July, 2024: Background disclaimer

I wrote this article after the 1977-1978 United Mine Workers' (UMW) strike against the Bituminous Coal Operators Association (BCOA) ended. I never submitted it for publication. I unintentionally buried it at our cattle farm for more than 40 years under several tons of square-baled hay. I discovered it a few months ago. I did some freshening, gnashing over typos and tightening.

The *Columbia Journalism Review* ran a piece I wrote on the press and the 1981 coal strike—*CJR*, "The Pits: Press Coverage of the Coal Strike," July/August, 198l.

I wrote *Fire in the Hole: Miners and Managers in the American Coal Industry* (University Press of Kentucky, 1985). In those years, I wrote a number of articles, news features and reports on coal, labor, energy and environmental issues.

The strike is relevant today. Most strikes are bilateral struggles between unionized workers and their employer. Occasionally, government finds a reason to intervene. In this strike, a centrist Democratic president—Jimmy Carter—sought a Taft-Hartley injunction against the three-month-old strike based on erroneous and deceptive strike-impact data fed to him by his Energy Secretary. After the strike ended, the General Accounting Office published an exposé of the data fraud that lay behind Carter's intervention, which a federal court quickly terminated.

If Donald Trump is elected in November, 2024, it's fair to anticipate a federal government hostile to unions. This piece from more than four decades in the past shows how uneven and often lazy reporting can reinforce misguided federal interventions by prejudicing the public against the weaker party in the negotiations.

I grew up in Pittsburgh, graduated from Oberlin College and have an M. Phil. and Ph.D. from Columbia University. I've lived in Highland County, Virginia, population 2,100, since 1983. I operate cattle and timber farms. I've been a labor arbitrator with the Federal Mediation and Conciliation Service since 1985. I hold underground coal-mining papers in West Virginia from long ago. I've written a book on how to buy rural property and the first two novels in the Becker Trilogy. The third, *The Past Rises*, is set in fictional Seneca County, West Virginia, in 2023. It should be out by the end of this year.

This is a long piece, more a pamphlet than an article. Or, it could be divided into three parts: background to the strike, coverage, and doomsday hocus-pocus.

How the Press Covered the 1977-1978 Coal Strike

Curtis Seltzer
1980, rev. June, 2024

A Stricken Strike

Coal miners traditionally are front-page news only when they strike or get blown up. The rest of the time, they're largely ignored.

Few reporters and even fewer editors make much effort to dig into the complexities of the industry's labor relations or the intricacies of the collective-bargaining process. When such issues move front and center on the national scene, most reporters are caught off guard. Unfortunately, that can set up a back-and-forth of misinformation and overreaction that affects everyone involved—miners, operators, government officials and the rest of us.

From December 6, 1977 to March 19, 1978, representatives of the United Mine Workers of America (UMW) and the Bituminous Coal Operators Association (BCOA) were negotiating terms of a new contract covering the 160,000 coal miners who work for the BCOA's 130 coal operators. Negotiations failed to produce an agreement by December 6th when the three-year contract expired. Strikers rejected two proposals. President Jimmy Carter began invoking a Taft-Hartley injunction on March 6th. The injunction materialized on March 9th and was thrown out of federal court on March 19th because the White House failed to prove the strike was causing harm of national significance. That "deadly embrace," as John L. Lewis once described a strike, lasted 110 days before a three-year contract was voted in on March 19th, 57 percent to 43 percent.

Explaining the snarly web of strike issues to the public was the responsibility of the news media. In general, the national press covered the strike superficially and simplistically. Both qualities led to reporting that was anti-miner by effect rather than intention. Some of this was due to laziness and pressure to file. But most stemmed from a lack of understanding of the industry's changing economics and unchanging history.

The importance of the press's short-comings was amplified by the Carter Administration's unfamiliarity with labor questions generally and coal industry issues specifically. Georgia has no coal mining today, though it had a few mines in its northwest corner worked by convict labor after the Civil War. Georgia has few unions. Early on, the Carter Administration relied on assurances and updates from UMW and BCOA leaders. When miners overwhelmingly rejected the first two settlement offers those sources had worked out, the White House team was enraged at the stubborn resistance of coal miners to being bent to a bogus national interest.

Within the administration, different agencies and individuals represented different and sometimes conflicting interests. But these players were united in the goal of getting miners back to work, the sooner the better.

Secretary of Energy James Schlesinger wanted to end the strike by whatever means it took. So, too, did Nixon-Democrat Robert Strauss, a prominent Washington lawyer from Texas who was Carter's Special Trade Representative. Secretary of Labor Ray Marshall, a pro-union advocate, was a lead mediator working with the two sides. He facilitated two rejected offers as his hospitalized son was losing an arm and shoulder to cancer. Marshall favored a federal mine seizure to end the stalemate, which the BCOA and Carter opposed.

The Carter White House was inexperienced in Washington and were rookies in managing a national crisis. Carter and his key Georgia advisers—domestic policy chief Stuart E. Eizenstat, chief aide Hamilton Jordan; press secretary Jody Powell and counsel Robert Lipshutz—lacked both knowledge and experience with organized labor, strikes and miners. They formed a chorus of frustration at the striking miners for failing to approve one offer after another. The White House relied on Harry Huge, a skilled and well-connected Washington lawyer with ties to the Union and its health and retirement fund, to guide the ineffectual UMW leadership in negotiations. The Federal Mediation and Conciliation Service sent Wayne Horowitz and William Hobgood into the fray to represent the Administration's interest in a settlement. This group of intervenors lacked insight and communication lines into the Union's rank and file where the decision to accept or reject an offer lay. They agreed on the need to protect the reliability of coal-based electric generation. They were united in wanting the strike to end; terms were not important, details to be negotiated. To the miners on strike, terms were what was important.

The Administration team lacked an understanding that the strikers saw the stoppage as a matter of bread-and-butter issues woven through with pride, dignity, history, manhood and hostility to being told what to do by those who would not live with the consequences of what they were telling others to do. The White House team bogged down in the idea that miners were stupid and irrational in rejecting two contracts. To them, the costs of a strike were much higher than hoped-for benefits. Miners saw resistance to the "takeaway" contract offers as a necessity, not as a cold calculation between costs and benefits.

The White House group became, as one of them put it, "almost totally dependent on what we read in the papers—*The New York Times* and *The Washington Post*—for knowing what was going on out there."

These two newspapers, along with *The Wall Street Journal*, often serve as Washington's interoffice memos. As such, they influence policymakers, and policymakers influence reporters and editors. In the coal strike, for instance, several reporters for *The Times* and *The Post* told Washington about the failure of collective bargaining. They blamed the Union's flawed leadership and its rank and file that defied "rational" logic. They told the country a long strike would create economic chaos. (See Doomsday Box.)

Much of the press came to function as both the White House's intelligence agency and its propagandist. As an intelligence agency, the press read miners about as well as the Johnson White House understood the North Vietnamese commitment to national unification. The results were about the same. The press as propagandist became the town crier for scare stories coming from the Administration.

Two settlements worked out by the lead players representing the institutional interests—UMW, BCOA and White House—failed when miners voted. Most reporters seem to share the frustration of the important people they interviewed over these "defeats." Every once in a while, a reporter saw that the strike's core fire was burning in the thousands of miners whom these leaders did not represent and to whom they were not talking. In reporting the deadlock, strikers too often became the enemy.

Reporters: Who, what, when, where, how and why

To understand how reporters covered the strike, it's necessary to understand a bit about reporters themselves—the shaping of attitudes that affect what they wrote or chose not to write—and a little of the labor-relations history that was the foundation of the 1977-1978 strike.

First, I should note that coverage of the strike had its bright spots. In general, reporters with coalfield experience, like *The Post*'s Ward Sinclair and Bill Peterson, did better at understanding what the strikers thought than those mired in middle-class, white-collar Washington and New York. They understood and explained the feelings that supported a long strike. A few specialized coal-oriented newsletters dug deeper than the dailies and weeklies. They obtained the texts of various demands and accurately assessed their impact. These publications had little effect on the coverage of the impasse or the public's perception of the event.

Washington reporters have little direct contact with coal miners in the land between the coasts. During the autocratic reign of John L. Lewis as UMW president from 1920 to 1960, what reporters understood of miners was filtered through his personality and his changing and often idiosyncratic agenda. He was great copy. His rhetoric was both Shakespearean and plain in meaning. His eyebrows—each larger than Groucho's mustache—intimidated opponents. However, both coal and Lewis began a twenty-five year fade in 1950 as mines mechanized, coal lost market share and the industry lost 75 percent of its workforce with the UMW dropping proportionately.

Press coverage of the UMW after 1950 was sparse until the late 1960s. Only when 78 miners were killed in a methane explosion at a Consolidation Coal mine in Farmington, West Virginia, in November, 1968, did the national press start paying attention to the industry and the Union. The disaster—first the explosion, then the futile rescue efforts, then the agonizing wait until officials sealed the mine as widows and children sobbed at the portal—was tailor-made for the media. So was Jock Yabonski's challenge to Lewis's successor, W. A. (Tony) Boyle, in 1969. Boyle was a dictator without Lewis's saving graces. Boyle paid for a trio of assassins to murder Yablonski, his wife and daughter three weeks after the December 9th election that he won amid valid charges of corruption and voting irregularities.

In their ensuing battle to win a court order for a re-run of the 1969 election and then in the 1972 election itself, rank-and-file insurgents got extremely favorable press coverage. They were the deserving underdogs in a righteous fight to overthrow a tinhorn tyrant who murdered a rival and sold out his members in the contracts he negotiated. Brit Hume wrote *Death and the Mines: Rebellion and Murder in the United Mine Workers* (1971) that told much of this story into 1971.

