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THE COAL MINER'S STRUGGLE IN EASTERN KENTUCKY

by PAUL NYDEN

with a

CRITICAL COMMENT

by Rich Kirby

and a **REPLY** by Nyden



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"Every spring, I buy a baby pig. I take care of him and grow corn to feed him. Last spring, I saved up \$13.00 from collecting pop bottles that people left along the sides of the road up our holler. I get two cents on each one I bring back to the store. My dad gave me two dollars more to make the \$15.00 he cost. After it got cold outside at Christmas, we shot the hog and cut him up for meat. Dad gave away a lot of pieces, then we salted the rest. It'll last for a few months. It's the best meat we get all year. I'd like to get a pony sometime. But you can eat a hog; you can't eat a pony.

Tommy Cornett lives with his mother, father, and five sisters on Ermine hollow in Letcher County in a three-room shack made of rotting, unpainted boards covered by a rusting metal roof. The kitchen has a coal stove, a table made from three old boards, and a set of shelves for their few dishes. The floor of the third room is strewn with old and broken toys, for it is used as a playroom in the warm weather. A table, the only piece of furniture in the room, is now covered with various pieces of the freshly-slaughtered hog. They are covered with salt, which seeps into the meat and preserves it. The Cornetts have no refrigerator or running water in their house.

Tommy, at thirteen, has the wrinkles on his face of an older man. He goes to the eighth grade. His father is very concerned that he will finish high school someday. "He deserves better out of life than I ever had." Tommy's oldest sister Jane is fifteen. She had to quit school last year to take care of all the younger children. Mrs. Cornett has tuberculosos, so someone has to be around to take care of the household. Their youngest brother Jimmy looks like he is five, but is only two. Right now, he's afraid that the same thing that happened to his older brother's hog will happen to him.

Tom Cornett, Sr. is a coal miner. He has worked in the mines for thirty years, the last ten of them at the South-East Coal Company's mine at Camp Branch, owned by Harry LaViers, Sr. and Harry LaViers, Jr. or "Little Harry," as the miners call him. Tom was laid off from his job on the tipple a short time ago. His family has been living on his unemployment insurance and food

stamps since. Men who were hired at the mine only weeks before the layoff were kept on; they were younger and could produce more coal for Little Harry than a sixty-one-year-old man who has trouble breathing. LaViers doesn't run into any trouble from the United Mine Workers. He broke their local at his operations back in 1962 and fought off their attempt to reorganize in 1965.

Little Harry has told Tom Cornett he'll take him back, if Tom will work inside the mine, instead of his old job outside on the tipple. At his age and in his physical condition, Tom knows that working underground again would kill him within a couple of years. So does LaViers. In a union mine, seniority provisions and job classification protect men like Tom Cornett. At a nonunion mine, all this is left up to the "good will" of the coal operator. A couple of weeks ago, LaViers announced another lay-off—he laid off the entire day shift, keeping the afternoon and "hoot-owl" shifts operating at full production. Closing down production on the day shift, while operating at full capacity during the other two shifts is practically unheard of in the coal fields. His employees cite this as another example of Little Harry displaying his power over and contempt for the miners working under him.

Just down the road from the Cornetts, live the Isons in another, slightly larger, wooden shack. Orville Ison, thirty years in the mines, is totally disabled with Black Lung. His son Johnson is so sick that within a year he will be forced to retire from the mines with a total lung disability. Johnson has worked for only eight years and is just twenty-eight years old. According to his father, "My son will smother to death from coal dust before he reaches thirty-five." Johnson Ison also works in Little Harry's mine.

COAL OPERATORS AND THEIR apologists continually claim they are "going broke." Miners must accept low wages and work nonunion, they say, or their companies will go out of business and deprive more poor people in Appalachia of their jobs. The independant coal operator is glorified as the preserver of free enterprise in America. these apologies always seem to gloss over or completely ignore the wretched living conditions nonunion miners

and their families are forced to survive in. Apologies rarely describe the working conditions which smother young, as well as old, miners to death and cause disasters like the one at Hyden in December, 1970.

Harry LaViers, Jr. is one of the many operators who claims he is operating on a shoe-string. He "can't afford" to pay more than one-half to two-thirds of union scale. He "can't afford" a decent hospitalization plan. He "can't afford" to honor seniority and job classification. And he "can't afford" to pay royalty or to provide his men with a decent retirement for their old age. Yet Harry LaViers *has* managed to scrape together enough money to build a beautiful, split-level home with a swimming pool overlooking his multi-million dollar cleaning plant in Irvine, Kentucky. He *has* managed to purchase additional homes on top of beautiful Pine Mountain in Letcher County and in Miami, Florida; and he does own his private jet plane.

Men such as Harry LaViers like to say how much they are helping their employees by keeping their mines open. As Ray Burkhart, a retired miner from Black Mountain counters, "No man I've ever heard of operates a coal mine just because he wants to help somebody. Especially not the poor people and the people that work for him. When the coal operator can no longer profit, *and I mean profit*, from the mine's employees, he has no more use for them." The major impact coal operators have had on employment in east Kentucky in recent years is explained by B.D. Sizemore, a thirty-six-year-old miner whom LaViers fired and blacklisted throughout east Kentucky when he tried to reorganize Camp Branch Mine in 1965: "Shoe makers, shirt manufacturers, and mobile home companies have all tried to set up factories in our area. But every time they try, the coal operators keep them from getting the land they need. The operators want to keep a pool of unemployed people so they can lay them off when they want to, and call them back when they want to. They want all the human resources to themselves." When General Electric tried to build an electric bulb plant in Hazard a few years ago, the operators blocked them from buying land too.

