spite of the urging of the company and the law enforcement officials, the parade permit was not withdrawn. “With all the people in town, it will be easier to keep track of them at the parade rather than cancel the permit,” said a city councilman.10

Between 5,000 and 6,000 people from 16 states participated in the march and rally. Signs identified contingents of California chemical workers and longshoremen, Texas oil workers, Maine shipbuilders, Pennsylvania mineworkers, Minnesota machinists, Chicago clothing workers, and New York communications workers. TWA, Chicago Tribune, and Watsonville strikers all marched. Ottumwans in their red hats and jackets carried a banner that read “We honor picket lines.” Other large banners were displayed by the Kansas City Coalition of Labor Union Women, the Twin Cities Support Committee, Communications Workers of America members from New York, and the Workers’ League. And there were floats and displays: One group of workers carried a small “M. B. Thompson tar-paper shack”; another group, a coffin labeled “civil liberties.”

Marchers jammed the town arena, where 30-foot banners proclaimed “Solidarity with P-9, Boycott Hormel” and “No Retreat, No Surrender.” First to speak was Guyette, who emerged from hiding surrounded by a bodyguard of several brawny members; then Lynn Huston spoke. Many who followed had little claim to celebrity: They included a New
York teacher, a Baltimore steelworker, and a San Francisco letter carrier, all of whom described why they had been drawn to P-9's side. The official sponsor of the rally was NRFAC, and its officers Brown, Mickens, and Dave Foster also addressed the crowd. Surprisingly, though, perhaps the most eloquent speaker of the afternoon was the television actor David Soul, drawn to support such struggles through the activism of his brother, a Lutheran minister who was fired for his zealous involvement in Monongahela valley anti-plant-shutdown activities.

The days when people said, "I don’t know what to do, I have no voice," are over. The values that you grew up with need to be tested and need to be risked. If you don’t risk them, you stand a greater chance of losing strong families, strong unions, and strong companies.\(^{11}\)

Muted was Ray Rogers, who, along with the 16 others facing felony charges, spent the weekend in jail. Bostonian Brian Lang was among the first to be arrested on Friday, and Buck Heegard, among the last. According to Heegard, who had not expected to get arrested:

It turned out to be a great experience. There were 16 in our cell, nine from out of town, including the former president of the Dallas–Ft. Worth PATCO local, who had only recently been released from federal prison, where he’d been because of their strike. We had the best union meeting ever—we spent all the next day composing a letter to be read at the rally, and everyone in Cell Block D signed it.\(^{12}\)

The authorities refused to let Soul or anyone else see the prisoners. But on Sunday, as had been previously announced, the Reverend Jesse Jackson arrived. The once and
future presidential candidate had contacted Jan Pierce on April 9, seeking advice about whether or not to go to Austin. As Pierce remembered:

I got a call one morning at 6 A.M., and this gravelly voice said, “Jan, this is your long-lost brother.” I said, “Where in the hell have you been?” He said, “Is that any way to talk to a minister?—this is Reverend Jackson.”

I didn’t know him at all. But we flew to Washington together. We talked about the problems facing farmers and wage-earners. And he talked about the advisability of getting involved in Austin. In Washington, we saw [Congressman and former UFCW official] Charlie Hayes, who told him to go. Jackson also called Bill Wynn to tell him he was going.13

Jackson and Pierce were welcomed by 300 P-9ers at the small Austin airport. From the mayor’s office, they called the sheriff, who said that no one was being allowed to visit the prisoners. Jackson got on the phone and asked if the sheriff intended to deny a minister the right to hold services for the inmates on the Sabbath. Goodnature gave in.

