

Days of Action:

Ontario's extra-parliamentary opposition to the Common Sense Revolution, 1995-1998

By

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Abstract

From 1995 to 1998, Ontario was the site of a sustained political and industrial conflict between the provincial government of Premier Mike Harris and a loosely-coordinated protest movement of labour unions, community organizations, and activist groups. The struggle was aimed at defeating the “Common Sense Revolution,” a sweeping neoliberal program advanced by the Progressive Conservative Party of Ontario. The program designed to renovate the state, rationalize the social safety net, repeal barriers to capital accumulation, and decisively weaken the strength of organized labour.

What became a union-led extra-parliamentary opposition drew in large sections of the population often aligned with a political culture of statist collectivism encompassing both social democracy and “Red Toryism”. The movement emerged at a time when the two major parties aligned with such ideas embraced neoliberal policies. Under the leadership of Mike Harris, the Red Tories were pushed out of the Ontario Progressive Conservatives in the early 1990s. Meanwhile, the one-term New Democratic government of 1990-95 made a decisive turn towards neoliberal austerity amidst a catastrophic recession, declining federal transfers, and employer hostility.

Through the union-led “Days of Action” of large political strikes, mass demonstrations, and numerous militant protests, the implementation of the Common Sense Revolution was slowed and weakened and the government’s popularity greatly diminished. However, the province’s union leadership was deeply divided over loyalties to the New Democratic Party following its turn to neoliberal austerity. One union leadership faction opposed the Days of Action while the other proved unwilling to escalate the scale of industrial disruption against the Common Sense Revolution. The

crisis led to an open factional dispute within organized labour that culminated in the formal suspension of the political strikes in the summer of 1998.

The outcome was an unprecedented political defeat for the labour-led forces defending an expansive redistributive welfare state, and a retreat by organized labour from extra-parliamentary political strategies in favour of electoralism. The government managed to regain support before winning re-election in 1999. The end of the Days of Action marked the political triumph of neoliberal restructuring and permanent austerity, and the crafting of a new political and economic common sense that has endured in Ontario to this day.

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*Dedicated to my late friend Mat Nelson
and everyone involved in the Fight for \$15 and Fairness*

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List of Abbreviations

AEFO – L’Association des enseignantes et des enseignants franco-ontariens
ATU – Amalgamated Transit Union
CAMI – Canadian Automotive Manufacturing Inc.
CAS – Children’s Aid Society
CAW – Canadian Auto Workers
CEP – Communications, Energy and Paperworkers Union of Canada
CLC – Canadian Labour Congress
CMA – Canadian Manufacturers Association
CUPE – Canadian Union of Public Employees
CUPW – Canadian Union of Postal Workers
FWTAO – Federation of Women Teachers’ Association of Ontario
GM – General Motors
GTA – Greater Toronto Area
IAM – International Association of Machinists and Aerospace Workers
LCBO – Liquor Control Board of Ontario
MPP – Member of Provincial Parliament
NAC – National Action Committee on the Status of Women
NDP – New Democratic Party
OCAP – Ontario Coalition Against Poverty
OCT – Ontario College of Teachers
OECTA – Ontario English Catholic Teachers’ Association
OFL – Ontario Federation of Labour
OLRB – Ontario Labour Relations Board
OPP – Ontario Provincial Police
OPSEU – Ontario Public Service Employees Union
OPSTF – Ontario Public School Teachers’ Federation
OSSTF – Ontario Second School Teachers’ Federation
PC – Progressive Conservative Party of Ontario
SEIU – Service Employees International Union
TTC – Toronto Transit Commission
UFCW – United Food and Commercial Workers
UNITE – Union of Needletrades, Industrial and Textile Employees
USW – United Steelworkers
UW – United Way

Notes on Language

“Gay community,” “gay and lesbian community”

It is now increasingly rare to hear the term “gay community” or “gay and lesbian community”, but this terminology was widespread in the mid-1990s. Some readers may consider such terms unjustifiably exclusive and politically illiterate given the contemporary use of more explicitly inclusive and politically-informed terms, notably LGBTQ. However, these terms are used contextually and without supporting transphobic and other exclusionary ideologies which they may have represented at the time.

Chapter 1: Introduction

The election of the Progressive Conservatives in Ontario in 1995 was the onset of a determined and radical restructuring of the provincial state under the auspices of what the government called the “Common Sense Revolution”. In response to this neoliberal austerity program, a grassroots extra-parliamentary opposition emerged, rapidly escalating into a wholesale social confrontation of unprecedented mass protests and strikes, legal and illegal. After three years of intense political polarization, ideological debates, and class struggle, this opposition movement was defeated, decisively shifting the province’s balance of class forces in favour of capital and allowing the Ontario Tories to consolidate their extensive restructuring program.