The press turnaround was no accident. The squeaky-clean image of

Miners for Democracy (MFD), the successor to the Yablonski campaign, and its three up-from-the-ranks candidates with Arnold Miller at the top was shrewdly managed by Don Stillman, a Columbia Journalism School graduate who briefly worked as a *Wall Street Journal* reporter before teaching journalism at West Virginia University. With MFD campaign director Edgar James, Stillman produced *The Miner's Voice*, a tabloid that regularly exposed the transgressions of the Boyle regime and heavily influenced the views of sympathetic reporters. As the 1972 MFD campaign developed, Stillman and James were joined by Bernard Aronson, a veteran of the Appalachian poverty wars who was a reporter in Beckley, West Virginia.

In the wake of the MFD's victory over Boyle, MFD staff moved into UMW positions. Aronson became Arnold Miller's press secretary; Stillman edited the *UMW Journal*; James was a key administrative assistant to Mike Trbovich, vice president. Lawyer Richard Bank was Miller's top assistant and adviser. Thomas N. Bethell, a quick-witted journalist with anti-poverty experience in East Kentucky, was named research director. Chip Yablonski and several other MFD lawyers became the Union's legal department. Collectively, these young, college-educated advocates from America's cities and suburbs were referred to as "the staff."

Friendships developed between the articulate staff and reporters who covered the intra-Union conflict that led to Miller's defeat of Boyle in the 1972 court-ordered presidential election. These friendships continued as Miller took office amid high expectations. But two major flaws developed in reporters depending largely on the staff for interpreting events.

First, it was easy for reporters to continue seeing the UMW as a story of personalities. Miller, good; Boyle, bad. Miller became besieged, overwhelmed and ineffective; Trbovich, whom Miller defeated as the MFD's presidential candidate in 1972, became actively hostile, accusing Miller's staff of being left-wing radicals. Gossip about reformers having troubles shaped subsequent reporting of Miller's handling of wildcat strikes and the 1974 contract negotiations.

Reporters—with exceptions—for the most part knew few of the lesser figures in the UMW headquarters hierarchy or district officials from Pennsylvania to Utah. However, a Boyle loyalist—Kentuckian Lee Roy Patterson—was a Trbovich ally who became an oft-quoted Miller critic. Patterson ran against Miller in the 1977 presidential election and lost. Without solid contacts in local unions, reporters could not accurately judge whether the Union was being strengthened or weakened by the abrupt democratic reforms taking place. By continuing to emphasize personalities, reporters on deadline could sidestep the difficult job of developing a representative network of rank-and-file miners to provide ground-level perspectives on issues that would make or break the Union's internal changes, wildcat strikes and several contract offers.

Second, without sufficient coalfield sources, many reporters accepted the opinions of Union and BCOA leaders when conflicts arose. Dozens of wildcat strikes erupted in the coalfields in the mid-1970s over a variety of issues. The institutionalists, both Union and company, opposed these strikes. They framed coverage until reporters went into the coalfields and started interviewing miners who explained why they were forgoing paychecks. In part, these wildcat strikes were an insurgency against the Union insurgents now in office. This complicated the story of union reform.

The rebellion that launched the Yablonski campaign and the MFD did not end with Miller's election and his incumbency. The Union's membership and the industry itself were changing rapidly. Coal mining was finally recovering from the quarter-century of semi-stagnation that followed WW II. The 22-year-old partnership between the BCOA and the UMW under Lewis and then Boyle ended with the MFD election and the internal reforms that followed.

The rank and file began trying out new ideas in their workplaces and Union halls. Thousands of experienced miners—many disabled with pneumoconiosis and, more broadly, black-lung disease—had to retire in the late 1960s and 1970s. They were replaced by young men who saw their world differently. Some had served in Vietnam. Others had seen something of the country beyond the coalfields. Encouraged by union democracy, they began demanding more control over their workplaces and communities. The coal operators were locked into labor-relations attitudes formed 50 years earlier. They resisted. Wildcat strikes broke out. Taking advantage of the traditional refusal of miners to cross a picket line, a small number of miners could—and did—shut down whole regions. They struck over safety, compulsory shift rotation, gasoline rationing, seniority rights, Black Lung legislation, cutbacks in their health benefits, the right to strike and court orders enjoining them from striking. Miller opposed these strikes as did the companies.

Miners had not stood up for themselves under Lewis and Boyle. When Lewis and the BCOA negotiated their first national contract in 1950, a kind of industrial martial law settled over those who still clung to jobs. The operators abandoned their efforts to destroy the UMW as an institution in favor of using it with Lewis's assistance. Lewis, 70-years-old in 1950, agreed with the operators on the need to cut labor costs through underground mechanization and surface mining. He became an active partner in encouraging concentration within the industry as the big companies bought smaller competitors and substituted machines for labor.

Mechanization meant laying off almost 300,000 miners between 1950 and 1970. The operators who were trying to survive the loss of markets to other fuels could not be very concerned with what those jobless men did with their lives. Lewis looked the other way, because he saw the industry going through a necessary modernization that gave him an opening to save what might be left of the UMW-organized sector and whatever jobs remained. A fair question is: In 1950, did Lewis have alternatives? Probably not.

Miners who were still working were grateful not to be out in the street. They weren't about to raise hell with anybody about anything. It's no surprise that when Lewis retired in 1960, the operators gave him a sumptuous farewell dinner. By 1977 in advance of the second Miller contract proposal, they would have burned incense in their board rooms if that would have brought the 1950 Lewis back into their lives. Lewis died in 1969 at 89 years, cursing Boyle and washing his hands of the last years of his legacy.

Employers wanted "Labor Stability" in the new contract

"Labor stability" was the voguish phrase that represented the BCOA's goal in the 1977-1978 negotiations. It had a nice, positive, no-one-could-be-against it ring. Reporters used it freely as representing the public interest. But "labor stability" as the BCOA knew it under Lewis and Boyle meant the Union sat on its members and stifled their concerns. When a BCOA spokesman told *The Wall Street Journal* in November, 1977, that "the industry has always maintained that it wants a strong union," he was not talking about the independent strength that miners had demonstrated periodically beginning with the 1969 Yablonski campaign and the wildcat strikes under Miller. The operators had made little effort to change how they dealt with their employees. They looked to Miller to keep the lid on and the fire out. But the turbulence let loose in the mines by democratic rhetoric, demographic changes, a decent 1974 contract and a national culture in turmoil over the Vietnam War and Watergate would have shed even the heavy thumb of John L. Lewis. This multi-faceted upheaval was the central issue in the coalfields in the eight years leading up to the December 6, 1977 expiration of the1974 contract. The expectations of the workforce had been encouraged to rise. The mine operators had no play other than to say No. Hostilities, both small and extended, resulted.

Reporters who knew little or nothing of the history of the industry and the coalfields looked for clarity and a ready explanation for what "people in the know" described as rebellion and anarchy. They found many fingers pointing at Arnold Miller, the person easiest to blame for the mess and not without some justification.

Miller's father started working in a coal mine in Bell County, Kentucky, at the age of nine. Both his father and grandfather were blacklisted for union activity. Miller grew up in a tiny coal camp on Cabin Creek not far from Charleston, West Virginia. Raised by his grandparents, he quit school at 16 after the ninth grade and began working underground with his grandfather in 1939 hand-loading coal for 77 cents a ton. During WW II, he was trained as a machine-gunner. In the Normandy invasion, a German machine gun severely wounded him. He suffered facial wounds, lost most of one ear and spent 23 months in military hospitals enduring 20 surgeries. He started mining again in the late 1940s. He was elected president of his local union 2903. After more than 20 years in the mines, he was diagnosed with pneumoconiosis and had to quit his job in 1970.

He caught on with Designs for Rural Action (DRA), a community-organizing effort in Charleston that introduced him to college-educated "come-heres" whose ideas fit with his activist heritage. In the late 1960s, he became active in the Black Lung Association (BLA), a grass-roots organization, loosely aligned with DRA, which was organizing victims and campaigning for better dust control and a compensation program for miners disabled with the lung disease. Many of the staff that Miller brought into the UMW first met him through their work with the BLA-DRA. He was fifty in 1972 when he beat incumbent W. A. (Tony) Boyle for the UMW presidency.

Miller was a decent fellow, well-intentioned and committed to making the Union serve its members. But he lacked systematic education and was inexperienced in running any institution, let alone one that had to perform competently with a restive membership and hostile employers. As pressures increased, he increasingly lacked confidence in his own judgment and ability.

In his first years, Miller led the Union to adopt democratic reforms that worked and which were his legacy. Boyle loyalists opposed these changes. The mounting number and intensity of intra-Union challenges and the complexity of negotiating contracts in 1974 and 1977 required better leadership skills than he had. By 1977-1978, Miller was absenting himself when pressures mounted. Decisions were left hanging. Sometimes, he would drive around the Washington Beltway to find calmness and activate his overload-reset button. In office, he procrastinated and was indecisive.

Most of the original MFD staff had left by then. Stillman quit to become director of publications for the United Auto Workers in 1975; Aronson was fired in 1976; James left to work for Steelworker insurgent Ed Sadlowski; Bank, Bethell and Yablonski, among others—bailed before the 1977 presidential election or the contract negotiations that began in December. Their replacements were less talented and less connected to reporters by class and politics.

The conservative opposition—Boyle loyalists, Miller opponents, ambitious politicians—gathered around Lee Roy Patterson who lost the 1977 presidential election to Miller and Sam Church, an authoritarian brawler who wanted to be UMW president. Miller subsequently suffered two heart attacks and retired from office in 1979 under blatant pressure from Church, his vice president.

Miller, as the scapegoat target, grew larger as things got worse. Reporters found his leadership inadequacies to be a good story handle and a simple explanation of why the industry's labor relations were more chaotic than a barrel of otters. Stories quoted "reliable sources," often the departed staff. As the election came and the contract deadline came closer, stories appeared that dwelled on Miller's flaws of character and ability, along with the plight of the Union without its talented staff. More substantive problems the Union had not solved—organizing western surface mines and non-Union mines in Appalachia, straightening out the operation and financing of the UMW Health and Retirement Funds and protecting job rights—were underreported and obscured. A re-reading of the coverage of UMW affairs going into the 1977 strike leaves the impression that union democracy had somehow enfranchised lunatics who had elected nincompoops.