The prisoners were anticipating Jackson’s appearance, and when the jailer announced that “someone was coming to see us,” everyone got excited, according to Heegard. Disappointingly, the first visitor turned out to be a local minister. Later, Jackson came in, accompanied by Pierce, attorney Bass, a television crew, and Kopple’s film crew. As Lang recalled, “He came walking in and gave us the real dope before the media got inside. He said, ‘It wasn’t easy getting in here, just follow my lead.’ Then he switched on the Jesse Jackson you see on television.”14

Before the cameras, Jackson told the inmates, “The fact that you have not bowed means there’s new life in the labor
movement.” Then he got everyone to hold hands and said a prayer. Since the sheriff had refused to let Rogers come into the cell with the others, Jackson then went down and met with him separately. “It was an absurd attitude that was manifested before our eyes: a union leader in solitary confinement, and he hadn’t even been charged,” recalled Pierce. “It was incredible and incongruous.”

Jackson and Pierce also met with Nyberg at the corporate headquarters for about an hour. According to Pierce:

The company was saying they had an obligation to the scabs. Jackson said, “When you look into the faces of your original workers, I know you can see two or three generations of people who have worked here. I simply ask you to search your soul and determine whether you truly owe the replacements more than you owe second- and third-generation workers who have been instrumental in building this company.” I felt that we may have made some progress. . . . I know that Nyberg was genuinely touched.

Nyberg denies that the conversation went like that. He says that Jackson asked about a link between Hormel and South Africa—which Nyberg said did not exist—and “said he was very interested in the jobs of those who were not working.” Jackson did not offer to mediate, Nyberg asserted, but said he would do anything he could to help the company and the union. “We said that mediation wouldn’t be useful—we’d gone through the mediation process and gotten exactly nowhere.” And according to Nyberg, that is where things were left, though Jackson telephoned him twice over the next few weeks.\(^{15}\)

Jackson had already built a record as an intermediary and fixer, having sprung an American pilot from Syrian captivity in 1984. He was also in the process of broadening his constituency from the urban poor to farmers and workers: In 1985
he had come to Minnesota to support a dairy farmer who was facing foreclosure. This record raised P-9 members’ hopes, and they responded enthusiastically to his coming. Hundreds packed into the union hall, and over a thousand into the auditorium of St. Edward’s Church, to hear what he had to say.

At the airport, Jackson announced, “We need corporations, corporations need workers; we need each other and must have a mutual, respectful relationship.” In the later addresses, he largely continued to portray himself as a neutral party and to speak as if P-9ers had lost their way and were about to spin off into a spasm of violence: “Don’t lose your head, for if you do, your body will soon follow. Maintain your eyes on the prize. When your back is against the wall, don’t get trapped . . . fighting a policeman or sheriff when the issue is your job, your seniority, safety, and self-respect.”

To be fair, he also said that those in jail, “are not common criminals, they must be set free.” And he urged, “Don’t you give up; don’t you bow; you stand tall.” But never did he pick up on Guyette’s introductory words to suggest that there might be conditions under which he would endorse and promote the boycott of Hormel products. Given the company’s targeting of black consumers, such a development could have meant a lot to the union. Instead, Jackson talked about teenage drug use and pregnancy, income statistics, the Gramm-Rudman Bill, the effect of falling oil prices on American workers, and the need for a moratorium on farm foreclosures. He also showed his discomfort at speaking before an all-white group, and uncertainty that the members accorded him full legitimacy as a leader, by regularly referring to the question of race.

“There is more than a reasonable chance we will return,” Jackson said at the union hall. Before the church audience, he announced, “We’re going to meet with the International.
We're going to meet with Hormel. And we're not going to stop meeting, and talking, and acting until you have your jobs, your seniority, your health care, and your self-respect.” Union members went home feeling that they had won a very visible and powerful friend.

Nothing ever came of Jackson's promises, though. The Reverend spoke to Hormel CEO Knowlton several times over the next weeks and asked him to participate in a meeting with P-9 leaders. But Hormel was entrenched behind the position that the company was bound by law to keep its commitment to the replacements. “A Supreme Court opinion says that state contract law applies,” Nyberg told me, “and if you lay off people you’ve hired as permanent, you open yourself up to monumental lawsuits. We said loud and clear from day one they would be permanent replacements.”