COAL MINERS THEMSELVES rarely make the distinction between "local" operators and "outside" operators, as some non-miners have been doing. Simply because an operator lives in the same county as his miners by no means insures those miners better working conditions or higher wages. Brookside, a small company town along Clover Fork, a few miles south of Harlan, was built by the multi-millionaire Whitfield family. Rows of small wooden houses sit in the bottom next to the river, which floods almost every spring. On a winter day, you can see poorly-clothed miners' children playing in the mud streets of Brookside or walking to their outdoor toilets. The Whitfields also built homes for themselves to live in. The home of Bryan C. Whitfield, Jr. is as lavishly furnished as any home in the New York suburbs. Like many other Kentucky operators, Bryan Whitfield lives right in Harlan County. His house is separated from the coal camp his father built by a row of pine trees, a two-lane road, and a little hill.

To coal miners living at the bottom of the hill, Whitfield and his way of life could just as well be a thousand miles away. When seventy-one-year-old Bryan Whitfield, worth between \$39 and \$40 million, speaks about his "fellow Kentuckians," he speaks of how lazy they are, how unemployment is being increased by welfare and poverty programs, how poor people crowd the banks in Harlan when they cash their relief and social security checks—and how they take up too many beds in the county hospital! The major national problem, according to Whitfield, is *Nixon*. "We elected him and now he's trying to move the country into socialism." The Whitfields are common; as you drive by many coal towns, huge houses where the operators live sit up on the sides of nearby hills. Perhaps local operators can maintain personal relationships with their employees which the executives of huge corporations cannot, but the sharp contrast between the tremendous wealth enjoyed by the coal operators and the poverty endured by their miners is not lost on the people of east Kentucky.

If a major difference does exist between the mines owned by local men and the huge monopoly corporations, it is that the mines run by "native Kentuckians" are more dangerous and dusty than those run by Beth-

lehem or U. S. Steel. The smaller operators generally operate nonunion, pay lower wages, offer no hospitalization plans, and have poor retirement plans for their workers. When Black miners find jobs, it is almost always at the large union mines, operated by "absentee owners." Some people persist in thinking that the local owner is "closer" to the people than the absentee owner. Yet these "native Appalachians" spend months out of every year in Florida and Europe—and would never dream of associating with the Tom Cornetts and Orville Isons.

The often-repeated statement that east Kentuckians hate outsiders is another myth. Miners and poor people are much more concerned in knowing how much a person will help their struggles than they are in knowing where that person comes from. Poor white people in the mountains are also learning more and more that they must discard their racism. Black people are much too important an ally in their battles. Racism is by no means eliminated among poor white people in the mountains, but when it is actively stirred up, it is usually done by the coal operators. The millionaire Whitfield urged his workers to vote for George Wallace in 1968; the millionaire LaViers family made special efforts to hire Black miners as strikebreakers in 1962. Never before has LaViers, Sr. employed a Black man in his mines. According to the old-timers around Seco, one of South-East's company towns, a sign used to be posted along the main highway there. Sanctioned by LaViers, the sign read: "Niggers! Don't never let the sun go down and catch you in Seco!"

II. ATTEMPTS TO BREAK THE UNION

Poverty and hunger are synonymous with east Kentucky throughout the United States. Most people are surprised to learn that the region is one of the richest in natural resources in the country, with its deposits of high-quality bituminous coal, oil, natural gas, and shale. The coal industry is booming today. More coal was mined in east Kentucky in 1970 than in any previous year in its history. But while the coal operators (both "native" operators and "outside" operators) are bene-

fitting from booming coal markets, the people of east Kentucky aren't, except for those relatively few men who scratch out a living from what the scab operators pay them in wages.

The operators began their systematic offensive to bust the union in the early 1950's. As coal markets sagged, many coal mines shut down. Some never reopened. Some operators leased their coal holdings in pieces out to smaller operators to open truck mines (which invariably operate nonunion). Many operators mechanized their mines in the late 1950's and early 1960's. They would shut down a mine which employed 800 or 900 men; when it reopened with continuous miners and modern conveyor belts, only 200 or 250 miners would be needed. Every operator in the area—with the exception of large companies like U.S. Steel, Bethlehem Steel, and International Harvester and a very few medium- and small-sized companies—broke the miners' union. Some miners fled from one mine to the next as the operators' offensive engulfed entire counties, finally to be left with the choice of working nonunion or not working at all.

During these years, the operators created an atmosphere of terror everywhere in east Kentucky: thugs ran pickets down with trucks, state police and company gunmen killed and wounded miners, tipples and coal trucks were dynamited, and strikers were framed on all sorts of phony charges. The most far-reaching means of terror were those which operators always used: they evicted strikers and their families from company-owned homes; they fired men who complained about wages and conditions; they blacklisted strikers from every other coal mine in east Kentucky—including the union mines. The last straw for Kentucky miners for their union was when the UMW International and District officers refused to assist them in their struggle and withdrew Welfare Cards from all men who worked for companies which were refusing to meet royalty payments. Union officials abandoned the men to fight the companies by themselves.

When a man is forced to work non-union, he no longer has any protection whatsoever against his employer. His wages drop, sometimes to as low as \$10 for a shift of nine or ten hours; non-union operators rarely pay their

men for traveling time to and from the coal face. He has no seniority: the operator can move him around to any job in the mine at will and can lay him off regardless of how many years the man may have put in at any particular mine. No Mine Committee or Safety Committee can be elected to take up his grievances or challenge practices which violate federal and state safety regulations. When a man or a member of his family gets sick, his company may pay a small part of his medical and hospital expenses or none at all. When the miner becomes disabled or he retires, the company takes absolutely no responsibility for him. Union miners from West Virginia and Pennsylvania often say, "When a man can't work in the mines anymore, the operator has no more use for him and his family. He throws the miner out on the slate heap to die." In Kentucky's non-union mines, it's much worse.