Coal industry stability?

The BCOA's workforce had been disruptively volatile in the 1970s. It started in 1969 with the Yablonski campaign and the West Virginia wildcat strike for a state black-lung compensation law. Efficient mining depends on both equipment and labor operating predictably and dependably. When labor doesn't work, predictability is kinked. Workforce disruptions foul up mining operations and the promised supply of coal to consumers.

The BCOA had valid concerns. Wildcat strikes, absenteeism, demographic shifts in the workforce, worker attitudes and other laborcentric issues had indeed disrupted the predictability of coal production, particularly in the mid-1970s.

But stability was a two-way street. The employer side needed stabilizing as well.

From a miner's point of view, coal employment was often chancy and unreliable. Coal had to compete against oil, natural gas and nuclear energy in the electric-utility, steam-coal market. When a utility switched to oil or gas, its coal suppliers lost sales and their miners lost work. Environmental regulations on coal combustion added costs to utilities and made alternative energies more cost-competitive, which meant layoffs and shutdowns in mining. When mines worked out coal seams, they closed and their workers were without work. In 1977, miners also remembered that 75 percent of the workforce had been dis-employed between 1950 and 1970 as a result of underground mechanization and surface mining.

Safety regulations added costs to production and, probably, forced the closure of some high-cost small mines. Injuries disrupted predictable employment. In 1973, for example, coal mining recorded more than 10,000 nonfatal disabling injuries and more than 14,000 nondisabling injuries in a workforce of 147,000 miners. In 1977, nonfatal disabling injuries were almost 14,000. Pneumoconiosis, other coal-mining-related respiratory diseases and recurring physical injuries (strains, sprains, cuts, etc.) led to days off for sick leave and absenteeism.

In 1974, surface-mining of coal exceeded underground production for the first time, 326 million tons to 277 million tons. Low-cost western surface mines forced some high-cost, eastern UMW-organized mines to shut down. Western surface mines were mostly non-UMW and had much lower pension obligations. Western production encouraged large eastern producers to invest in productivity-boosting, labor-reducing technologies, including mountain- top removal surface mines and underground longwall systems. Even as national coal production was increasing, productivity began to increase faster, which meant fewer workers were producing each million tons.

As workforce disruptions exploded in the 1970s, UMW-organized companies started adopting strategies to end their UMW contracts. New mines were opened free of UMW representation. Double-breasting appeared, with one part of a company UMW-organized and another operation non-UMW. Oil companies were buying coal companies. Utilities were opening their own non-UMW mining operations. Uncertain demand and unsteady supply conditions made for unstable employment for individual miners, particularly in older, eastern underground mines with UMW contracts.

As a whole, coal mining was in need of stabilization apart from feisty workers rebelling against their conditions of life and work. The mining industry had never been very stable in terms of markets and employment. The BCOA was having internal disputes over how to manage its workers and whether to continue bargaining with the UMW and to what extent. It's not unreasonable to believe that the unstable conditions of employment in which miners found themselves created, at least in part, the "labor instability" they created to address their situation. This relationship between cause and effect was not reported.

First proposals

As the December 6th expiration neared, BCOA leaders met in their headquarters on the third floor of the World Center Building in Washington where they began assembling a bargaining strategy for the new contract. Profitable coal mining depends on dependability in markets, capital, equipment, geology and especially labor. The oil embargo of 1973 had been a one-time windfall for coal. It allowed producers to jack up prices in line with rising oil prices. (Competitive pricing between fuels had become such an outmoded concept that Continental Oil executive Howard Hardesty was surprised to be asked about it in Congressional hearings. Continental bought Consolidation Coal Company, the dominant BCOA producer in 1966. Both companies were sold to E. I. du Pont de Nemours & Co. in 1981.)

But super-profitable prices were unreachable ripe grapes if miners were not digging coal out of the ground. Since 1974, BCOA producers had lost millions of workdays to wildcat strikes and absenteeism. (They also lost millions of work days from injuries, but that was rarely mentioned.) Utilities—coal's biggest customer—had grown restive over the failure of their suppliers to deliver coal when it was expected. Coal profits plateaued and then slumped. Unless the industry could settle labor, it was unlikely to be able to exploit the profit built into the Nation's goal of doubling coal production by 1985. BCOA members were ready to retrench. They now saw the 1974 contract, which in money terms was the most expensive miners had ever won, as having produced nothing but rising expectations and chaos. BCOA hard-liners would call the shots in the 1977-1978 negotiations.

The BCOA, led by Consol and U.S. Steel, developed a package of "labor stability" demands early in the negotiations from which it did not deviate until mid-February when BCOA began to lose control of the strike. The package would have given employers the absolute right to discharge a miner for unauthorized strike activity. Simply encouraging a strike would be enough to be fired. Cash penalties of up to $200 a month were to be imposed against chronic absentees and strikers. Operators would be allowed to establish production-incentive plans that amounted to corner-cutting speed-ups. The powers of the UMW safety committee at each mine were to be weakened.

Coupled with these measures was a phasing out of the UMW's health-care system. All working miners were to be switched to private insurance plans the operators arranged. Miners were to pay up to several hundred dollars in annual deductibles for medical care that was once covered without charge by a UMW-BCOA negotiated fee based on coal produced. The miners' clinics would inevitably be reduced in number and services. Health benefits were "guaranteed" only on condition that wildcat strikers would pay $20-per-day fines to the Funds.

In contrast, the UMW's 1976 convention had endorsed a complex and largely attainable set of contract proposals, many intended to ameliorate friction at the mines. BCOA rejected them out of hand.

Two full months after the contract expired on December 6th, negotiators agreed on a proposal that incorporated almost all of BCOA's original demands. Miners called it a "takeaway" contract, which, indeed, it was. The UMW's Bargaining Council promptly rejected it 30 to 6.

This first proposal reflected the uneven match at the bargaining table. Miller and his team had been on the defensive since the start. But that was only part of it.

To impose "labor stability" on the miners, BCOA was willing to sit out a long winter of "labor instability," conveniently blamed on Miller's ineptness and his membership's pig-headed irrationality. It is not inaccurate to say the operators locked out their miners on December 6th. But reporters and the public at large were conditioned to frame the event as a strike, which technically it was. Miners were conditioned to follow a simple rule over a hundred years: No contract; no work. The press covered the 110-day joint breakdown as if it was the miners who were controlling events when the reverse was more the truth.

The BCOA's willingness to keep the mines closed through February was directly connected to current market conditions for coal. Utilities had accumulated unprecedented stockpiles of steam-coal they used to generate electricity. Press reports in early December revealed that utilities had banked stockpiles ranging from 90 to 120 days; steel producers had banked 50- to 75-day supplies. Steel's demand for coking coal—the industry's second principal market—was low both domestically and internationally. (U. S. Steel's hardline vice president, Bruce Johnston, who led BCOA bargaining for months, was aware of reduced need for coking coal based on reduced demand for steel.) A long strike would draw down inflated stockpiles. If left undisturbed for a long time, stockpiles lost some energy content to weathering and presented a risk of spontaneous combustion. A long strike would help BCOA operators by strengthening demand and boosting prices.

Securities analysts on Wall Street understood supply-demand mechanics. Jack Kawa of Wheat First Securities told a meeting of analysts in the fall of 1977 that BCOA's best strategy would be to "prolong the strike as long as possible…before the government intervenes." Talking to industry representatives, he concluded they "probably wouldn't mind a six-month strike, and with some justification." It might take that long to turn up the jets on the supply-demand machine.

The Wall Street Journal and *Business Week* reported the connection between BCOA's inflexibility and market economics. But most coverage paid little attention to either the historical or the economic context of the strike. As weeks passed, Miller-blaming and miner-blaming substituted for analysis.

Ben A. Franklin of *The New York Times* generally led this charge. Here he is on February 14th telling *Times* readers: "Both sides in the chaotic coal negotiations now agree that Arnold R. Miller, the president of the United Mine Workers, has been a distracting if not disruptive influence on the bumpy efforts to reach settlement." In a 30-inch story, Franklin does not quote a single UMW source, even anonymously, to support his lede. In fact, he doesn't quote a single UMW source by name anywhere in the story. Then on March 5th, he practices anthropology without a license as he posits the "Celtic ethnicity…the Anglo-Saxon, not to say Druid, heritage of southern mountain coal towns." With a contract finally accepted, he remounts his favorite hobbyhorse, writing that it was Miller's "inability to lead his membership [that was] the main cause of this year's coal paralysis." (*NYT*, 3/29/1978.)

When the UMW bargaining council voted 30-6 to reject the first tentative proposal, writers like Helen Dewar, *The Washington Post*'s labor reporter, called the vote "a stunning defeat for Miller, under whose five-year stewardship the union has moved from authoritarian rule to near-anarchy…." (*WP*, 2/13/1978.) The rejection should also be seen as a vote against the BCOA's draconian "labor stability" demands.

It was also likely that Miller, who was not stupid about negotiating, was willing to live with a rejection to strengthen his hand going forward. Five years earlier, the press might have applauded the council's action as constitutional, democratic decision-making. But in the middle of what the White House and editorial writers alike were calling a "national crisis," the rejection was dismissed as "near anarchy."

When more than 100,000 miners peacefully voted down the second proposed contract in early March by 2 to 1, Dewar described the UMW as being "in a state of virtual anarchy and open rebellion against its president." (*WP*, 3/6/1978.) In fact, all the membership had done was peacefully say no to a bad offer. Anarchy and rebellion were in the mind of Dewar and reporters who took the same line. Working-miners voting on a contract was a democratic right in the UMW, not anarchy.

