

## Editorial

### *When Railroad Carriers Threaten to Strike, the State Cowers*

Back in the fall of 2008, in the face of yet another horrendous and preventable catastrophic train wreck, the US Congress passed the Railroad Safety Improvement Act (RSIA). Among its many provisions, it mandated that the railroad carriers implement Positive Train Control (PTC), a technology that ensures train separation and can enforce safety despite possible mistakes and/or oversights by the train's operating crew. The deadline for its installation was set for December 31, 2015, allowing the carriers more than seven years within which to comply. With that deadline looming, and most carriers not even close to implementation, on October 27<sup>th</sup>, 2015, Congress passed legislation that allows the railroads another three years (and now it looks more like five) to meet the *new* deadline.

Whether this is the fault of the federal government, the railroad corporations, the FCC, or whoever, we will not argue the point here. What we do want to take issue with is this: Once the U.S. rail carriers claimed that they could not possibly meet the deadline, they basically stated their collective intentions to severely restrict the movement of both freight and passengers, in effect, holding the country hostage. Their actions – had they been effected on January 1<sup>st</sup> – certainly would have induced a major recession if not outright collapse of the U.S. economy, possibly leading to a worldwide depression. Without any debate whatsoever, the U.S. Congress swiftly moved into action. Without a whimper of dissent, they did their corporate masters' bidding and granted the carte blanche PTC extension.

Just as Congress bailed out the big banks and major corporations back in 2008 who were "too big to fail", they were quick to view the unfolding scenario as one that could be catastrophic to the economy and the American people. And they were right. Had the major rail carriers made good on their threat, and embargoed freight and passengers as promised (all in the name of safety, of course), the consequences for all of us would have been dire. But these two choices – extension and relief on one hand, or no extension and ensuing chaos on the other – were not necessarily the only two options available.

The fact that the government rolled over without a whimper in the face of law-defying corporations who literally threatened *blackmail* of the entire economy comes as no surprise to those of us who have said for years that the state is simply a tool and a puppet of the rich and powerful. (Note: A government that was accountable to *the people* rather than capital would have been insulted at such treasonous brinkmanship by the rail carriers. It would have reminded them who runs this country (or is supposed to). And it would have *instructed* the rail carriers how to proceed with operations, with the caveat that if they chose not to follow the directives of the government and operate in the interest of the nation as a whole, then the railroads would be nationalized and run in the interest of the workers, the community and the nation. But we digress ....).

Let's assume for a moment that in the upcoming round of national handling, or in some future on-property contract negotiations over crew consist, workers and their unions were to go out on strike over safety issues. What would happen? Within hours, state and local police, National Guard, federal judges and even the US Congress would conspire against them to ensure that the movement of passengers and freight would continue

unimpeded. Witness the Wheeling & Lake Erie (W&LE) strike of a few years ago. It did not take 24 hours for a corporate friendly federal judge to order these workers back to work. And this on a small regional railroad. Imagine the response to a strike on a major Class I, or a national strike. Likewise, imagine a scenario where frightened, outraged citizens – concerned about oil trains moving through their community and the threats they pose – decided to block the tracks and deny movement of such trains through their community. You can bet the state's response to this action would be quick and decisive, one similar in nature when responding to a railroad workers' strike; i.e. all out merciless repression.

Yet here we have just witnessed the major rail carriers boldly state that they would, in effect shut down the U.S., rather than risk lawsuits and liability for accidents that might have been prevented by the unimplemented PTC. The rail carriers basically threatened to strike ... and the state did not even wait to call their bluff. Not only did the state not threaten to unleash the National Guard or the army, nor even adopt legislation that would mandate the carriers continue to operate as normal, nor take them over as it once during World War I, it did absolutely nothing in response to this outrageous defiance of the law and the integrity of the nation. It did not attempt to compromise. It did not attempt arbitration, mediation, or mitigation. The state rolled over and gave the rail carriers what they wanted immediately and without question.

For what it is worth, fellow railroad workers, if and when the time comes when we must engage in strike action, and the state orders us back to work with all the power of the armed forces, the courts and the cops at their disposal, recognize the blatant hypocrisy of the cry for the "national interest" which you are sure to hear. Remember this day - October 27<sup>th</sup>, 2015 - when that same Congress that would order you back to work upon threat of termination, blacklisting, a billy club across your head, and/or imprisonment is the exact same institution that cowered before its corporate masters when they had threatened to shut down the nation's railroads and wreck the national economy. Don't ever let anyone tell you that the state is a neutral between labor and capital. The example at hand of corporate power, influence and control should convince even the most skeptical railroad worker.



**In the wake of Chatworth, the Railroad Safety Improvement Act (RSIA) of 2008 mandated that Positive Train Control (PTC) be installed on tens of thousands of miles of mainline track by January 1, 2016. It now may have to wait another 5 years ... or more.**