The operators launched their offensive to destroy the UMW throughout east Kentucky back in the early 1950's. After it had become clear to the miners that their union officials were refusing to protect them, the "roving picket" movement sprung up in 1959 and 1960. The roving pickets began shutting down the mines which were going nonunion in Perry, Harlan, and Letcher counties. In 1964, the miners leading the roving pickets formed the Appalachian Committee for Full Employment. Berman Gibson, Jason Combs, Lola and Charles Moore, and Everette Tharp were elected its leaders. The Committee demanded a decent standard of living for every east Kentuckian. If a man works in the mines, he should enjoy union working conditions and benefits; but if he is unemployed, the federal government has the responsibility to see that he and his family don't starve. When a group of these unemployed miners went to Washington, D.C. in January 1964 to demand federal assistance, they got the *first* \$1,000,000 appropriated for east Kentucky in the "War on Poverty".

The coal operators and their courthouse machines didn't sit by passively as resistance to them was organized. They shot up the office of the Committee for Full Employment in Hazard. Berman Gibson and nine other miners were indicted on charges ranging all the way up to murder, although no convictions were ever obtained. When 200 students who had supported the striking miners

were invited to attend a conference in Hazard during their Easter vacations in 1964, local papers printed the headline: "Communists Have Come to Eastern Kentucky". As members of the Committee pointed out, "This Communist accusation became the operators' chief weapon of heaping abuse upon our Committee. . . It was very effective in hindering the Appalachian Committee from organizing the unemployed of this area and prevented many of the hungry children from receiving a hot Federal school lunch." Red-baiting has historically been a common tactic of the operators in their continual fight against coal miners and their unions.

MINERS AT BLUE DIAMOND Coal Company's Leatherwood No. 1 Mine put up one of the strongest battles against the operators; their United Mine Workers local was one of the last left in Perry County. Willie Couch was President of Local 8280 on April 27, 1964, when Blue Diamond cancelled the union contract at No. 1 after giving the union the required sixty-days notice.

**“Use of violence by
the scab operators was
common. . . .”**

“Everybody walked out and quit work,” Couch recounts. “A few months after our strike began, Blue Diamond opened No. 1 up again, using scab labor. When we set up our picket line, the company brought in twenty-five or thirty carloads full of state police armed with machine guns and tear gas. The troopers and company gun thugs kept us away from the strikebreakers. Some even drove the strikebreakers through our picket lines in their state patrol cars. But if we tried anything, the police arrested

us and beat us up.”

Lee Eversole, one of the organizers of the strike and picket line, said, “They were doing everything to break up our line. Police would stop me on the road when they knew I was going to picket duty – once I was stopped and charged with *littering*! But usually they were afraid to arrest us because they knew we were all armed. During the strike, the company hired gunmen to shoot up my little store and two gas pumps in Viper. The first time, their machine gun jammed and misfired. The second time I was ready for them – I put twenty-two bullet holes in their car. After that, they let me alone.”

“The operators would even kill a man to keep their mines open,” Couch went on. “After our line had been going several months, one of the scabs drove his truck through our pickets, pointing a high-powered rifle at us. He reached company property, stopped the truck and got out. When he noticed his truck rolling away, he jumped back in – then somebody shot him dead. The shot was fired from way up on the nearby hill where the superintendent’s house and company headquarters were, the place where the police and thugs always gathered. The night after the killing, the county police arrested eighteen of us and picked out one of us to charge with murder. It didn’t work, but it helped to stir up public feeling against violence which the papers all charged us with creating.”

Use of violence by the scab operators was common throughout the whole area. In 1962 Harry LaViers, Jr. was trying to bust the union at his Polly Mine, on Camp Branch. One fall day, two older miners were sent to the hospital when a mine superintendent knocked them down with his pick-up truck and ran over their legs. Several days later, explains B.D. Sizemore, former South-East employee, “the pickets at Camp Branch Mine were jolted by an explosion which rocked the tippie. The headhouse blew up, scattering pieces of wood and metal all over the side of the hill. Us pickets *couldn’t possibly* have set the dynamite – Little Harry had guards with machine-guns all over the place ready to shoot down any striker or picket the moment he set foot on company property.”

The explosion too was used against the miners. “Within twenty-four hours of the explosion,” Sizemore contin-

ued, "LaViers got an injunction from the Letcher County Courthouse in Whitesburg which limited our picket line to having no more than six men at any one time. Before we had at least eighty-five men marching in front of the mine all of the time." The papers blew this incident up and used it to arouse public opinion against the striking miners. LaViers got still another dividend from the charges he had set: "Little Harry needed to build a new headhouse anyway. After it blew up, his insurance company bought him a new one!"

Throughout the course of the union-busting campaign of the operators, explosions demolished mine tipples, power lines, and even railroad bridges. Many companies, like South-East, were compensated for their "losses" by insurance companies. Others, such as the Sun Fire Coal Company in Combs, won suits against the United Mine Workers for damages sustained. At one point, R.A. Kilburn, a police officer in Hazard, publicly announced that he had been ordered to carry out some of these dynamitings by his Police Chief! The chief had been coordinating the destruction of mine tipples and coal trucks in Perry County.

The picket line at Blue Diamond No. 1 lasted for more than a year. "While we were on the picket line," Couch continued, "we got a voucher for \$28 each week from the UMW to buy food for our families. Then, after a year, they sent us all a notice that weekly payments were being cut off, even though we were still out on strike. About the same time, they took away our hospital cards. A lot of us then went up to Washington D.C. to protest to Tony Boyle at the union headquarters. Tony Boyle didn't want any picket lines around his headquarters and he needed us to testify in a case that Blue Diamond was bringing against the United Mine Workers. So he gave us all Blue Cross and Blue Shield cards paid for by the Welfare Fund. But, in October 1967, Boyle took these cards back too.

"When the company reopened the mine during our strike, they brought in a company union outfit called the Southern Labor Union. This union never fights for decent pay or safe working conditions; it asks for only ten cents royalty on each ton of coal mined. We filed a case with the National Labor Relations Board, for the SLU

Mrs. Clara Sullivan's Letter

Dear Mr. Editor, if you choose
Please send me a copy of the "Labor News"
I've got a son in the infantry
And he'd be mighty glad to see
That somebody, somewhere, now and then
Thinks about the lives of the mining men,
In Perry County.