Moreover, the Hormel strike was one of the first labor disputes in which Jackson had been involved. Over the next two years, he would appear on many other union platforms, speaking for TWA flight attendants, Cudahy and Kenosha, Wisconsin, meatpackers and autoworkers, and Jay, Maine, paperworkers. In 1988 he made a point of scheduling a presidential campaign appearance at one rank-and-file labor event every day, and in promoting a “workers' bill of rights,” he became a forceful advocate of wage-earners' causes. But in April 1986 he remained tentative, talking and acting as though a bitter strike could be resolved if both sides were pressed to be reasonable. It was some time before he denounced the company and talked about boycotting Hormel products.

“He was in the process then of tying struggles together,” surmised Pierce when I asked about these shortcomings. “Things are probably much clearer to him now than they were at that point.” Austin helped point the way toward a
constituency that would lead Jackson to good 1988 electoral showings in Iowa and Maine and a victory in the Wisconsin primary. It would prove to be just one more case of P-9 giving more to an outsider than it got back in return.\textsuperscript{16}

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"At some point and at some place," Jackson had mysteriously stated, "the union must declare its Calvary and face its crucifixion in order to realize its resurrection."\textsuperscript{17}

The crucifixion began on Monday.

That day, the UFCW began its trusteeship hearings in a small hearing room at the Minneapolis public library. After posting $5,000 bail, Guyette was released from the Mower County Jail to attend the sessions. (The rest of those who had been jailed were released on bail or their own recognizance.) Three busloads of union members, including the rest of the local executive board, also made the trip, though fewer than fifty were able to get seats in the small room.\textsuperscript{18} The sessions were closed to all but union members, and eight UFCW organizers were appointed sergeants-at-arms to keep an eye on those in attendance.

Hearing officer Ray Wooster, the president of a Houston UFCW local appointed to this role by the International, opened by announcing that the hearings would consider one question only: whether or not the Austin local had complied with the March UFCW directive to end the strike.

There was a broader question at issue: whether or not Local P-9 should be placed in trusteeship. But under Wooster's rules argument over that issue would not be allowed—even though both federal law and the UFCW constitution seem to require discussion of it. According to the federal Labor-Management Reporting and Disclosure Act, trusteeships may be established "after a fair hearing" to rectify corruption or fi-
nancial malfeasance, assure the performance of collective bargaining agreements, restore democratic procedures, or otherwise carry out "the legitimate objectives of such labor organization." The UFCW constitution includes much the same language, adding, "whenever in the judgment of the International Executive Committee such action is required, it shall have the power to place such chartered body in trusteeship."

But the constitution elaborates that local officers "shall have the right to examine and cross-examine witnesses, present other evidence, and argue the case for or against trusteeship." And though there are qualifications permitting the International to disallow negotiated contracts and require mail-ballot ratification votes, for example, the constitution regularly emphasizes that the members have primary say in matters of collective bargaining.¹⁹

In an airing of the broader questions, the local might have discussed the entire UFCW constitution, along with such announced aims of the national organization as fighting concessions and P-9's compliance with those aims. It might have introduced testimony regarding the International's "bad faith" intention to impose a trusteeship after months of interference in the strike. In that regard, it might have examined the text of the directive, which contained a number of slanted statements about the Peterson resolution and P-9 officers' actions.

Since this hearing did not seem to meet all the legal qualifications, it was not completely clear that it would be the only hearing. Was this the trusteeship hearing, P-9's board members would ask? It was, Wooster said, "a fact-finding" on the one issue of whether or not P-9 and its officers had obeyed the International's directive, and the ultimate deci-
sion of trusteeship would be made by the International executive committee. Later, he said that the hearing was “like a grand jury.” Would there then be another hearing, Pete Winkels asked, as described in the UFCW constitution? The hearing officer told him to stop playing games and get on with it. During a mid-afternoon Winkels cross-examination, Wooster revealed his most fervent wish: “Pete, I am trying to be patient. . . . You know, I mean, we can sit here and go on with this type of questioning through every witness; and my gosh, I don’t know about anybody else, but I am going to do my best to wrap this thing up. I would like to get home.”