Inasmuch as the White House team had a big role in concocting both of the first two proposals, rejection implicated and tarnished the Carter Administration. In response, the White House began seeking a Taft-Hartley injunction to force strikers back to work. Strike leaders can be fined and jailed for "continuing" an enjoined strike but nothing can be done to strikers who stay at home watching their own soap opera.

Stories citing anarchy and rebellion did little to explain what was really wrong at the bargaining table. Miller had been pressured to propose two offers that his membership wanted no part of. Arguably, he should have told the White House intervenors to stop siding with the BCOA in their drive to end the walkout. It was no secret that Miller could be boxed into terms that his members would reject. Both the White House team and the operators, however, convinced themselves that no matter how ineffectual UMW leadership was at the table, some how, someway, Miller would be able to force-feed an obviously unpalatable contract to his members who were intimately aware of how each term would affect them. The White House and the BCOA could bully Miller into taking their offers to his members, but they had no effective way of browbeating the miners into accepting them.

The UMW membership kept finding things in the early proposals that many reporters continued to miss. The "paralysis" that Franklin and others blamed on Miller could just as well be blamed on industry hard-liners who agreed with the White House on the "national" need for "labor stability." Reporters are white-collar workers. Some are unionized. Few, if any, work under rules that tell them comprehensively how to do their jobs and what they are and are not permitted to do. The BCOA's package of rules would affect every miner every work day. It took time for that to register with reporters who, unlike Bill Peterson and Ward Sinclair of *The Washington Post*, did not rise to a national platform from a coalfield paper.

The BCOA-White House package was the cause of the rebellion, which was directed at Miller, the BCOA and Carter. This wasn't anarchy. It was clear thinking about what a miner could live with and what was beyond the pale. It wasn't anarchy when they sent a clear message to the Washington bargainers through their constitutional procedures to come up with a fair contract. That message was sent through the proper channels, first, through the UMW bargaining council and then by a membership vote. In comparison, the BCOA was run by Consol and U.S. Steel through most of the strike in a three-way tag team with the White House. As the strike dragged on, reporters drifted into the coalfields to interview miners. A similar expeditionary force was not assigned to interview the BCOA members or probe the White House where Ray Marshall was fighting the White House Georgians and their allies in the Federal Mediation and Conciliation Service.

Reporters used "labor stability" as the key to open the lock of negotiations. They did not define the term so readers would understand its implications. And they were not careful in how they used the term. In time, it came to sound like motherhood and the flag. It became an idea that nobody—not even a demented Druid—should reasonably oppose. After all, who could reasonably argue for "labor instability?" Lost in this was a miner's interest in having a stable job, a stable income, a stable workplace and a stable set of expectations about his life and work.

Forgotten in reporting was the BCOA origin of "labor stability." The phrase segued through repeated usage to mean consolidation of a complicated set of issues and disagreements into a beguilingly facile and quickly comprehended thought: Instability of labor is the problem, therefore stabilizing labor is the solution. Missing from this image is acknowledgement that it takes two to produce instability. Coal miners and people generally protest for reasons that are real to them. The causes of "labor instability" were rarely understood and infrequently explained.

Steve Shapiro, a UMW local president in southern West Virginia, managed to get an op-ed published in *The Times* where he explained that "many coal miners have come to see the wildcat strike as the only means available to them to enforce their contractual job rights." (*NYT*, 2/3/1978.) There's no evidence that Ben Franklin gave weight to the first-hand observations Shapiro shared with his paper's readers. "Labor stability" was pitched before and during the strike began as a neutral demand with generalized acceptability as in: "Management will demand union pledges of increased labor stability in return for granting any economic gains," and "…the rejected contract included labor stability…." (*WSJ*, 10/7/1977; *WP*, 2/13/1978.) The way that the BCOA's punitive package of "stabilizing" changes would change the balance of power between employer and employees was rarely discussed.

Only after the bargaining council dumped the first proposal on February 12th, did a few stories emerge that analyzed the broad implications of the BCOA's agenda on the workforce and the coalfields. Both *The Wall Street Journal* and *Business Week* ran thoughtful stories suggesting the mine owners were overreaching. In their February 24th *WSJ* story, David Ignatius and George Getschow noted when bargaining began "ambitious industry bargainers felt the time was ripe for a fundamental reshaping of labor relations in the troubled coalfields." They suggested "collective bargaining itself may be unsuited to such basic changes in the culture of the coalfields as were contemplated by the industry and some union bargainers." They quoted miners as saying the bargaining council had been confronted with a "takeaway" contract that tried to "change the whole working situation at one time."

Business Week in its March 6th issue echoed *The Journal*, telling readers "the operators tried to change the culture of the Appalachian coalfields through a labor contract." Coal miners saw the proposed new "labor stability" provisions as nothing more than "company efforts to take away controls the miners have over their jobs."

John Hoerr and Bob Arnold writing for *Business Week* had covered coal and its miners for several years—Hoerr for Pittsburgh's WQED and Arnold for *The Wall Street Journal* during the 1974 contract negotiations. They had developed extensive sources on both sides, including rank-and-file miners. Their writing reflected the breadth of their sources. Getschow, Arnold's successor at *The Journal*'s Pittsburgh bureau, wrote cautiously and analytically. He consistently did a better job in understanding the bargaining than *The Times* or Dewar, *The Post*'s labor reporter. Getschow told me he owed his skepticism about bargaining pieties and White House predictions of apocalypse to his bureau chief, Barney Calame: "He warned me to be careful not to overreach for conclusions at every step of the way," Getschow said.

It's ironic that readers of the business press got a good look at the one-sidedness of the "labor stability" issue while readers of general newspapers tended to be washed in stories that accepted it as neutral in meaning. Looking back, several reporters and editors familiar with the story gave credit to the business-press reporters not only for developing a reliable network of sources but for digging into the contract's details and implications, which is what the rank-and-file were doing.

In contrast, the three reporters whose coverage probably had the most general influence across the coalfields—Franklin of *The Times*, Ann Hughey of *The Charleston Gazette* and John Moody of *The Pittsburgh Post-Gazette*—often worked together in Franklin's Washington office, sharing each other's sources and notes, reading the tea leaves together. This isn't to say that each didn't have his or her own sources. It isn't to say they couldn't think individually. It is to say the danger in "pack journalism"—as several fellow reporters termed it—is consensus interpretations for better or worse. The three papers gave scant coverage to the complexities of the "labor-stability" package and appeared to have considered it as less important than it was to UMW members. Miners in West Virginia and western Pennsylvania who were looking for insights on the bargaining were at a disadvantage unless they subscribed to *The Journal* or *Business Week*. Not many did.

No Fun with The Fund

Just as "labor stability" had uneven coverage, the other main issue in the negotiations—refinancing the troubled UMW Health and Retirement Fund—was often oversimplified. Inarguably, the Fund had run short of money during the term of the 1974-1977 UMW-BCOA contract. Most stories attributed the major cause of the shortfall to wildcat strikes. For example, *The Post* on February 7th said "the funds dried up when production stopped in wildcat strikes." And on February 15th, *The Post*'s Dewar and Edward Walsh repeated this conclusion: "…the rash of wildcat strikes…depleted the health and pension funds last fall."

Throughout the crisis, only one story looked at the Fund's financial problem in depth. In a lengthy analysis that ran in *The Wall Street Journal* on December 1, 1977, Getschow took apart the BCOA's claim that the Fund "would be solvent today" if there hadn't been so many wildcat strikes. He found the actual income loss from such strikes "represents only about 5 percent of the funds' total projected income of nearly $2 billion over three years. That 'wasn't enough in and of itself to cause a problem'" said Paul Jackson, a consultant to Wyatt Company, a Washington actuarial firm.

As Getschow reported, the more important reasons for the cash-flow deficit at the Fund included its historical underfunding throughout the 1950s and 1960s when its costs increased while the tonnage royalty remained unchanged; Lewis's failure to demand that BCOA operators guarantee medical benefits; rampant inflation in medical costs; inaccurate projections by 1974 negotiators of UMW-BCOA production that determined the royalty dollars paid to the Fund; and the absence of cost controls within the Fund's administration. Getschow found the BCOA was demanding the Union give up its key role in the health care of its members by letting employers switch to company-administered plans, which would also end first-dollar coverage. (I wrote a piece on the Fund's financing and services that appeared in December, 1977: Curtis Seltzer, "Health Care by the Ton," *Health/PAC Bulletin*, no. 79 (1977), pp. 1–8, 25–32.)

The BCOA's Fund proposals would end a system that had worked for almost 30 years, though not without cuts as coal production stagnated and medical costs rose. The BCOA's changes would dismantle Lewis's monument and strip the UMW of its most effective organizing incentive. Over the years, miners valued the UMW because of its promise of near-comprehensive medical coverage through the UMW-Fund's medical card. Now the BCOA wanted to make it clear that management, not the Union, provided health care and pensions such as they would be.

It was primarily for this reason that the mine owners were so insistent on changing the health-care system. It would give them a near-existential threat to miners and their families. The possibility of ending medical care was a way to control their workforce. By phasing out the Funds, more than three dozen Fund-supported coalfield clinics that were set up in the 1950s and 1960s would either be closed or cut back. Thousands of people used these clinics. The BCOA wanted to end the clinics' Fund-negotiated retainers, which enabled them to provide a range of preventive and public-health services. A switch to fee-for-service care would degrade the quality and accessibility of coalfield health care. It would shift miners from full coverage to a system of cost-share deductibles on physician care that would discourage preventive medicine and lead to expensive cost-shared hospitalizations. It was no secret that BCOA employers would predictably pay less under the cost-share system than under the existing Fund program.