In Perry County and hereabouts
The miners simply had to go out.
It was long hours and substandard pay,
Then they took our contract away.
Now 14 months is a mighty long time
To face the goons on the picket line,
In Perry County.

I'm 26 years a miner's wife.
There's nothing harder than a miner's life,
But there's no better man than a mining man,
You couldn't find better in all this land.
The deal they got is a rotten deal,
Mountain greens and gravy meal
In Perry County.

We live in shacks that the rain comes in,
While the operators live as high as sin,
Drive Cadillac cars and drink like a fool,
While our kids lack clothes to go to school.
Sheriff Combs he has it fine,
He runs the law and owns a mine,
In Perry County.

I believe the truth will out someday,
That we're fighting for jobs at higher pay.
Why after work my man comes in
With his wet clothes frozen to his skin,
Digging coal so the world can run
And operators can have their fun
In Perry County.

*letter by Mrs. Clara Sullivan
of Kodak, Kentucky
music by Melvina Reynolds*

had been brought in only a few months after we held a legal election designating the UMW as our bargaining agent. But the UMW lawyers let our case drag on and on, until the statute of limitations ran out. A couple of years ago, the UMW began organizing for a new representation election at the mine. The District 30 men let another union come in over the top of us and then tried to organize those very men who broke our strike!

"I feel that the union officers sold us out. They never should have tried to organize the men who took our jobs and then forget about us. I went out on strike on April 27, 1964 and I'm still on strike today. Like 75% of the men at our mine then, I never went back to work and never expect to until Blue Diamond signs another United Mine Workers contract. Lots of men tried to get jobs at other union mines. I applied to Bethlehem Steel, but Blue Diamond had us blacklisted everywhere in east Kentucky. Nobody will hire us."

Willie Couch has remained President of Local 8280 throughout the strike, which will be going into its eighth year this spring. The local has almost 150 members and still meets regularly once a month. The kind of assistance east Kentucky miners have been getting from union officials has been described by Bill Worthington, a disabled Harlan County miner: "They lead us along up to a certain point and then they abandon us. It's like the cow who fills up your bucket with milk — and then kicks it over!" Today District 30 officials completely ignore Local 8280's existence. Yet the unemployed miners of 8280 have never lost sight of exactly who their main enemy has been and always will be — the coal operator. Willie Couch continually stresses: "Don't never get me wrong. *I am still a strong United Mine Worker.* The union is a body of men like us in Local 8280. We criticize the union leaders; they sold us down the river to the companies. But when the UMW is reorganized under a militant leadership, we're ready to help in any way we can to fight the operators. We've been waiting for almost eight years now."

III. TO REBUILD THE UNION

Coal miners from other coal fields often look upon east Kentucky miners as being "no-good scabs", even as being dogs or subhumans. Many don't realize that in 1970, the struggle for a miners' union in east Kentucky is as hard as it was throughout the coal fields in the 1920's and early 1930's. But both east Kentucky miners and coal miners everywhere else share many of the same problems. Both suffer explosions in mines that companies refuse to make safe: seventy-eight miners died in a union mine at Farmington, W. Va.; thirty-eight died in a non-union mine at Hyden, Ky. Miners everywhere get Black Lung (although, as of October 1971, only 35% of Kentucky miners who applied for federal benefits were getting them; whereas 47% in West Virginia and 71% in Pennsylvania did). Miners everywhere become disabled. Union miners may be able to keep their hospital cards for four years following their accident; but after that, both union and nonunion disabled miners face exactly the same bleak situation. All working miners are subject to speed-ups, the operator's desire to disregard safety precautions in order to increase production. But the non-union miner doesn't even have a union to protect him. Upon retirement, the union miner is almost as likely to fall into poverty as the nonunion miner. Many men who have worked in union mines for thirty years have been cheated out of their pensions by the union. And the UMW pension itself is only \$150 a month — hardly enough for a retired man and his wife to get by on in 1972.

East Kentucky coal miners have to contend with crooked political machines — run by the operators. In fact, every county courthouse machine in eastern Kentucky favors the coal operators. Whitesburg, or "Scab Town" as all the miners call it, is the county seat of Letcher County. In Scab Town, a new federal circuit judge was recently appointed by outgoing Republican Governor Louis B. Nunn. This new judge, F. Byrd Hogg, operates several strip and auger mines. The county judge, Robert F. Collins, operates mines in the Millstone area. Only one of the mines owned by these gentlemen is union. The long list of businessmen and "prominent" citizens in

Whitesburg who have accumulated much of their money from nonunion coal mines includes: the General Motors dealer, the owner of the only motel in town, a man who has major interests in the Daniel Boone Hotel, the owners of the Main Street gasoline station, leading medical doctors, several lawyers, a former county sheriff, and numerous other county officials. State mine inspectors have even been known to hold substantial interests in nonunion coal operations. With this situation in every county seat, coal miners can hardly expect a fair hearing. They are never surprised when scab operators like Harry LaViers are able to get any injunction they want within twenty-four hours.

Poverty and unemployment make it difficult to rebuild a union. In 1960, six of the ten poorest counties in the United States were in the east Kentucky coal fields. Unemployment has remained extremely high in recent years, even though the top seven coal-producing counties all lost at least 10% of their population between 1960 and 1970. Harlan, Letcher, and Perry counties all lost a quarter of their people. In its platform of 1965, the Appalachian Committee for Full Employment pointed out that Perry County had 17,000 jobs in 1950, but that only 3,700 were left fifteen years later. As coal production has soared since the mid-sixties, employment has been affected very slightly. Mechanization of the deep mines and the use of efficient stripping and augering techniques have been so widespread that only a little more than 17,000 miners were needed to produce 67 million tons of coal in 1970. In 1950, it had taken 54,000 men to produce 6 million tons fewer!