Had P-9’s officers abided by Wooster’s limitations, the hearings would have been short indeed. There was really no question that the local had not complied with the directive to end the strike. As of April 10, only 114 members had followed directions by sending return-to-work notices to Hormel and requesting post-strike benefits, while 48 had requested benefits without applying to Hormel, and 26 others had written to the UFCW saying that they rejected the order. The members’ first response to the edict had been to collect hundreds of signatures on a petition for decertification of the UFCW, ready to be filed with the NLRB in case of a blitzkrieg trusteeship announcement. They had also, as noted above, voted to continue the strike and to sue the International for the “irreparable harm” done to the local.

Thus local officers, coached by Bass and Winter at the end of each day’s session, determined to use the hearings as much as possible as a discovery tool and a method of demonstrating the UFCW’s subversion of the strike, laying the basis for later court actions to oppose the trusteeship. And, they must have reasoned, since this was possibly the last of the many kangaroo courtrooms the local would be hauled through, why not
have a bit of fun? Whether through inexperience or failure to perceive what was going on, the Texan permitted them to get away with a lot.

Wooster continued the hearing, introducing various bits of correspondence and a set of rules describing the procedures that would be followed, including such courtroom trappings as testimony under oath, cross-examination of witnesses, and a transcript kept by a court reporter. But, as the hearing officer would repeatedly state, he had no power of subpoena or any other means of forcing either side to produce witnesses or documents.

Joe Hansen, who served as prosecutor, presented the International's case. First, he called the Region 13 secretary to testify that the office had been mailed Local P-9 newspapers and leaflets showing that the strike and boycott were continuing. He entered other newspaper clippings about the strike into evidence. Then he called four members of the special organizing team to testify that they had witnessed continuing boycott and strike activities.

The first of these, Pam Nelson, testified that she had gone unidentified into the P-9 hall on April 1, where she had purchased a "Boycott Hormel" bumper sticker and coffee cup, and picked up some boycott literature. Next, International representative Tom Plumb out of Indianapolis testified that he had been assigned to the "program" since February 3. Since March 14, he said, he had observed and photographed daily picketing at the Austin plant, the mass demonstration on April 2, and an April 6 Albert Lea meeting where Guyette had promoted the boycott.

Under Winkels' questioning, Plumb admitted that he had been in Austin, working with Massachusetts union representative Bill McDonough, since March 10, well before the di-
rective; that he had been in contact with former P-9 business agent Richard Schaefer, Guyette's original pro-concessions antagonist; and that Joe Hansen had briefed him "on the whole situation" on February 3. Wooster refused to let P-9ers ask about this briefing, though Guyette expressed concern that Plumb had been sent "to substantiate a directive that hadn't even been issued yet."

It was late afternoon before Hansen got his next witness on the stand: Tom Plumb's brother Larry. Larry Plumb produced more photographs of plant gate picketing and a report from the April 12 rally, where he said Guyette had promoted a national Hormel boycott. On cross-examination he boasted to Winkels that he had been in Austin many times since he came out to Minnesota on January 31, and that he had first been sent by Hansen to observe pickets during the first week of February. Like his brother, he said that his first assignment was to field incoming phone calls from P-9 members who had questions about returning to work at Hormel.

In response to further questions from Winkels and Guyette, and before Hansen or Wooster thought to interrupt, Larry Plumb asserted that he had become good friends with Schaefer, who, he said, had introduced him to crossovers John Morrison and John Anker. Guyette established that Plumb had never made any effort to communicate with P-9's officers, though he had spoken to at least fifty other members over the phone and in their homes. Plumb further told him that there were five other UFCW representatives working in and around Austin.

Since Larry Plumb had not talked to local officers, Guyette asked, how could he be sure that the pickets he had photographed were really P-9 members? Then, with a
straight face, the P-9 president posed a preposterous question—one he would ask again and again without ever drawing a smile from a witness:

Q: Did you observe anybody physically boycotting Hormel products on April 12?
A: You mean not buying things?
Q: Sure.
A: I didn’t see nobody doing that, no.

