

Just Order » Race Theory Democracy in Practice



“WE, THE MEMBERS of the National Marine Engineers’ Beneficial Association, believe in the United States as a government of the people, by the people and for the people whose just powers are derived from the consent of the governed; a democracy in a republic, a sovereign nation of many sovereign states, a perfect union, one and inseparable, established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives.

We, therefore, believe it is our duty to our country to love it, to support its Constitution, to obey its laws, to respect its flag and to defend it against all enemies.” *Preamble to the M.E.B.A. Constitution*

Less than 100 years after the thirteen original colonies ratified the U.S. Constitution and this country began operating under a new system of government, “a more perfect union” was formed by the M.E.B.A. founding fathers on the banks of Lake Erie in the spirit of American democracy.

Like the fathers of our country who came together to form a united front against an oppressive regime, our M.E.B.A. forefathers banded together to seek safe harbor against intolerable waterborne working conditions. With boiler explosions a common job hazard aboard steamships of the day and circumstances that had resulted in the reduction of engineer wages on the Great Lakes from \$130 a month in 1865 to \$50 a month in 1875, the time was ripe for action.

The ten original founders of the National M.E.B.A. were made up of leading representatives from various local marine engineers’ associations across the country. They converged in Cleveland, Ohio at

the New England House on Water Street in February of 1875 and put together the structure of the National M.E.B.A. Though governing a dramatically smaller community than the U.S. Constitution, the M.E.B.A. framework was drafted in the spirit of democratic precepts that the U.S. Constitution was founded upon. In fact, the M.E.B.A. Constitution’s Preamble sets the stage for the rest of the document by aligning itself with the U.S. Constitution’s founding principles that had been battle-tested for 87 years, dating back to the U.S. charter’s ratification in 1788.

The Union Gets Its Footing

The union’s constitution made the declaration that the goal of the M.E.B.A. was to “elevate and maintain the rights and advance and safeguard the economic and working conditions of its members and otherwise labor for their better protection and advancement.” That objective, rooted in a labor organization borne of democratic principles proved a winning formula.

The union registered early successes after its formation and grew exponentially while battling for beneficial legislation to certify and license waterborne engineers. With foreign seafarers playing an increased role aboard American ships, M.E.B.A. helped put the law on the books to make U.S.-flagships the exclusive domain of American mariners—both deck and engine. They also accomplished revolutionary advances for all mariners in wage levels, health care and pensions among many other areas. Their early struggles paved the way for the worker protections and benefits we sometimes take for granted today.

Ensuring Continued Democracy

The union has always had many provisions and practices that promote democracy. Government rules placed on labor unions also help ensure transparency for unions. The Labor Management Reporting and Disclosure Act (LMRDA) is the predominant law on the books that institutes a series of checks to help keep union activities “above board.” These



rules have become even more stringent in recent years. LMRDA regulations provide a system for reporting financial transactions including gifts and expenses. Under the law, unions are required to have an annual audit conducted with the results provided to the Department of Labor.

M.E.B.A. goes even further. An outside auditor conducts a semi-annual examination of our finances as well and the reports are submitted to our union halls for member review. The number of constitutional voting ports has been expanded in recent years and union hall meetings are staggered to allow members to attend more than one, if desired. Member input and involvement is encouraged when the union negotiates contracts. Also, it is standard operating procedure in this union for negotiated contracts (aside from new work) to be put before the membership for a ratification vote before the agreement goes into effect.

Other practices voluntarily instituted that promote communication include the

publishing of a “Special Election Edition” of the bi-monthly *Marine Officer* magazine during election season that spotlights candidates running for office. This recent tradition allows members to better consider the merits of each candidate by publishing their campaign statements.

Of course, e-mail has become an effective mode of communication enabling communications from members aboard ship to union officials and allowing HQ to send them the weekly union newsletter – the *Telex Times*. We also maintain a members-only (active and retired) electronic bulletin board accessed from our website that furthers discourse.

Rank and file committees are voted upon at meetings to help oversee a series of important union processes. These member committees perform an annual financial review of the union and produce a report that is read at membership meetings and put to an approval vote. Rank and file committees also certify candidates for

election and help oversee the tabulation of votes along with an independent administrator. This process has helped ensure fair and transparent elections, a hallmark of M.E.B.A. democracy. That was validated in the last election cycle when the Department of Labor (DOL) scrutinized M.E.B.A.’s voting process after a member protested the results. The DOL, after an exhaustive probe lasting months, found no discrepancies in the election and no basis for the accusations. They subsequently discarded the scurrilous charges.