East Kentucky miners are looking for a United Mine Workers of America with a new philosophy, a new ideology. In July 1956, the cover of the *UMW Journal* depicted a boat in the shape of a coal scuttle labelled "Coal Export Corp.". This boat carried three passengers with their arms wrapped around each other — the UMWA, the coal operators, and the railroads! This drawing certainly gives an accurate picture of union-operator relationships in eastern Kentucky. These relationships are precisely the reason why Kentucky miners are looking elsewhere than to the incumbent union officials for help.

THE REFORM MOVEMENT WITHIN the union has not yet appealed to these miners very effectively either. Miners for Democracy has two stumbling blocks which it must cast aside before they can hope to help Kentucky miners and before Kentucky miners will actively support MFD. First, MFD expends nearly all its energies in attacking Boyle and his cronies, thereby letting the coal operators off the hook. East Kentucky miners don't like Boyle's corruption any more than miners anywhere else do. But they are not attracted by a program which focusses almost exclusively on *what is going into Boyle's pockets*, rather than on *what is not going into theirs*. All the personal corruption within the union today is miniscule compared to the extra profits companies make from the labor of miners who don't have a union local to fight for them and who have no contract to work under. For example, at a mine which employs 250 men for fifty weeks a year, five shifts a week (fewer shifts per week than most mines work today), and pays men \$15.00 per day less than union scale, the miners lose \$937,500 in wages every year. If the miners produce one million tons of nonunion coal per year, the Welfare and Retirement Fund is losing \$600,000 (at the royalty rate specified in the new contract). All the money Boyle and his friends pull in each year becomes mighty small compared to the more than \$1.5 million in wages and royalties lost each year by the miners at every nonunion mine like the one just described. [These calculations don't even include the extra profits made by operators who don't pay their workers vacation pay, overtime pay, holiday pay, or Christmas bonuses and who are able to fire older workers at will and invoke speed-ups that create hazardous mining conditions.]

Miners for Democracy must begin to direct its energies primarily against the coal operators rather than against the union leaders who sell out *to those operators*. Second, Kentucky miners feel MFD must also modify its policy of relying so heavily upon legal cases. While they support using legal channels to the fullest, Kentucky miners have learned to be skeptical of how much the government in this country is ever going to *give* them. County and state government officials have been sending gunmen against their picket lines for years and arresting their lead-

ers. The federal government has never done a thing to prevent corrupt courthouse machines from illegally administering federal relief funds and poverty programs as if they were the private pork barrels of the coal operators. Men and women who fight the operators rarely get any financial assistance, regardless of their need. Kentucky miners share Malcolm X's feeling when he said: "You are wasting your time going to [Uncle Sam] expecting redress... . He created the problem. He's the criminal. You don't take your case to the criminal. You take your criminal to court!"

Miners in east Kentucky also credit the federal government with a major role in breaking their union over the past twenty years because of the policies of the Tennessee Valley Authority. As Lee Eversole, fired by Blue Diamond in 1964, explains it: "The TVA is the one that busted the union here in the Hazard coal field with their low prices. TVA came in asking the operators for bids on long term contracts to supply coal to their power plants, the big contracts going to the lowest bidders. Coal operators around here were falling all over themselves, trying to undercut each other. The Kelly and Sturgill Coal Company, which operated in Perry County before it went out of business, bid \$1.25 a ton to supply coal to TVA! Who loses when all this happens? We do — the coal miners. As the operators bid lower and lower, they cut our wages and busted our union. Seems to me like the government took men out of the coal mines and *forced them to go on relief.*" When the federal government set up its poverty programs in east Kentucky, benefits were meager and they only went to a relatively small percentage of the poor people. Many of these programs served the operators further, for they began turning those poor people who *didn't* get anything against those who got a little.

Since John L. Lewis took the UMW out of the CIO in 1942, the coal miners have been organizationally isolated from the rest of the American labor movement. MFD has of yet done nothing itself to reverse this process. The strength needed to rebuild the Miners' Union in areas such as east Kentucky can be gained only when the miners' reform movement forms alliances with progressive and Black caucuses in other unions such as the United Auto Workers and United Steeworkers, and with the lead-

ers of militant unions like Cesar Chavez's United Farm Workers and Local 1199, the Drug and Hospital Workers Union.

When east Kentucky's miners do become actively involved in the reform movement within the UMW, the movement will be greatly strengthened. Miners who have faced so many difficulties and fought so hard to preserve their union will rank among the most effective organizers and very best leaders coal miners can have, much the same way Black miners will when they are more actively recruited into the ranks — and leadership positions — of the miners' reform movement.

Though their personal futures look bleak to many coal miners living in the Kentucky mountains, they continue to fight. For they want their children — and everyone's children — to have it better than they have it today. Cecil Collins of Carbon Glow, another miner blacklisted by Blue Diamond who suffers from total lung disability today at age forty-six, puts it this way: "I know what the future holds for me. I've seen so many of my friends and neighbors smother to death from coal dust in their lungs. I can see it just around the corner. Soon I'll be setting there gasping for breath. I know it can't get any better for me now. I can never plan what I'm going to do on any particular day, until I know how I feel that morning. Now I don't have anything except this damn old body. But I still stick up for what I think is right. It don't pay you dividends like a savings account. But it gives you a good feeling knowing *you don't take a back street to nobody!*"

A CRITICAL COMMENT

Kentucky Coal Miners and Operators

by Rich Kirby

The last issue of MLW ran an article on Kentucky coal miners by Paul Nyden. It made some good points but it also had several inaccuracies and some large omissions that limit its usefulness. The gist of the piece was that the union was broken in the east Kentucky coalfield by the concerted action of small local coal operators in the period 1959-1964, with the tacit agreement of the UMWA. He leaves the impression that miners are better off dealing with large companies that have stayed union. Mr. Nyden thus presents a stereotyped class conflict—miners vs. operators—that dangerously oversimplifies a complicated and tragic period of Kentucky history, which deserves more research and thought than it has received up to now.