The major papers did not explain the likely impacts of the BCOA's proposal to eliminate the health and pension fund, save for a stringer piece by Jim Branscome in *The Post* on December 8th.. Small-circulation publications like Tom Bethell's *Coal Patrol*, *The Mountain Eagle* (Kentucky) and *Health/Pac Bulletin* did the needed analysis, but their perspectives made little impact on the big dailies and national magazines. It was not until the end of February that *The Post* ran a story by Ward Sinclair on how the pruning of the clinics would affect the coalfields. Lance Gay wrote a similarly perceptive piece in March. (*The Washington Star*, 3/5/1978.) It was a full two months **after the strike was settled** before *The Times* carried an informative Franklin story on the clinics' struggle to survive the cutbacks.

Most of the reporting related to the reconfiguring of the miners' health and retirement system paid little attention to the prominent—but officially backstage—role Harry Huge played in the negotiations. He was the Fund trustee who was forced to resign in December owing to his open participation in the bargaining. His role in the talks violated the legal separateness between the Union and the Fund. The White House used Huge to insert its single interest—back to work—into the negotiations. Huge is a bright, glib, White House-connected Washington lawyer who presided over a three-year crisis at the Fund. At Arnold & Porter, Huge brought *Blankenship v. Boyle* (1971), the successful class-action suit that stopped the Boyle-led UMW from wrongfully using Fund resources. A conspiracy was found, and $11.5 million in damages were imposed. *Blankenship* lifted Huge into the MFD's good graces. Miller appointed him as the UMW trustee at the Fund. During the 1977-1978 negotiations, the White House came to rely on the ever-present Huge as their liaison to the Union's bargaining team. Huge often spoke for Miller at the bargaining table and at the White House.

The mid-1970s breakdown at the Fund under Huge was as least as severe and important in its own terms as the breakdown in the UMW. It's instructive to see how differently the press treated each story.

Miller was readily and conveniently dismissed as inept and paranoid, characterizations that were honestly earned. Huge, the handsome lawyer from a powerful firm, escaped unexamined and uncharacterized. A few stories hinted that Huge, no longer a Fund Trustee, not Arnold Miller, negotiated the first rejected contract with the BCOA as Getschow and BCOA sources told me outright. Huge made himself generally inaccessible to reporters and his role went generally unreported. All the evidence suggests that Huge, as much as anyone, was the architect of the three-month-long bargaining fiasco.

Huge played a key role in the White House/FMCS tactic to work up a separate contract during the BCOA-UMW negotiations with a Gulf Oil coal subsidiary, Pittsburg & Midway Coal Mining Co. P&M, a Midwestern producer, was not a BCOA member but usually followed BCOA terms. Huge and the White House thought a less punitive P&M contract could break the deadlock and set a pattern for the BCOA as a whole. While the UMW bargaining council approved the P&M contract, it flopped because too many terms were still unacceptable to the Union's strikers. The health and retirement benefits—the BCOA's $700 maximum medical deductible, among others—was a major point of rejection. P&M's 700 miners were less militant than those in Appalachia where most of the UMW's membership worked. The improvements in the P&M contract were not good enough to offset the takeaways and costs. Huge, a lawyer who was described by one of the Union negotiators as "the kind of Washington son-of-a-bitch who can run through a downpour without getting his suit wet" scooted through the P&M failure without the major papers landing a sprinkle on him.

Coverage of the health-benefits issues raises disturbing questions for the future. It was a tangle, tough to understand and tough to explain. It could not be boiled down to a few off-the-shelf phrases without distorting or cheapening the implications of various proposals. For Washington readers, it seemed opaque and obscure. Editors had trouble with the complexities. When *The Post*'s Ward Sinclair, who had come up through *The Louisville Times* and *The Louisville Courier-Journal*, wrote an enlightening analysis late in the strike, *The Post* sat on his story and finally ran it only after miners had voted to end the walkout.

It's hard to avoid concluding the Fund issue was simply shunted to one side while easier stories regarding hourly pay and personalities stayed in the foreground. Readers were poorly served by this inversion. Government policymakers and intervenors were especially handicapped since the lack of coverage confirmed their suspicions that anarchistic miners were the only obstacle they had to overcome. They became blind to the reality that the basic interests of those miners, unruly for unfathomable reasons, were being systematically chewed up and spat out at the bargaining table.

Asymmetry in Action

In any major strike, there may be more than two parties involved in the dispute. In this case, there were four—miners, who themselves were somewhat divided; UMW negotiators, who themselves were somewhat divided; BCOA operators, who themselves were somewhat divided; and the White House, which was mostly united with the exception of Labor Secretary Ray Marshall who best understood UMW miners. Each of the four tried to shape reporting to benefit its interests. Nothing wrong with that. Reporters expect it. But the competition among the four to be heard was unequal because the four actors had asymmetrical access to reporters that led to asymmetrical presentation of their positions. Coverage was stacked against miners out in Appalachian hollers and on Illinois flatland. Their story was inconvenient to get. Reporters told it for the most part in simplistic stereotypes, or not at all.

In theory and often in practice, union negotiators and the rank and file share goals and have the same story to tell. But Miller and his membership were fractured. They had internal problems apart from Miller's leadership weaknesses. For one, vice-president Mike Trbovich, still smarting over the MFD nominating Miller for its presidential candidate in 1972, sniped at Miller's actions and encouraged contract opponents. He promoted division and sought to undermine Miller.

In June, 1977, Miller was narrowly re-elected because the opposition vote was split between his two challengers, Harry Patrick, his secretary-treasurer and Lee Roy Patterson, a Boyle loyalist. An estimated 64 percent of all working UMW miners voted against Miller. Only the votes of pensioners saved him. (*Coal Patrol*, 6/17/1977.) But pensioners don't vote on contracts. Many working miners distrusted Miller for assorted reasons—lack of leadership charisma, dependence on staff outsiders, gossip regarding his ineffectiveness, inability to unite internal factions, opposition to wildcat strikes, worries over the future of their health care and pensions and concerns over non-union coal. It was also true that the membership itself was divided over these issues and others. A general feeling emerged on December 6th that the Union was bargaining from a position of weakness and the new contract would offer a modest pay raise packaged with broad cuts and punitive measures. Miners used the term "sell-out" to describe the first proposal, which the bargaining council rejected.

When union leadership is not one with the membership, the rank and file has no institutional or official voice. Miners had no press secretaries to explain their views to puzzled reporters. They had no Washington office or lawyers to represent them. Each miner interviewed was taken to represent all the rest who were not. The most important point the interviewees wanted to make was that they were rejecting the proposed contracts as they emerged from the negotiations. So those who were interviewed burned the proposed contracts for the cameras. That was a quick, effective way to make a point. A small fire guaranteed the reporter got TV air time. Miners quickly learned that fire attracts cameras, so they began lighting up at the first sign of a camera. It became a ritual.

Soon it became a ritual that trapped both miners and reporters. Strikers would shout generalities about the allegedly worthless document they were torching, and reporters would jot down something about the ugly mood. Specifics went up in smoke. Each side came to produce what the other side wanted. Miners got publicity, albeit self-defeating publicity. TV reporters got a flaming story. On the news, the spectacle communicated to the public that miners were volatile, irrational, and abnormally fond of paper fires.

That's not to say the UMW negotiators who were equipped with press spokespersons did much better. The capable press staff that had come to the UMW with Miller in 1972 was long gone. In 1977, reporters soon figured out that the UMW official press representative, Paul Fortney, knew very little about what was going on in the negotiations and was authorized to say even less. UMW negotiators were generally unavailable to reporters. Those few reporters, such as *Business Week*'s John Hoerr who had direct access to second-tier UMW officials based on years of keeping in touch, found them to be angry, confused, bewildered and often bitter about Miller, Huge and their window-dressing roles. Scattered off-the-record revelations contributed to the prevailing conventional wisdom the UMW team was beyond hope. It was notable that none of the BCOA negotiators were as candid with reporters about their own internal divisions and disarray.

BCOA had, in fact, learned the fundamentals of modern public relations by 1977 and applied them with skill. If a reporter wanted to know about wildcat strikes, for example, BCOA statistics were instantly available. In 1974, the UMW buried the BCOA and reporters with position papers and the data to back them up. In 1977, the numbers came from the companies. BCOA even hired a vice president for public relations, a near revolutionary act in the coal industry. Morris Feibusch was an affable, easy-going man who was often seen dining in Washington with various reporters like *The Times*'s Franklin. Both were doing their jobs, and there's nothing wrong with that. In subtle ways, Feibusch defined the terms of the negotiations for many in the national press. He was plausible. He would readily admit that some coal operators came on like acolytes of Genghis Khan. But he conveyed the idea they were a small and declining minority. The BCOA, he said, was firmly in the grip of modern business people so positive in their thinking that no responsible reporter could write of them otherwise. And few reporters did. The UMW, by comparison, was either silent or, at best, broadcasting confusing signals. The Union provided little guidance to reporters looking for views other than Feibusch's. It was a bit like a debate between Howard Cosell and Harpo Marx. Ann Hughey of *The Charleston Gazette* married the BCOA's Morris Feibusch several years later.

In trying to handle this mismatch, reporters found themselves in a paradox. They were skeptical of practically everything Miller said, but they usually quoted his words as though they were gospel. It was easier to quote him than to explain what he either meant or did not mean.

Before the 1974 contract expired, for example, Miller told reporters he would insist on winning "a limited right to strike over local issues at each mine by majority vote," as *The Post* reported on November 20, 1977. Ben Franklin told readers of *The Times* that Miller "seems unalterably wedded" to this demand, which the UMWA's 1976 convention strongly endorsed. Franklin described Miller as "absolutely determined" to win some form of the right to strike.

Yet Miller's words did not square at all with what reporters knew of Miller's performance during wildcat strikes in the mid-1970s. Until the 1976 convention demonstrated the depth of membership support for the right to strike, Miller was repeatedly on record against it. He criticized the strikers, ridiculed their issues, red-baited them and even expelled some of their leaders from the UMW. His public posture in the run up to the negotiations appears to have been nothing more than a transparent tactic designed either to firm up his shaky base or to add a throw-away bargaining chip to his tiny pile. Either way, by not digging into Miller's statement, reporters allowed themselves to be used to convey the entirely incorrect impression that UMW negotiators were really pushing for the right to strike. Harry Huge, Deep Throat for the White House on the UMW team, opposed any version of a local right to strike.