If Plumb didn’t see anybody not buying, how could he be sure that P-9 was really boycotting?23

Tuesday morning, Hansen brought organizer Michael Corbett to the stand to testify that he had seen P-9 pickets at the Fremont plant many times since the directive ordered them to withdraw. Photographs of such pickets from April 1 were introduced as evidence. Winkels asserted that the photographs were worthless, since no faces could be recognized. Corbett said he had been sent to Fremont on February 2 to help those “that had honored the [picket] lines down there . . . get back to work.” When he was given the directive on March 14, Corbett said, he was “told not to say a word” to anyone other than his co-worker, Art Smith, an organizer out of San Francisco—not even to Local 22’s president Skip Niederdeppe.

In the middle of cross-examination, Wooster told Guyette to stop asking irrelevant questions or he would “pick someone else to represent the local union at this hearing,” which he said was “perfectly within [his] authority.”

Then it was the local’s turn to present its case. But unlike the International, which simply ordered its own witnesses’ appearance as part of their job responsibilities, P-9 had no ability to compel the UFCW officials it wanted to call as adverse witnesses to show up. Wooster again announced that
he did not have "the authority to subpoena any witness, nor subpoena power for production of materials to be produced at this hearing for either party."

"Are we supposed to kidnap them?" asked Winkels. "Our request for a fair, honest hearing and just end to this has been denied every time." To emphasize the unfairness of the proceedings, the local officers had Wooster call for a number of witnesses they knew to be absent: William Wynn, former UFCW secretary-treasurer Anthony Lutty, Jay Foreman, Bill Olwell, Robert Niederdeppe, Al Vincent, Lewie Anderson, Louis DeFrieze, and several other union officials. In each case, after there was no response, Guyette asked Hansen to telephone the officials and ask them to come out to the hearing. Hansen said he would.

Ultimately, Guyette called Hansen, who would serve as one of the local's few witnesses. Since he remained the "prosecutor," he was allowed to raise objections to questions that he was being asked as a witness. Hansen testified that he could not say why organizers had been sent to count P-9 pickets long before the directive was issued, that he was not present when the directive was formulated, that organizers reported to him and he reported to Jay Foreman. Guyette pressed him to say whether he regarded as accurate the directive's language that "on Tuesday and Wednesday March 11th and 12th, striking members in Austin, Minnesota, voted in support of International intervention." Hansen said that it was accurate, and he objected to further questions about whether the resolution called for discontinuing the strike. Wooster upheld the objection.

Winkels asked questions about the Chicago meeting involving International and local officers that took place subsequent to the directive, but Hansen objected, and Winkels was ruled out of order. "Where would we be if the officers of
this local union had stated that we would support this directive, but yet our rank and file does not support the directive, when the ultimate voice of the union is the rank and file?” Winkels asked. Hansen objected, and Wooster ruled the question irrelevant. 24

That afternoon Winkels read aloud a telegram from P-9’s members protesting against the misinterpretation of their resolution and requesting withdrawal of the directive. Again, Wooster ruled the matter irrelevant, along with ensuing questions about whether strike sanction had ever been withdrawn before. On the record, Winkels was able to establish that those union members who had not complied with the directive had been “penalized” by being cut off from “post-strike assistance,” while those who had complied were still receiving such assistance. (It would later be stated that those who sent “unconditional surrender” letters to the company were receiving $50 a week, rather than the $40 they had received while on strike.)

Through the afternoon and into the next day, Guyette attempted to introduce a variety of letters, telegrams, union reports, and resolutions in which the International union outlined goals of opposing concessions and following the will of the rank and file, while misrepresenting P-9’s actions and attempting to undermine the Hormel strike.

Included among these were a 1983 position paper prepared by Lewie Anderson, “Coping With Employer Demands For Mid-Term Contract Concessions”; 1984 and 1985 Packinghouse Division reports that urged stronger “chains,” common contract expiration dates, and the honoring of picket lines; an October 1985 Anderson letter urging support for Morrell strikers, since “an injury to one is an injury to all”; a March 1985 letter from Wynn opposing concessionary bargaining; and Wynn’s December 1985 communications re-
garding the International’s possible sanctioning of extended P-9 pickets.