First off, it seems strange to me that Mr. Nyden would pick Harry LaViers to burden with all the sins of his class. Coal operators did many dreadful things during this period, LaViers among them, and I am not about to apologize for anyone. But South East has been an unusual company in several important matters:

*the company has traditionally been union-oriented; it was one of the first in the state to sign a union contract, and for many years enjoyed a sta-

ble and friendly relationship with the union and with its miners.

*today the company pays substantially at union scale, with pension and hospitalization benefits, and operates mines generally said in Letcher County to be safe and healthy.

*“Little Harry” LaViers has (contrary to insinuations in the article) actively tried to get factories to locate in the area, donated land to build low-cost housing, and tried repeatedly to break TVA’s policy of buying only stripped coal. (In these respects he is admittedly unique among coal operators.)

*most important: alone among small coal operators in the Kentucky coalfields, LaViers tried to strike back at the forces which created the crisis which convulsed east Kentucky in 1962.

In 1968 South East Coal Company attacked Consolidation Coal and the UMWA in court, claiming that the two had conspired to force SECO and companies like it out of business. It won \$7 million, the largest anti-trust award in history; and in so doing it cleared up a lot of confusion about the chaotic events of the recent past. The matter is described in a booklet called *Conspiracy in Coal*, by Tom Bethell, which is available in the CSM Bookstore.

A coherent history of the roving picket movement has yet to be written. It is clear though that the conflict centered around workers fighting each other, not (primarily) against operators. And it is now clear (after the trial) that workers and operators alike were puppets in the cynical manipulation of super-giants of American capitalism. Mr. Nyden goes rather easy on the big companies—but it was the very biggest, together with the miners’ own union, that caused the miners to be shooting at each other.

In 1950 George Love of Consolidation Coal organized most of the coal industry into the Bituminous Coal Operators Association (BCOA) which Consol controlled. Within a short time Love had convinced John L. Lewis to abandon thirty years of militant and fruitful struggle in favor of cooperation with what Love re-

garded as the inevitable trend of the industry toward (C)onsolidation.

Overproduction had always been the scourge of the industry. In 1948 Lewis himself had forestalled one glut by cutting the work week in half. "If there are only three days work in the industry, we will all have the three days work." But by 1952 Lewis had adopted another form of production control. "The smaller coal operators," he said, "are just a drag on the industry. The constant tendency in this country is going to be for the concentration of production into fewer and fewer units"—in short, monopoly.

A lot of this development took place through automation—increased efficiency by means only the larger companies could afford. It also meant that great numbers of miners became unemployed during the 1950's. Nonetheless the UMW supported automation, even funding some of the basic research. Lewis, who praised Love as an "industrial statesman" and called his unemployed miners "stragglers in the economic parade," changed the character of the union radically—it came to be George Love's right hand as the industry came to be more and more tightly knit. There were far fewer miners, but with 40 cents a ton pouring into the Welfare and Retirement Fund the union remained wealthy and powerful.

By 1958 it appears that Consol and the UMW were ready to drive the small operators finally out of business. That year's contract contained a "Protective Wage Clause" which enabled big companies to boycott any operator not in compliance with the contract. Since Consol acted as sales agent for many small operators, including South East, this was a powerful threat.

Simultaneously, the 1958 recession was playing hell in the coalfield—production fell off 15% nationally and 30% in east Kentucky. Unemployment and desperate poverty skyrocketed. Increasingly through 1962 smaller companies were unable to meet the terms of the contract—it was tailored, of course, to Consol's needs—and went non-union. Many folded altogether; some began to experiment with strip mining. In 1962 SECO went non-union; it had lost money every year since 1958 and saw no other way out. Like a lot of

other companies, it was struck at once. The UMW called these strikes "wildcats".

Then in August 1962 the union lifted the hospital cards of all miners who were striking, and of men who worked for companies that still paid scale but had lapsed in their royalty payments. This was extraordinary: the union was punishing the men for the sins of the bosses. It was a transparent invitation to violence. And violence was the immediate response. For months union men picketed; when that was not possible they "roved" in large groups, shutting down mines; cars were rocked, shots fired, tipples and trucks burned. Non-union miners--largely the same men abandoned by the union during the automation of the 50's, desperate in a totally impoverished region--fought back to keep what work they had. There were no other jobs, and Kentucky's bureaucrats made sure-- as they do still-- that no one could live on welfare. Both sides used violence, and at least two men were killed.

But operators, thugs, and sheriffs led the attack on the union men, and eventually the union was broken. The outrage and rebellion that permeated the mountains was diffused to some degree by the poverty program: the first CAP agency in Kentucky opened in the Hazard-Whitesburg area which was the base of the roving pickets and their Appalachian Committee For Full Employment; and the OEO program there consisted of as much as the government could stomach of the ACFE's progressive and creative program.

In retrospect the roving picket days can be seen as a real tragedy in working-class history, as groups of workers fought desperately with each other for crumbs left behind when the rich folks were done. Union men, non-union men, even operators, were all caught in the squeeze, and each group played out its part in a way dictated by the traditions of the coalfield. The storm spent itself while Consol fattened: in 1961 it took over Chrysler motors, and in 1967 it merged with Continental Oil to create the first great energy combine. In 1968 it killed 78 men in a mine explosion, but the UMWA leadership had only praise for its safety record and cooperative attitude.

Mr. Nyden primarily blames the small coal operators for their actions, and says they should be the target of militant organizations. I think this is a mistaken view. Blaming the operators is like attacking Thieu and 'Ky: their penny-ante fascism is terrible enough for its victims but pales beside the cold horror of American imperialism. Get rich by having miners fight miners--the roving picket era is something like Vietnamization ahead of its time.