Some reporters knew baloney when it was served. By mid-December, industry negotiators leaked the fact the Union had never offered a serious right-to-strike proposal at the bargaining table. This information appeared in newsletters and one or two coalfield papers. Too many reporters either missed the significance of this revelation or did not acknowledge its existence.

The Coalfields are Red

In defining the news for their own purposes, the BCOA was playing an organ with 30,000 pipes while the individual miner tooted his complaints through a penny whistle. The case of Ralph Bailey vs. The Communists is a revealing illustration.

In mid-1977, the new business editor of *The New York Times* held a series of private luncheons with various industrialists. One was with Ralph Bailey, CEO of Consolidation Coal, which had been acquired by Continental Oil Company (Conoco) in 1966. (Bailey became Conoco's CEO in 1979 and helped arrange its sale to E. I. DuPont de Nemours & Co. for $7 billion in 1981.) That meeting was so successful that Bailey hosted a second at a private dining room in Conoco's headquarters. To this meeting, Bailey invited Ben A. Franklin. Responding to questions about the coal industry's labor relations, Bailey said the trouble could be traced to a handful of communist miners affiliated with the Revolutionary Communist Party (RCP) who had organized the Miners Right to Strike Committee. Consol had, in fact, hired several. The business editor allowed as to how this was a good story and told Franklin to get on it.

The San Francisco-based Revolutionary Union, renamed the RCP in 1975, had, indeed, sent six couples to southern West Virginia in the early 1970s. The men worked in UMW-organized mines; the women worked in the community on black-lung advocacy, created and sold *The Coalfield Worker* and engaged in political activities that lined up with their revolutionary ideas. The RCP admired the rank-and-file militancy that supported the MFD and various wildcat strikes over black lung compensation, state-ordered gas rationing that made it difficult for many miners to get to and from their jobs and court-ordered anti-strike injunctions, among other issues. The RCP was an openly Maoist-oriented, revolutionary Communist party that had organizers in many industries. It promoted class struggle and revolution, not incremental change. Its members wanted to develop a revolutionary current among miners that targeted the system, a far broader goal than making the UMW a more feisty union focused on trade-union concerns.

It's fair to say the RCP played an important role in the wildcat and contract strikes of the 1970s, building on the working-miner militancy that existed independently in its own right and on its own terms. The RCP played an active and influential role in these strikes that started with the wildcat over gasoline rationing in early 1974 through the 1977-1978 contract strike. RCP members led two Appalachian wildcat strikes of UMW miners demanding the right to strike over workplace and community issues that directly affected their lives and livelihoods. Strike leaders were enjoined, jailed, fined, harassed, attacked and fired. With the Miller-led UMW actively opposing the right-to-strike groundswells, the RCP and its local allies became the miner-based voice explaining what the strikes were about to the general public and to other miners through personal contact and written materials. While the RCP took the BCOA by surprise in 1974, frankness about their politics and their public role in coalfield turmoil between 1974 and 1977 made them visible and vulnerable.

It's important to understand that grass-roots miner militancy was the real foundation of the workplace turmoil that Bailey wanted stopped. The RCP built on what they found; they didn't manufacture disruptiveness out of thin air. Conditions produced resistance.

Bailey wanted to spotlight a scapegoat whose elimination, he hoped, might be the simple remedy for the insurgencies in the industry's workforce that state and company policies produced.

Although he works out of Washington, Franklin had been assigned to cover the coalfields for more than ten years. He had written about miners, the UMW and the coal industry off and on throughout that time. He knew for Bailey to blame a few communists for the problems of a generally backward industry with historically fraught labor relations was, as he reportedly told friends, “complete bullshit.”

Nevertheless, he wrote the story Bailey and the business editor wanted. It ran in *The Times* on November 25th, just two weeks before the 1974 contract expired. Under a Madison, West Virginia, dateline, Franklin wrote red-baiting had arrived in the coalfields “on the strength of the discovery of a handful of Maoists in the mines.” It was a strange but strategically timed story. On the one hand, Franklin did not argue RCP miners were the sole source of the industry’s problems. But the timing of the story could only help to create confusion over the question of whether miners really had legitimate grievances or were simply being manipulated. The presence of a few avowed Maoist revolutionaries in the mines was not news in the coalfields by late 1977. RCP members never concealed their ideology from either the press or their fellow workers. *The Times* had three years to write this story but didn’t get around to it until Bailey suggested it was news. *The Times* story coincided within a few days of similar stories on the Miners Right to Strike Committee in the Marshall University student newspaper, *The Huntington Herald-Dispatch* and *The Charleston Gazette*.

Franklin noted that Bailey’s company “has compiled informal files on the activities of the Miners Right to Strike Committee” but made no mention of how Bailey had deftly engineered those files into his reporting. Obviously, it was in Bailey’s interest to try to divide the UMW’s rank and file by planting the impression that all would be well if only a few Commies were eliminated. Anyone who believed that would be less likely to ask what might be wrong with management or with the terms of a new management-drafted contract. Putting it bluntly, *The Times* either got thoroughly conned, or an editor used the paper to peddle Bailey’s self-interested propaganda to gain advantage in the impending negotiations.

Tom Bethell reported the Bailey-Franklin story in *Coal Patrol*, his self-published, independent monthly newsletter that sought to explain the negotiation shenanigans clearly and fairly. The BCOA, I was later told, read *Coal Patrol* avidly; the UMW headquarters' staff read it begrudgingly. There's no evidence that White House players processed its reporting if they knew enough to read it. When Bethell and several others, including me, tried to give Eisenstat a balanced and nuanced view of how events looked from the grass roots, he seemed both deaf and blind to anything other than his own mistaken assumptions and single-minded campaign to end the strike regardless of its terms.

Money, money, money

Franklin and many other reporters also seemed to have been flim-flammed into accepting at face value BCOA's characterization of its "generous" final three-year wage offer of 31 percent, 37 percent including benefits. A check of *The Times*'s coverage indicated the two figures were interchanged freely, sometimes without elaboration. Those numbers were persuasively exact. They tended to run high up in stories, especially on the evening newscasts. They were often described as "hefty" or with a similar adjective. (*WSJ*, 3/16/1978.)

Many miners didn't see it that way. Unlike reporters, they asked the accountant's question: What's the bottom line? When they counted the effects of inflation, cost of deductibles in their revised health plan and the fact that many of them would be bumped into a higher tax bracket, they couldn't see where they were going to be much better off. Furthermore, in most of the none-economic areas, the various contract offers appeared to be a step backward. The federal Council on Wage and Price Stability (CWPS) estimated that a miner's real income had risen only 1.5 percent over the life of the 1974-1977 UMW-BCOA contract, which represented a heavily publicized 54 percent increase in wages and benefits over its predecessor. CWPS, which applied benefit-cost analysis to more than 300 proceedings in 25 federal agencies existed from 1974 to 1981.

Coal Patrol worked out the net effect of the numbers in the wage offers. Few news stories did. But in a stunning editorial on March 7th, *The Wall Street Journal* said the more it looked at the terms of the BCOA offer "the more we think that if we were a coal miner we'd have voted against the proposed contract too." One week later, *The Journal* retracted its position, saying "we had the facts wrong." Several observers, including Bethell, figured the BCOA companies had gone bananas with *The Journal*'s editors.

If news stories had translated wage offers into spendable income, the public would have understood why miners felt they were getting the short end of the stick…and not much of even that. But money, proclaimed *The Times* on February 26th, "was not the key issue in the dispute." It was true that UMW members had made it clear at their 1976 convention and afterwards that they were less concerned about a pay increase than about improvements in health coverage, safety protections, seniority rights, job security, the grievance procedure and the right to strike. Most miners recognized that an extra dollar in wages isn't as good as an extra dollar in fringes since a wage dollar is taxable and some fringe benefit dollars, like health insurance and profit sharing, aren't. Higher hourly wage rates don't translate one to one into higher annual take-home pay owing to inflation, layoffs, injuries, bad-weather shutdowns and strikes. Many miners understand this, and they were willing to talk about their concerns to any reporter who asked. But few did. Miners saw the "hefty" and "generous" wage package as an inadequate improvement while the punitive workplace changes and medical cutbacks were absolute losses. Press coverage generally missed these points.

Looking at the wage proposal from another perspective, news stories freely quoted federal officials saying it would be inflationary in a big way. I failed to find a single story that analyzed whether this was true. After a second contract was rejected on March 5th, Carter invoked Taft-Hartley, and the strikers were ordered back to work on March 9th. They stayed out. A day after miners approved a third contract proposal on March 19, 1978, a *Time* cover story of March 20th described the wage offer in these terms:

> To try to make Taft-Hartley more palatable to the union, Carter asked the coal operators to give the miners the wage increase that is called for in the new contract—a **whopping and inflationary** 12.8% in the first year (and 30.7% over the three years of the contract) if they returned to work. Normally, under Taft-Hartley the strikers go back to work under the old pay rates. The operators turned the President down, though they agreed to pay the increase retroactively if a settlement was reached during the cooling-off period. The consensus among the congressional leaders was that Carter would have to move beyond Taft-Hartley to a request for seizure of the mines in ten to twelve days. (Boldface added.)

After the contract was ratified, CWPS estimated that "the 37 percent rise in compensation would translate into about .08 [eight one-hundredths of one percent] percent on the overall price index over the three-year life of the contract." The 37 percent raise was granted after the BCOA won the deletion of the cost-of-living adjustment from the 1974 contract. That net gain in take-home income is neither whopping nor inflationary.