The significance of the Common Sense Revolution was its bold and successful attempt by a vanguard fraction of the province’s ruling class to reverse the expansionist dynamics of the province’s welfare state and defeat the large social base willing to defend these state structures. The ideological corollary of this battle was the dispersal of the broadly social democratic aspirations and expectations of much of the population. The extra-parliamentary opposition movement was a general attempt to defend this broad social democratic role of the state in spite of the divisive disappointments of the New Democratic government of 1990-95.¹

¹ The two most detailed leftist assessments critical of the Ontario NDP are George Ehring and Wayne Roberts, *Giving Away A Miracle: Lost Dreams, Broken Promises and the Ontario NDP* (Oakville, ON: Mosaic Press, 1993); Thomas Walkom, *Rae Days* (Toronto: Key Porter Books, 1994). A critique from a more conservative perspective can be found in Patrick Monahan, *Storming the Pink Palace: Bob Rae, the NDP and the Crisis of the Canadian Left* (Toronto: Lester Publishing, 1995). It is important to note that all three of these publications were published before the government left office, meaning much of the NDP’s embrace of neoliberal austerity measures is insufficiently examined. Stephen McBride’s study of the Social Contract is a useful correction in this regard. See McBride “The Continuing Crisis of Social Democracy:

It would be a mistake, however, to portray this opposition as organizationally coherent with well-developed ideologies, tactics, and goals. It was incredibly messy and incoherent, with an ever-shifting array of actors vying for leadership and power, and all within an unstable set of competing and combining ideologies and uncertain political projects. At times spreading across the province and evoking violent clashes, and at other moments neatly contained within the province's legislative architecture, the movement was highly uneven and unstable, ebbing and flowing, retreating and advancing.

The focus of this study is to identify the general and specific contours and dynamics of this extra-parliamentary opposition as the government pressed ahead with its Common Sense Revolution. What began as a relatively small protest movement led by community organizations grew into a mass opposition led by organized labour, under the aegis of the Ontario Federation of Labour, and focused mainly around the "Days of Action", a series of one-day strikes and protests in eleven Ontario cities between December 1995 and June 1998. The "Day of Action" tactic was predicated on a strategy of escalation towards a province-wide general strike against the Common Sense Revolution, with the Days of Action serving to train, organize and empower wider layers of society for this larger confrontation. As Paul Kellogg has observed of the movement's first phase, "without the activity and presence of thousands outside the ranks of organized labour, the Days of Action movement would not have even begun."²

Ontario's Social Contract in Perspective," *Studies in Political Economy* 50 (Summer 1996), 65-93. This would also mean that the social conservatism exhibited by the NDP government in its latter years would also be unexplored, most notably the NDP's "free vote" on Bill 167, the *Equality Rights Statute Amendment Act*. For more, see Tom Warner *Never Going Back: A History of Queer Activism in Canada*. (Toronto: University of Toronto Press, 2002), 226-234.

² Paul Kellogg, "Workers Versus Austerity: The Origins of Ontario's 1995-1998 'Days of Action'," *Socialist Studies* 7 (Spring/Fall 2011), 134.

Once the provincial union leadership become involved, the internal dynamics of the movement changed dramatically. Where oppositional activity emerged independent of the union leadership to confront various aspects of the governments' legislative agenda, such activity was increasingly intertwined and incorporated into the Days of Action strategy. The locus of control within the movement moved from grassroots initiatives to the province's union leadership. Political calculations determining the direction of the opposition movement became influenced and ultimately subordinated to the manoeuvres of two competing union leadership factions vying for control of the Ontario Federation of Labour. The "Pink Paper" faction of unions opposed the Days of Action and sought to reorient the OFL towards rebuilding electoral support for the defeated Ontario New Democratic Party.³ They clashed with the "Common Front" faction that backed the Days of Action and mobilized its members for the strikes. Both factions had their immediate origins in the controversial concessions legislated against the public sector unions in the NDP's Social Contract of 1993. In response to the legislation, the Common Front public sector unions, with support from the Canadian Autoworkers (CAW), won a motion to disaffiliate the OFL from the NDP at the OFL's 1993 convention. The Pink Paper unions to walked out and declared their loyalty to the NDP. Once the civil war between these two factions sufficiently undermined the confidence and self-activity of the movement's base inside and outside the unions, the extra-parliamentary opposition was wound down by both factions in favour of their respective electoral strategies to oust the Harris Tories in the 1999 election.