Sea Change Ushers in Rebirth of Democracy

Like the U.S. charter, the M.E.B.A. governing document has stood the test of time. This year, the M.E.B.A., the nation’s oldest maritime union, celebrated our 132nd year. But it takes a concerted effort by both membership and their elected officials for democracy to truly succeed and the union has had its ups and downs. This year also marks the 15th year of



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the M.E.B.A.’s “modern independence,” an anniversary marking an uprising of members who helped return the union to democracy after a corrupt administration stole membership money and engineered a phony merger with an unlicensed union.

In late 1989, an upstart group of members committed to scuttling the rogue element that had permeated the M.E.B.A. leadership, was created. They nominated a slate of honest rank-and-file members to challenge the crooks and became known as the M.A.D. Committee (Members Advocating Democracy). The membership rallied behind this grassroots movement to help pull off a clean sweep of the corrupt officials who’d broken faith with the membership. It was on Jan. 15, 1992 that members voted to dissolve the illegitimate merger with the National Maritime Union allowing the rebirth of the union and the strengthening of our democratic roots. Since those dark days, the union has become a

shining example of union democracy—a real anchor of stability. Former members of the M.A.D. group that helped reinstall trust to the leadership have stood watch over the union ever since.

Steaming Ahead

The lessons of the past are still fresh even as the old guard begins to stand down and the younger generation begins to take up their mantle. Continued vigilance and the understanding that the union IS the membership will help ensure the M.E.B.A.’s long and successful tradition.

Though the framework of democracy was drawn into our Constitution, without dedicated and honest leadership and an active membership, those precepts simply remain democracy “in theory.” Only the continued practice of democracy can ensure its complete success. ■

1: M.E.B.A. founding fathers who drafted our Constitution in Cleveland from Feb. 23-26, 1875. In the front row (l-r) are Rodolphus Doty, Garrett Dow (who would be the first President), Abner L. Foote (who would become the second President), and J.W. Shea. In the back are (l-r) William Kennedy, Thomas Buchanan, James V. Hayes, William Sheffer and William Ponsonby. The tenth founding father, J.L. Lord, is not pictured.

2: Baltimore Branch Agent Bill McHugh reads from the membership packet at the meeting in Baltimore in February. Atlantic Coast V.P. Don Keefe helped oversee the meeting and talked to members about important M.E.B.A. initiatives.

3: Members take part in the February union hall meeting at the New York/New Jersey hall. Meetings are staggered to allow members and officials to attend more than one.

Even though the American Maritime Officers (AMO) union was founded on a similar foundation of democracy,

some of its elected leaders were recently found to have jettisoned those principles in order to line their own pockets. The longtime AMO President, Mike McKay and his brother, former Secretary-Treasurer Bobby McKay, were convicted on Federal racketeering charges this year involving a series of misdeeds including theft of union money and election-rigging. A mountain of damning evidence was presented for weeks at the court trial providing a lurid picture of a union leadership that had failed its members.

Witnesses told how the McKays had fixed AMO's 1993 and 1996 elections, how they dipped into membership money for a wide range of personal diversions ranging from hired girls to scuba boat repairs, and how they bugged the rooms of management trustees and other union officials. A witness who provided wiretapped evidence confirmed a pattern of criminal behavior at the highest echelons of AMO leadership that served as a betrayal to AMO members. A Florida jury returned guilty verdicts for the duo on RICO conspiracy charges and seven related felony counts. The LMRDA prohibits convicted felons from serving in union office.

AMO is currently operating under new leadership following their convictions though the union's immediate efforts at restoring democracy weren't especially convincing. A groundswelling of AMO members committed to democracy had attempted to topple the McKays and the AMO's incumbent executive board. At the end of 2006, Michael McKay squeaked out a razor-thin 20-vote election victory and the rest of the incumbents managed to return to office as well – except for the Secretary-Treasurer position where AMO tanker captain José Leonard, part of the democracy group, ousted Bobby McKay. Those election results have been protested and are currently under review.

AMO's Constitution had provided for the union's Secretary-Treasurer to ascend to the top spot should the President be "unable" to serve. But with the evidence mounting against the McKays at the ongoing jury trial, the incumbent executive board of the AMO pulled an "end-around" on AMO members by rewriting the Constitution and breaking that prescribed succession chain. The new language of the AMO Constitution, which was hustled through AMO's three "constitutional" offices for a quickie approval, allowed the AMO board to pick a new union boss amongst themselves. As the rationale for the constitutional change, the executive board cited Leonard's "total lack of experience as a union official and [their] belief that the leadership of [the] union must fulfill its fiduciary responsibilities by having experienced leadership available to succeed the current National President..." Soon after, Vice President Tom Bethel was appointed President by the AMO Board. He then disavowed himself from the McKay brothers and pledged that he would "right" the AMO ship. ■

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4: A Florida jury confirmed that AMO President Mike McKay has been feeding off AMO members for years. His conviction on a number of felony charges led to his resignation from the union shortly after his re-election.