The principal criticism in all this must, of course rest with the UMW. You expect a monopolist to act like a monopolist, but you hardly expect a strong and militant union to follow suit. The UMWA was and is blessed with a splendid history, a base of trust and love in a powerful group of industrial workers, organization, grass-roots leadership, tactical and strategic knowledge, all built in decades of life-and death struggle. It could have fought to keep its men employed in a healthy, stable, decentral-ized industry. Instead it sold them out.

Thus I must question Mr. Nyden's assertion that the vanguard miners must attack not Tony Boyle but the operators. HOW? By issuing a press release? Or by taking hold of the UMW and transforming it back into the struggle organization it should be.

"Any time I want to, I can hire one half of the working class to kill the other half." Jay Gould said it; George Love and the UMW leadership did it; and it is past time we all recognized and started to deal with it.

This got longer than I intended, but I feel like stuff had to be explained in some detail. As it was, I left out a lot.

More comments:

-F.Byrd Hogg is neither a federal judge or a coal operator.

-I have never heard anyone call Whitesburg "scab-town," much less "all the miners." Such union consciousness would be great if it existed, but it doesn't.

-The facts about the explosion at the SEC mine are very unclear. Nyden's presentation of them verges on libel.

Hooray for reprinting "Mrs. Sullivan's Letter." "The Blue Diamond Mines" fits in pretty good too.

REPLY TO KIRBY

by Paul Nyden

Rich Kirby raised a number of important questions in his letter (March 1972 issue of *ML&W*) in criticizing my article on Eastern Kentucky miners (February 1972 issue of *ML&W*). I would like to respond to these questions in some depth.

My article focused upon Harry LaViers not because I wanted to "burden [him] with all the sins of his class," but because he is so often portrayed as being a "liberal" coal operator. If it can be shown that even the most "liberal" coal operator treats his employees badly, then what must be the situation at those coal mines whose owners are not so benevolent?

South-East does not pay union scale. It does not provide portal-to-portal pay, so miners often have to put in a ten-hour day for eight hours pay. South-East hospital and pension benefits do not come close to those of the UMW; furthermore, the miners have to pay for these benefits from their wages. There is no seniority or job security: any man working at South-East can be fired or laid off at the *whim* of LaViers or his bosses. Kirby claims that LaViers's mines are "generally said in Letcher County to be safe and healthy"; coal miners there *do not* agree. LaViers himself (and other non-miners living in the county) have told me how safe and dust-free South-East mines are, but every single South-East miner I spoke with said the opposite. Whose word should you believe when such direct contradictions exist? *I take the word of the men who have to work in those mines.*

South-East's suit against Consolidation Coal and the United Mine Workers of America is complex. Tom Bethell and Kirby, in agreement with LaViers, portray the \$8.9 million settlement awarded to LaViers as constituting a major victory against a big, corrupt union. Yet how did

this so-called "victory" help the coal miners? Did poor pensioners and disabled miners get any of this \$8.9 million? *In whose behalf* and *for whose benefit* did LaViers file his lawsuit? Was it on behalf of the coal miners and the poor people of Letcher County?

Obviously not! Harry LaViers waged a legal fight on his own behalf and for the benefit of the owners of South-East Coal Company. If LaViers is really so concerned with the welfare of coal miners, then why hasn't he used the \$8.9 million to bring the UMW local back to his mine at Camp Branch? Why doesn't he compensate all the miners (and their families) who have died or been disabled to work in his mines?

Kirby is correct in maintaining that the huge coal monopolies are the most powerful enemies of coal miners. Consolidation Coal, Island Creek, Pittston, and U.S. Steel are ultimately much more responsible for shaping—or rather, misshaping—society in the coal fields than are the South-East, Blue Diamond, and Marlowe Coal Companies. Yet this fact does not minimize the importance of miners struggling against *any and every man who makes his living by exploiting their labor*. The owners of Consol and U.S. Steel do have more economic and political power than "Little Harry." But does this mean that LaViers is not a very real enemy to the B.D. Sizemores, Tom Cornetts, and Johnson Isoms? To all those men who LaViers fires, lays off, and kills with Black Lung at age 30?

Kirby's Vietnam analogy is ironic, for it strengthens my point here. The American policy makers are, as Kirby states, more powerful than Thieu and Ky. But does this prevent Madame Binh from demanding the removal of these men from office as one of the *key proposals* in the Provisional Revolutionary Government's program for peace? Owners of the monopoly corporations dominate this country, but could they so successfully impose their will *without* the assistance of middle-level entrepreneurs like LaViers and *without* the assistance of thousands of salaried superintendents and shop "straw-bosses" in every industry around the country?

And while Kirby is correct in stating that bigger coal companies are bigger enemies than smaller coal compa-

nies, he cannot deny that miners who work for the big companies in east Kentucky *do have it better* than those working for medium-sized companies like South-East or for the small coal operators. The increasing centralization and coordination of production being brought about by monopoly operations in every industry are not in themselves retrogressive developments. Centralization of the coal industry to increase profits for private owners is bad; yet *centralization itself is not inherently bad*, for it lays an essential part of the foundations for a better society.

UMW History and John L. Lewis

Kirby's call for a more coherent history of the roving picket movement and of Kentucky miners in general is more than welcome. But he perpetuates various misconceptions about UMW history himself. To describe the years between 1920, when John L. Lewis assumed the UMW Presidency, and 1950, when he negotiated the first National Bituminous Coal Wage Agreement with George Love, as "thirty years of militant and fruitful struggle." is *historically incorrect*. While the coal miners themselves had a tremendous history and militant struggle during these years, the Lewis leadership possessed a *less* glorious record. Lewis didn't turn conservative in 1950 for the first time.