Also included were a September 1984 telegram from Niederdeppe to Schaefer, which demonstrated that P-9 had not broken from the Hormel chain, but had been “disinvited” from its meetings; subsequent letters and newsletters that promoted the interpretation that P-9 had abandoned the chain; Anderson’s October 1985 “Position Paper On Local P-9/Hormel, Austin Situation,” which said that the corporate campaign had failed while nearly bankrupting the local; the February 1986 Leadership Update that was distributed at the AFL-CIO executive council meeting and then far and wide; the series of mid-March letters and press statements surrounding the de-sanctioning of the strike; and a much-circulated statement, “Ending the Hormel Strike: The UFCW Acts to Save Jobs, Union.”

Hearing officer Wooster accepted very few of these documents into evidence, ruling the vast bulk irrelevant in accordance with Hansen’s regular objections. Guyette asked a lot of questions about the documents anyway, and Hansen answered a few. Among other things, the Region 13 director stated that the first time he had heard trusteeship discussed was in 1985, when “a few of your own members were requesting the International put you in trusteeship.” Since this was the UFCW’s regular public position—the members told us to do it—Guyette pointed to a February newspaper article as evidence that the UFCW was contemplating trusteeship weeks before the directive. In that article, Hansen was quoted as saying then that he was receiving dozens of telephone calls from P-9 members demanding International intervention.25

“What are the reasons for strike sanction being removed?” Guyette asked.
"You would have to ask the Executive Committee. I did not make that decision," Hansen answered.

"I would love to ask the Executive Committee, however . . . no one from the Executive Committee is here," Guyette responded.

A request for financial documents from Region 13 was refused by Hansen and ruled irrelevant by Wooster; Hansen refused to respond to any questions about donations made for P-9 through the regional office. Questions about what happened to other locals who refused to follow similar directives were objected to, and the objections were sustained. (Wooster said that if Guyette wanted to know what other locals had been trustees, he should go to the U.S. Labor Department, which kept records of all trusteeships.)

Hansen was asked if, as he had promised, he had telephoned any of the other UFCW officers that P-9 had asked to appear. He replied that Wynn was unavailable, new secretary-treasurer Jerry Menapace "had nothing that would be relevant," and neither did the other International officers or UFCW employees called by P-9 "have anything relevant to the issue." (Later, when asked if he had tried to get people to the hearing to assist P-9, Hansen said, "I had enough to do getting my case ready without worrying about P-9's.") In turn, Guyette bitterly criticized the nature of the hearings:

I believe that this whole hearing cannot be construed as a fair hearing when, in fact, the very people who issue the directive are the very ones who have the power and the right to see who gets here and who doesn't get here and, in fact, pays their people to be here. And we have no right to get any documents nor any witnesses. And the very people who issued the directive are the ones that decide their own guilt or innocence ultimately based on who is
here to testify. . . . I don’t know of any court in this country that would allow such a farce.

In response, Wooster suggested that Local P-9 could enter an “offer of proof” conveying what it thought such people would have testified—a peculiar suggestion, since there had been no discovery process on which to base such an offer. Hansen and Wooster also refused to allow any questions or testimony about the UFCW’s policy on common expiration dates, coordinated bargaining, honoring picket lines, withdrawing strike sanction, or denying a local the right to solicit funds.

Three other witnesses appeared for P-9. Tuesday afternoon, the local called Charlie Peterson to the stand to testify as to the intent of the resolution he had introduced. And although Hansen immediately objected to his testimony and Wooster upheld the objection, Peterson nonetheless was able to enter on the record that he and other union members had not thought that they were voting for International intervention and a cutoff of strike pay.26

Larry Kohlman, UFCW assistant to Organizing Director Doug Dority, was in Minnesota to supervise the special organizing team. He appeared after Joe Hansen, but provided little new information. When he testified that he believed a button showing the word “Hormel” with a diagonal line drawn across it meant “not to buy Hormel products,” Guyette asked him how he would interpret a button that showed the word “scab” with a line drawn through it.