To put the negotiations in a proper inflationary perspective, reporters needed to discuss the fact that BCOA companies had raised their prices in 1974 and 1975 with no regard for actual operating costs. They took advantage of the oil-price hike the OPEC embargo caused. The profit-grabbing rise in coal prices fit any textbook definition of inflationary behavior. That impacted the national economy more than any wage hike. Even in 1976 and 1977 when coal prices levelled off, coal industry profits were near record levels. I couldn't find any stories in the major media that looked into these financial corners.

I was also unable to find stories explaining that wage settlements can be seen as inflationary only if productivity gains under a new contract are less than the increased cost of labor. Throughout the negotiations, BCOA gave high priority to the proposed "incentive" clause that would pay a bonus for more production. The UMW as far back as Lewis always opposed bonus-for-tons schemes for safety reasons. BCOA stuck with the incentive demand even after the most onerous "labor stability" proposals were dropped. Two months after the contract was approved, E. R. "Bobby" Brown, who would be named Consol president in 1978 and who played a key role in the negotiations, flatly predicted that productivity increases permitted by the new speed-up clause would offset any "inflationary aspects' of the settlement. (*Bluefield* [W.Va.] *Telegraph*, May 14, 1978.) His speech didn't make the major national papers. By that time, the strike, the contract and the miners were no longer news. Brown structured coal's labor relations for the next 20 years, eliminating UMW jobs and driving the Union into an increasingly smaller role.

When I interviewed coal company CEOs in the mid-1980s, each said that increasing productivity was the key to future profitability. The next 30 years showed that productivity increased faster than coal production increased, which meant less labor was required, which meant miners out of work again. Backing out of UMW contracts and more productive mining technologies stabilized the UMW workforce and cut its size by more than two-thirds.

Cultural psychoanalysis offered

Economic analysis in news stories is dry stuff. Fortunately, some reporters developed psycho-cultural insights that leaped off the page. Stories emerged about the colorful, weird and endlessly baffling miners who were not to be understood as rational human beings.

Miners themselves became irate about the number of beer-drenched stories that seemed to originate in bars like Betty's Place on West Virginia's Cabin Creek, not far from Miller's coal-camp home in Ohley. TV news seemed fixated on showing every miner hoisting a Stroh's and taking President Carter's name in vain. It might have followed that reporters would use this same sampling methodology with the BCOA owners. They could be filmed inside Pittsburgh's Duquesne Club or Washington's Sheraton-Carlton sharing liquid-enabled candidness. That didn't happen, of course.

What did happen?

The New York Times led the way. It favored a cultural-anthropological-genetic analysis that announced striking miners were "a breed apart." (*NYT*, December 4, 1977.) One might ask what exactly is a human breed? The Oxford Dictionary defines breed as "a stock of animals or plants within a species having a distinctive appearance and typically having been developed by deliberate selection." Typically, a breed is created intentionally and with consideration. Who then had selectively bred coal miners? *Newsweek* decided miners were not only a different breed, but they were a breed that was "inbred." (*Newsweek*, March 20, 1978.) Apparently the selective breeding scheme *The Times* unearthed allowed endogamy and Freudian love.

Apart from their breeding, miners were "clannish." (*NYT*, March 5, 1978.) *The Post* had scooped "clannish" a day earlier. (*WP*, March 4, 1978.)

Time wrote: "Miners are traditionally quick to resort to violence. (*Time*, March 20, 1978.) I never quite understood how voting down two bad contract offers was resorting to violence. Citing no authoritative sources, *Time* went on to lump all younger miners together as "independent, outspoken and not addicted to regular work."

Newsweek should be given the winner's prize for quack sociology for its March 6th cover story that pounded everybody's adjectives into one lumpy smear that described miners as "a breed apart from the rest of the populace—clannish and fatalistic, wary and independent, hell-raising and violent, promiscuous and enduring." Had the national press described the BCOA operators from Consol, U.S. Steel and Westmoreland in those terms, newsroom telephones would have lit up like steroidal pinball machines.

Arnold Miller, president of these inbred, clannish hooligans, bore the same type of analysis. Franklin quoted unnamed union and administration officials saying Miller was "unpredictable," "slow to grasp technical issues," the object of "contempt," "paranoid," "incompetent," "vindictive" and "like Hitler in his bunker." (*NYT*, 12/12/ 1977 and 2/16/1978.)

A semi-alert reader might ask what were the BCOA negotiators like? Were they vindictive, the objects of contempt, unpredictable, paranoid, inflexible and punitive? Were they clannish and inbred? Did any reporter plumb the BCOA's internal conflicts—between the handful of major producers and the small companies, between eastern underground mines and western strip mines, between thermal and metallurgical coal producers, between old coal guys and the new oil inserts like Conoco's Bobby Brown? Were there any stories about their clashes of egos, their inability to grasp the human impacts of their positions, their visceral anti-labor attitudes or that they had systematically excluded some of the industry's more progressive executives from any role in the bargaining? What about the relationship between the negotiators and their own bosses—the men who, as Jack Kawa observed, didn't want a settlement until the market was better. Admittedly, it was tougher to develop stories about wealthy business executives than striking miners living on savings and a UMW strike benefit. I never found a single story that applied the same screwy interpretive lens to coal's managers.

The absence of balance in characterizing the sides left the distinct impression that rank-and-file anarchy and UMW leadership incompetence were the sole cause of the strike. The BCOA's agenda to take back control over their workers rarely was mentioned. The blame-the-miners impression in the media influenced decision-making in the White House where there were few people with an understanding of labor issues. Even a little understanding would have been helpful.

Stu Eizenstat spoke for Carter when he told a small group of citizens early in March that "we live by the rule of law in this country, even if the miners don't understand that." I never grasped what rule of law the miners had violated by going on strike after their contract expired. He didn't explain what he meant. He didn't want understanding; he wanted the strike to stop and didn't care how it was done. He gave his little lecture just days before the White House sought a Taft-Hartley injunction on the basis of what it knew to be fraudulent data and as plans were being made to illegally cut off food stamps to strikers. The accompanying box tells the story of the data manipulation.

When the strike was said by the White House to be threatening huge power shortages, unemployment and a national crisis, political reality required Carter to do something. He had a binary choice: Taft-Hartley that targeted miners with fines and jail or seizure of the mines, which targeted the BCOA companies. "By selecting Taft-Hartley, the Administration was signaling that it regarded the miners as most to blame for the impasse," Terrence Smith reported in *The Times* on March 12th. Had national reporting been more insightful and less biased against those least able to defend themselves in the media, it's at least possible that there would have been public pressure on Carter to consider the costs and benefits of seizure as Labor Secretary Marshall urged. It was under seizure in 1946 that coal miners first won a comprehensive health-benefits program that the BCOA in 1978 wanted to end. Had seizure happened in March, the UMW might not have lost that program.

In 1981 negotiations will occur again. A strike may take place. Reporters will write about it, interpreting its personalities and significance.

Coverage can be improved if reporters and editors are willing to forget about personalities and pop-culture long enough to dig deeply into the issues and treat self-serving statements with appropriate skepticism.

Reporters on the largest media outlets tend to be college-educated and middle-class in background and perspective. Industry negotiators and spokesmen like the BCOA's Morris Feibusch are similar. Reporters from an urban, educated background must be willing to confront their own class and cultural biases to write fairly about unions and Appalachian miners. I hope we've seen the last of miners being described as violent, anarchistic, clannish, not to say Druid and inbred.

Reporters must ask a simple question: How would a contract proposal affect my life if I were a miner or a mine operator? The question cannot be answered without taking the time and trouble to develop a range of trustworthy and knowledgeable sources. There's really no other way for reporters, no matter how well-intentioned, to understand the dynamics of the coalfields and the roots and causes of its labor disputes.

BOX

Whatever Happened to Doomsday

You may be wondering why you never froze in the dark with a dead TV and an unthawed pizza during the 110-day coal strike in 1977-1978. The media was reporting power shortages would cripple the nation, and massive job layoffs would occur owing to a coal shortage. White House officials predicted economic catastrophe if the coal strike lasted beyond early March.

But disaster never happened, never even threatened. And the media was slow to figure out why. Here's the story.

In October and November, 1977, Washington was confident that the coming UMW strike would be unlikely to damage the nation's economy. "It looks like the UMW could strike forever and there would be a lot of coal," a government official told *The Wall Street Journal* on October 6, 1977. Many reasons were given: the dwindling percentage of the nation's coal mined by UMW members; tremendous stockpiles; plans to transport non-UMW-mined coal into strike markets; and the capability of wheeling electricity from one part of the nation to another.

The Washington Post quoted Labor Secretary Ray Marshall that a UMW strike "wouldn't be a national emergency" and concluded "government and industry officials are saying that it would be about three months before the nation's energy supplies would be seriously affected" although some coal states might feel pinched sooner. (*WP*, 11/20/1977.)

Suddenly, when the UMW's bargaining council overwhelmingly rejected the first tentative agreement in mid-February, these headlines appeared: "Coal Supply Falls, Foes of Pact Grow" (*WP*, 2/11/1978.); "Coal's Walkout Impact Mounts on Wide Front" (*WSJ*, 2/10/1978.); "Carter Orders Plans to Send Coal to Areas Hit by Miners' Strike (*NYT*, 2/12/1978.)

The only hard news in these stories was that some high-volume electricity consumers were voluntarily conserving power and that a few states were thinking about imposing mandatory power cutbacks. What became increasingly apparent, but not until later, was that dire predictions bore little relation to ground-level reality.

Through the beginning of March, reporters continued to write that the nation's economy was "on the brink of a serious setback…if the government doesn't get coal moving again." (*WP*, 3/6/1978.) "Cities Turn Off Lights as They Run Out of Coal," *The Times* claimed. (*NYT*, 2/16/1978.) *Time* reached for the smoke-free sky: "Entering the Doomsday Era: Shutdowns and Blackouts Loom as the Coal Strike Rumbles on." (*Time*, 2/27/1978.)