In the middle of the bitter soft coal strike in 1922, Lewis sold out almost 100,000 miners who were striking for union recognition in central Pennsylvania's coke regions! He signed a settlement without them, abandoning them until the election of FDR. Later, when Lewis negotiated the anthracite and bituminous contracts to expire on different dates, he split the miners' strength even further. By the mid-1920s, Lewis's betrayals had nearly destroyed the UMW in western Pennsylvania, Ohio, West Virginia, and Kentucky. By 1925, the *majority* of bituminous tonnage was being produced by *nonunion mines*.

It was only through the efforts of rank-and-file miners in the "Save the Union Movement," organized in 1928, that a union was preserved at all in the northern coal fields. In fact, it was the NMU, and *not* John L. Lewis,

who fought to “organize the unorganized” miners in Eastern Kentucky during the early 1930s.

Small Operators and Economic Progress

When Lewis stated in the early 1950s that small operators were a “drag” on the industry and that increasing monopolization of production would stabilize the industry, he was *restating* an idea he had stressed *throughout* the 1920s. Lewis had also stated, many times in the past, that if the small mines could not pay union scale, they should be shut down. Lewis’ acceptance of closures of small and inefficient mines and of the introduction of sophisticated machinery underground was not in itself bad. It was his failure to demand protection for all those thereby thrown out of work that was catastrophic to people living in the coal regions.

Acceptance of modernization should have been accompanied by two demands: 1) Every miner who loses his job through closures or automation must be retrained, at company or government expense, for a *new job at decent wages*. 2) All profits produced by the labor of coal miners must be used *for the benefit of the people* of the coal regions, *not for the profits* of either absentee or “native” coal owners. The Appalachian Committee for Full Employment, in their organizing activities and through their newspaper *Voice for Jobs and Justice*, made these demands heard throughout the Hazard and neighboring coal fields in the mid-1960s.

Who is the Real Enemy of the Coal Miners Today?

The strategy to win these demands is a complicated problem, which can be fully solved only by the miners who initiate the struggle for full employment in Appalachia and for a decent standard of living for everyone. But the ideological groundwork for such a struggle will not be laid so long as anyone accepts the oversimplified analysis Kirby presents. Real conflicts—and real enemies—are not identified *simply by looking at who is punching whom* or at who is shooting whom.

In discussing the roving picket movement, Kirby claims that “it is clear....that the conflict centered around workers fighting each other, not (primarily) against oper-

ators." Yet to most union and nonunion miners alike, it was abundantly clear that *the operators created the conditions in which the conflict arose and flourished*. Kirby does blame the big operators and the UMW for creating this tragic situation, but his peculiar affection for the medium- and small-sized operators leads him to overlook their *central and vicious* role in this struggle. After all, South-East, Blue Diamond, and other "small" operators *did hire the strikebreakers* who took jobs away from the striking miners. It was these coal operators who fired union men and blacklisted them throughout eastern Kentucky.

A Swedish proverb says: "When the feed-box is empty, the horses will bite each other." It is a strange twist of logic for Kirby to describe this situation as being *primarily* a struggle between the horses, a struggle which has little to do with the men who emptied—or never filled—the feed-box.

Who Will Bring Changes to the Coal Fields?

The greatest mistake Kirby makes is in his analysis of who is the *main enemy* of the Kentucky coal miners. "The principal criticism in all this must, of course [!!] rest with the UMW," Kirby claims. "You expect a monopolist to act like a monopolist, but you hardly expect a strong and militant union to follow suit." Criticism of the UMW hierarchy is quite justified: its sellout of rank-and-file miners is *nowhere so clear* as it has been in eastern Kentucky. But it is absolutely bizarre to conclude that whenever your ally sells you out in a fight against your enemy, this former ally then *replaces* that enemy and becomes your "principal" adversary.

It is strange to relegate the coal operators to *second* place just because "you expect a monopolist to act like a monopolist"! The task facing a militant rank-and-file is not to make sure that every man performs the sociological role expected of him. Its task is to *eliminate* the very existence of all those sociological and economic "roles" which allow one man to exploit the labor of another man. In his anger against Boyle's sellouts, Kirby has lost site of the people *to whom the miners are being sold out*.

The Importance of the Coal Miner's Own Thinking

Kirby could not make these mistakes if he discussed his theories *with the miners themselves*. You can, of course, find some miners who see Boyle as their primary enemy. Certain Miners for Democracy leaders have become so intent upon dethroning Boyle that they have lost sight of the need to strengthen the miners themselves. These leaders don't press to organize unorganized miners. They say little about the murders on Buffalo Creek. They cheer on Boyle's conviction for violation of federal labor laws, but fail to see the anti-union thrust lurking behind the conviction.

The majority of coal miners, especially miners in eastern Kentucky, hold a far more sophisticated position. They hate the Boyle regime for never fighting on day-to-day grievances, for abandoning them in their struggles against union-busting operators, for depriving retired miners of the Welfare Cards and pensions they earned. But most coal miners would agree with Willie Couch when he says: "Don't never get me wrong. *I am still a strong United Mine Worker...* When the UMW is reorganized under a militant leadership, we're ready to help in any way we can to fight the operators."

Rank-and-file miners must take control of the UMW, and rebuild their now disintegrating union. But their struggle will not end here. The creation of a militant union is not an end in itself. A strong union is the weapon necessary to begin a successful struggle against the real enemy—the coal operators: big, small, absentee, and local. It is the responsibility of the student, the writer, the journalist to *help* coal miners in their struggle. And this means—first of all—*listening* to what rank-and-file miners have to say.

It is time for "liberal" writers to stop apologizing for multi-millionaire "small" operators and to begin fighting on behalf of the men *off of whose backs* all operators make their millions. For it is the coal miners, in conjunction with other working and progressive people, who will bring real change to Appalachia and to our whole country one day. To continue looking sympathetically in the direction of the "small" operator, the "marginal" factory owner, and the "neutral" government only *confuses the people* and *postpones that day*.

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