“Would you take that to mean that somebody didn’t want you to buy a scab?” The witness replied, “Yeah, they shouldn’t buy a scab.”

Later, Lynn Huston pursued the issue of interpretation, asking Kohlman if he had ever gotten a ticket for parking in a
handicapped parking space. Without hesitation, Hansen objected that the question was not relevant, and Wooster unblinkingly upheld the objection.

For his fourth and final witness, Guyette called Wooster's counsel, Marvin Gettler, who had been sitting in a side room in case the hearing officer needed legal advice. Gettler testified that he had assisted Wooster in drawing up the rules that narrowly defined the issue to be heard, but he invoked attorney-client privilege to avoid saying any more about the subject.

Finally, each side made a closing argument. Hansen said:

We have submitted evidence and testimony over the last three days showing that Local P-9 has not obeyed or complied with the March 13th directive. . . . I believe that the local has failed to show that they are, in fact, in compliance with the directive and we would argue that the hearing officer should so find based on the facts and the testimony which was submitted to him at this hearing. That's it.

For P-9, Guyette argued:

The March 13th directive is illegitimate for the following reasons: There is no authority under the UFCW constitution for withdrawing strike sanction once sanction is granted. Under the UFCW constitution, it is the local and not the International which has authority to carry out the collective bargaining . . . it is the rank and file that has the authority to make decisions as to how to carry out the collective bargaining. All of P-9's actions have been in complete conformity with UFCW guidelines on how to fight concessions. . . . The directive is part of a bad faith campaign to break the strike, to discredit and remove the democratically elected leadership of Local P-9. . . .
I would also say that this hearing and this decision affects many, many people, and I do not believe that the scope of the hearing should have been limited by anyone, and I do not believe that this hearing can be construed as anything but unfair when you have the very people issuing the directive who are the very people who call for the hearing and, in fact, oversee the entire process.

With that, the hearing ended. Written backup statements were to be sent to Wooster within 12 days.27

According to schedule, the UFCW's executive committee, which consisted of Wynn, Secretary-Treasurer Menapace, and Executive Vice Presidents Foreman, Olwell, and Alan Lee, were to receive Wooster's report and make a decision about trusteeship by mid-May. The local board decided that it should strike before the inevitable axe fell by filing the lawsuit against the International. Lynn Huston announced to the press that such a suit would be filed within a week to 10 days.28 Consulting with Guyette and the board, Bass and Winter began the legal work necessary to block trusteeship.

With events at this pass, serious debate over the Hormel strike among liberals and left intellectuals began to hit its stride.

In the Village Voice, labor scholar Stanley Aronowitz published a paean to the Austin strike, which he called "the most significant test of domestic Reaganism" and "a source of extraordinary excitement in a labor movement that had, until now, thrown in the towel." Aronowitz said the strike had revealed the existence of a two-dimensional labor movement:

The vertical labor movement—the international unions and the AFL-CIO—has been consistent throughout its
long march backwards into the 1920s. . . . The loyalty of labor's leaders to themselves has been matched, however, by a movement of local unions who, crossing the boundaries of industry and internationals, have come to the assistance of the strikers.29

Equally positive was Nicolaus Mills, whose Nation article, "Why Local P-9 is going it alone," declared that "P-9 is not engaged in a romantic crusade, nor is it led by radicals out of touch with the rank and file." Mills surveyed the local's recent history (including the "missing language" controversy), the UFCW's rationale, its attack on the local, and the several months of strike activity. He concluded on a hopeful note:

there remain more than enough reasons for P-9 and the UFCW to make peace. . . . Most of the Hormel contracts, with the exception of the plants in Ottumwa and Knoxville, Tennessee, come up between May and September. During this period Hormel will be extremely vulnerable. If a master agreement with a common expiration date could be reached, it would give everyone—rank and file as well as the international—enormous bargaining power in the future.30