Layoffs at a few plants and cutbacks—not shutdowns or rationing—at a few electricity-generating stations were extrapolated into a current national reality. Yet, even in coal-dependent West Virginia where miners stopped more than 90 percent of coal production and a 30 percent mandatory power cutback was ordered, William Robbins reported "most companies were coping without major dislocations. He quoted the plant manager of a glass company: "The immediate impact on us is none." (*NYT*, 3/9/1978.)

The catastrophic, strike-caused unemployment predicted also never materialized. The day after the UMW bargaining council formally rejected the first contract proposal, *The Post*'s J. P. Smith sketched a picture of miners throwing a monkey wrench into the great engine of democracy: "Federal energy officials say there is little they can do to alleviate the effects of the coal strike, which now threatens to throw hundreds of thousands of people out of work in America's industrial heartland in the next few weeks." (*WP*, 2/13/1978.) One source Smith quoted was Sen. John Glenn (D-Ohio) who predicted from 500,000 to 700,000 workers could be forced off their jobs in Ohio alone over the next two or three weeks because of the strike. Smith did not report where Glenn got these projected unemployment numbers. He quoted them as established fact.

The Senator's projections were sheer flapdoodle as subsequent events confirmed. But within a few days of Senator Glenn's statement, other boys with even more active imaginations shouted "Wolf!" even louder. On February 15th, Helen Dewar and Edward Walsh of *The Post* quoted unnamed Ohio officials, where a state of emergency had been called, who predicted 1.3 million layoffs in Ohio by the end of February. (*WP*, 2/15/1978.) Their story quoted President Carter who said without even a feint toward evenhandedness, the strike "cannot be allowed to continue." On February 20th, *Newsweek* quoted unnamed administration officials who promised if the strike didn't end by March 1st "…power shortages could idle at least 4.5 million workers."

By March 9th, *The Times*'s top business reporter, Leonard Silk, was describing the effects of the strike as "alarming" and "immediate." He quoted William Nordhaus, a member of Carter's Council of Economic Advisers, that unemployment would rise sharply in March "with 3 to 4 million unemployed above existing unemployment of about 6 million by mid- to late April" and that would only be in the mid-Central region. Clearly, the White House was blowing the smoke of calamity across the land to create the need for an intervention.

But what of ground-truth?

The day before Silk and Nordhaus weighed in, *The Times* carried a story that reported only 22,600 layoffs could be attributed to the strike. After the strike was settled, *Time* reported on March 20th that "so far, coal-related layoffs number 50,000—far below the hundreds of thousands some had predicted." But well into March, *The Wall Street Journal* stuck with Energy Secretary James Schlesinger's numbers—one million laid off by the end of March, 3.5 million by the end of April—without an attempt to find out how his numbers were derived.

The actual high mark appears to have been about 25,000 strike-related layoffs, a significant figure but hardly catastrophic. Those who were laid off were brought back as soon as the supply of coal or electricity was reestablished. The layoffs lasted a few weeks.

Where There's Smoke, There Was More Smoke

Had the press peeked behind the smokescreen, the real Oz in back of the Administration's number wizardry would have been exposed. But it didn't.

As it was, a little-heralded report from the Congressional General Accounting Office—"Improved Energy Contingency Planning is Needed to Manage Future Energy Shortages More Effectively" (October 10, 1978)—revealed the Administration knew neither power shortages nor extensive unemployment were occurring even as its officials continued to peddle false scare forecasts through the press.

The GAO report found "there were no power blackouts or shortages attributable to the coal strike…. All power needs were successfully met by the [utility] system; in fact, generally more power was available than was expected." (GAO, "Improved," p. 30.) Although some states "imposed mandatory curtailments for short periods of time.., only one state [Indiana] actually enforced the curtailments…and the economic effect on consumers was minimal." (Id., p. 32.)

It's fair to ask how the Administration concocted a prediction of 3.5 million unemployed when it knew that utilities were providing all essential power to industrial consumers. The answer might be summed up as the politics of computer analysis.

The Administration had two ways of monitoring strike-caused unemployment. The first involved a weekly telephone survey of 1,000 national companies with over 1,000 employees each. The Department of Labor's Bureau of Labor Statistics (BLS) did the surveying for the Department of Energy. The Bureau reported to the White House, according to the GAO, "that there was very little unemployment directly related to the coal strike… [and that] severe weather conditions were more often blamed for unemployment problems than the…strike." (Id., pp. 36-37.) At no time did BLS tell the Department of Energy that more than 25,500 workers were unemployed by the strike.

The second method was based in James Schlesinger's Department of Energy. It used a computer forecasting model that projected unemployment based on "best-case" and "worst-case" assumptions. Best-case assumptions predict what might actually happen and should be a reflection of the actual circumstances that were occurring during the strike. The worst-case projects the most unfortunate consequences that could be foreseen. Schlesinger plucked the 3.5 million number from the extreme projection in the worst-case scenario. He knew the BLS survey data showed nothing of the sort on the ground.

The Administration never explained that its whopping forecast of apocalypse was based on "what they [Administration officials] knew to be a relatively unreliable assessment method…." (Id., p. 40.) Most importantly, the GAO wrote that "the hard data available to the Administration showed minimal unemployment attributable to the strike, the continuing upward trend in coal deliveries, no major increase in strike-related violence, and continued availability of electric power." (Id., p. 39.)

The only reasonable explanation for the Administration's deliberate misuse of the facts is that it felt the strike might be settled sooner if the public were panicked. A sooner-rather-than-later settlement would benefit both the BCOA and the White House, because it would come about by forcing the rank and file to accept a punitive, low-ball contract.

Throughout January, February and March, the press trumpeted the groundless hysteria that Schlesinger and the White House were manufacturing. I could not find a single reporter asking BLS for the results of its weekly telephone survey.

And to top off everything, *Newsweek* reported President Carter invoked Executive Privilege to keep locked in the White House a report by his own Council of Economic Advisers which, during the strike, "assured the President that no coal emergency existed." (*Newsweek*, 11/20/1978.) The GAO had to write its report without access to certain documents the White House withheld. It seemed that President Carter had tapped an under-employed resident of San Clemente for advice on stonewall masonry.

I was unable to find a single story on the GAO report, but by the end of that year I was fed up with looking for a strand of gold thread in a stack of needles.

By the end of February and into March, some reporters were beginning to figure out they were being conned. Stories began to appear with conflicting predictions juxtaposed. But these thoughts came late in the game. There is little doubt that media until then was the megaphone for the BCOA's and the White House's interest in creating antagonism toward the obstreperous miners. In such a climate, with Congressmen and governors baying at his door, Carter could hardly afford not to act.

Into the second week of March, the Administration was at sixes and sevens. Ray Marshall, who read and believed the BLS survey numbers, kept counseling calm and, if necessary, temporary federal seizure of the shuttered mines. (Whether miners would have gone back to work under federal management is an unanswerable question. They saw seizure as fair, a Taft-Hartley injunction as unfair.)

James Schlesinger cynically cranked into the public domain his baseless, number-drenched computer forecasts, knowing they were as phony as his promises of disaster.

The President and his team knowingly hawked Schlesinger's hocus pocus to America rather than Marshall's hard numbers.

The false forecasting enabled Carter to submit a Taft-Hartley restraining order against the miners on March 9th. Ten days later the federal judge refused to extend the order, scolding the government for fabricating a tall tale about a national emergency that didn't exist.

"The White House wanted the media to play up that false image, that a national calamity was imminent," George Getschow of *The Wall Street Journal* told me, "and the press accepted their statements because of our tendency to seek out the sensational in a story. When the White House began issuing press releases about the national emergency, we'd call utilities around the country to make sure. Most didn't think it was there and said so. However, some, like Pittsburgh's Duquesne Light, were downplaying their stockpiles to give the impression of an emergency."

By the time the scare tactic was exposed, it had accomplished its purpose. BCOA and UMW negotiators were beaten into wiring together another settlement that was a bit better for the miners than the preceding offers. After more than three months, miners ratified it because they doubted they would get anything better by staying out. Their costs of striking finally exceeded the hoped-for benefits.

Did you freeze in the dark? No. Did you lose your job? Probably not. Did the Carter Administration manipulate the public with bogus predictions and scare tactics? You bet. Who won? Who lost?

So Then What Happened?

The 1977-1978 strike started laying the foundation for a thorough restructuring of the coal producers' relationship to the men and women who mined their product.

In 1970, U.S. coal production was 613 million tons at an average price of $6.34 per ton with about 144,000 miners, each of whom was producing 2.3 tons of coal per hour.

In 1980, in the Contract's third year, U.S. production was 830 million tons at $24.65 per ton with about the same number of miners each of whom was producing 1.93 tons per hour. BCOA production, as a share of national production, kept falling.

To reduce the number of miners, companies invested in productivity enhancing technologies—longwall underground systems, western surface mines and eastern mountaintop removals (first referred to as “mountaintop decapitations”). These investments were coupled with increasingly punitive contracts and successful efforts to end UMW contracts altogether. The non-UMW sector rose as the UMW-share of the workforce declined.

By 2010, U.S. production was 1,084 million tons at $35.61 per ton with about 100,000 miners each producing 5.55 tons per hour.

As coal was backed out of its main thermal markets for reasons related to climate change and competition from other energies, only 594 million tons were produced in 2022 at $54.46 per ton with about 44,000 miners still working each of whom was producing 6.11 tons per hour.

BCOA, the bargaining arm of most of coal operators for more than 50 years, is now a lobbying outfit. Bargaining with the UMW to the limited extent it still exists is company by company.

A hard number is not publicized, but it’s a reasonable guess that of the 44,000 working miners, the UMW now represents about 14,000. The UMW also represents about 30,000 workers in health care, education and other non-mining employment.

I gratefully acknowledge the editorial comments Tom Bethell gave to an early draft of this article. It is a better piece for his insights. Others who contributed to the early draft were: Lee Balliet, Jim Branscome, John David, Gail Falk, George Getschow, Joseph Mohbat, Steve Shapiro, Barbara Smith and Bob Smith.