In late February, UFCW staffer Bill Montross and I had traded polemics in The Guardian and In These Times. Montross charged P-9 with being a "johnny-come-lately" to the anti-concessions struggle—behind the International—and accused the left of having adopted a knee-jerk anti-International reaction to the intra-union squabble. Labor Notes editor Kim Moody now reprinted Montross' arguments and ripped into them personally:

The International's "strategy" has been a complete failure. Montross calls the UFCW's approach to the changes in the
meatpacking industry . . . that occurred in the 1970s a “strategy to stop concessions in the meatpacking industry.” This it never was. Rather, it attempted to use a major concession as a means of stabilizing wages and, hopefully, reducing further employer demands for concessions.

Step by step, Moody traced the UFCW’s muddled attempts to stabilize wages. Then he described the world view of “business unionism,” in which, he said, industry wage patterns cease to be a tool for raising workers’ living and working standards and become “a bureaucratic means of maintaining order in the industry even if it means depressing the living standards of the entire workforce.”

In the New York Times, Serrin quoted other labor intellectuals who were equally condemnatory of the International. Les Leopold of the Labor Institute in New York called the strike and the ground swell of support for it “an expression of protest from the bottom to do something about the weakness of the trade union movement.” Cornell historian Nick Salvatore said the labor movement could not hope to regain its vigor when it refused to aid workers such as those in Austin.

Running somewhat late, the liberals, social democrats, and nonaligned radicals had weighed in: Doing what they do best, they had written what they thought. Old socialist Irving Howe was said to be mightily irritated with the International, and Mills was given leave to expand upon his arguments in the pages of Dissent magazine.

The UFCW officialdom, who imagined that they had overcome the worst damage to their reputation back in February, had almost no intellectuals of this stature in their corner. Their only apparent support of this kind came from the Communist Party. But you go with what you’ve got: Al Zack sent out copies of Bill Dennison’s “Hormel: Unity is the only
winning strategy” from the CP’s theoretical journal Political Affairs to his press contact list. Along with a brief history of union struggles in the meatpacking industry, and a repeat of the UFCW’s oft-heard charges that P-9 had “broken with the chain,” Dennison launched one of the most scathing attacks anyone had made on Corporate Campaign:

Surrounded by those who do nothing but attack the labor movement and following a strategy opposed by the rest of the union’s meatpacking workers, the local has been led into a quagmire of separatism and isolation. Most recently, P-9’s leadership has initiated a suit against the UFCW charging it with “irreparable harm,” “maliciously hurting” their strike. . . . While obviously an effort to cover up the failure of CCI’s strategy, it is hard to see it as only that. Honest differences over strategy between trade unionists are not carried this far by anyone who has workers’ interests at heart.34

In time, such primitive distortions and slanders would be replaced by more subtle attacks, notably that of United Electrical Workers staff attorney Lance Compa. His widely circulated “Second look at the Hormel strike” (again rushed out to Zack’s press list) accused the local of enterprise unionism, “where a single local works the best deal possible from local plant management.” Compa faulted the local for undermining industry-wide bargaining and industrial unionism, the importance of which was in “taking labor costs out of competition so that employers cannot ratchet down contract conditions.”

From such talk, one might imagine that P-9’s members were advocating wage concessions to save their own skins, rather than an end to all givebacks made to profitable companies. The paper was convincing enough, or perhaps con-
fusing enough, to lead the left-wing National Lawyers' Guild to table a pro-P-9 resolution at its summer convention. But, in the end, Compa's high-sounding categorization represented nothing more than flimsy new packaging for all of the UFCW's old arguments about P-9's breaking with the chain and going off on its own because it thought it knew better than the UFCW and its "young leader Lewie Anderson."35

For all the difference it made, the International had lost the war of words. Its reputation, which it was very concerned about, had taken a major hit. The only cure for such shaming would be the sweet balm of public forgetfulness. But the Austin strike had become such a sore point that, for months to come, UFCW officials continued to lecture union members and the public about what it saw as the meaning of the strike.36