³ The faction is named after its foundational statement printed on pink paper and distributed in advance of the 1993 Ontario Federation of Labour convention. It is entitled "Rethinking our mission in Ontario: A discussion paper for union leaders," (November 1 1993). Special thanks to Herman Rosenfeld for securing me a copy of this very important but impossible-to-find document.

Research Methodology

The dissertation is organized chronologically, written narratively, and rooted in an empirical research methodology combined with interviews. The general theoretical framework is Marxist insofar as Marxist theories of neoliberalism and the labour bureaucracy inform the analytical interventions throughout the narrative. This approach was developed in the early stages of research and writing and served as a reconciliation of my interests with the available archival materials. Research methodologies will be outlined, followed by a discussion of theoretical frameworks.

A close reading of thirteen daily newspapers provide the scaffolding for reconstructing the social conflict unfolding across Ontario between 1995 and 1998. This includes the two highest circulation papers in English Canada, the *Toronto Star* and *Globe and Mail*, as well as eleven other prominent local and regional dailies. Several factors guided the selection of newspapers for research. Major dailies such as the *Toronto Star*, *Globe and Mail* and *Ottawa Citizen* were selected primarily for their political influence and size of readership, with the *Toronto Star* also providing the most extensive coverage of provincial politics. Other newspapers were selected because of their respective city's importance to the protest movement itself, and to provide the geographic breadth necessary to understand the dynamics of the protest movement outside of the largest urban centres, notably Toronto.⁴

The newspapers are analyzed primarily for information about protests and strikes, and quotes from protest participants, union officials and politicians. Careful attention is paid to corroborating more contentious claims and observations by reporters, often violent incidents at strikes and protests. At certain moments, the editorial stance of a local

⁴ See bibliography for list of newspapers consulted.

newspaper is addressed but this study should not be viewed as a rigorous media analysis. Such an analysis, focusing on three prominent episodes in the protest movement against Harris, has already been conducted by Kirsten Kozolanka.⁵

Some explanation is required for the prominent use of newspapers for a historical study in the late 1990s. First, the newspapers studied provide incredibly comprehensive and voluminous coverage of local and regional events through robust networks of beat reporters and, in some cases, correspondents in neighbouring counties and towns. It is only in late 1997 and accelerating through 1998 that these newspapers, almost all of them bought by Conrad Black's Hollinger in 1996, began to shed large numbers of newsroom staff through the merger or elimination of beat reporters and end of commitments to rural and remote reporting.⁶

Second, by virtue of their immense resources, the daily newspapers provide more extensive and comprehensive coverage of events than the sum of all independent media, including that linked to the extra-parliamentary opposition. While providing incredibly

⁵ Kirsten Kozolanka, *The Power of Persuasion: The Politics of the New Right in Ontario* (Montreal: Black Rose Books, 2006).

⁶ This process of "asset-stripping" by media corporations began earlier in the United States during the 1980s but the dynamics remain essentially the same in Canada with Black's media empire conducting much of this work during the late 1990s. With a legal fiduciary responsibility to shareholders, publicly-traded media corporations were required not simply to turn a profit, but to increase the rate of profit on an annual basis. Between advertising revenues comprising the vast majority of newspaper revenues and most dailies operating as local monopolies with no competition, profit rates were squeezed through reducing labour costs and ratcheting up the rate of exploitation. Media scholar Robert McChesney explains these dynamics in detail within the United States in *Rich Media, Poor Democracy: Communication Politics in Dubious Times* (Urbana: University of Illinois Press, 1999). Canadian communications scholar Vincent Mosco confirms McChesney's analysis with a more globally-oriented lens which includes a critical analysis of Canadian trends. See *The Political Economy of Communication: Second Edition* (London: Sage Publications, 2009). A well-researched journalist's account of the effect on increased exploitation of reporters in the United Kingdom is Nick Davies' *Flat Earth News* (London: Vintage Books, 2009). There are countless popular accounts of the rise of the Hollinger news empire, its ignominious collapse, and Black's criminal financial activities. Sober scholarly accounts include Marc Edge, "The good, the bad, and the ugly: Financial markets and the demise of Canada's Southam newspapers," *International Journal of Media Management*, 5 (2003), 227-236; John Miller, *Yesterday's News: Why Canada's daily newspapers are failing us* (Halifax: Fernwood, 1998); Richard Keshen and Kent MacAskill, "'I told you so': Newspaper Ownership in Canada and the Kent Commission Twenty Years Later," *American Review of Canadian Studies* 30 (Autumn 2000), 315-325.

important information, insight and analysis, the leftist and trade union publications consulted for this research proved wholly insufficient in helping reconstruct a meaningful and credible account of the movement. The comprehensive newspaper research also serves to correct the impressionistic and scattered source base of earlier accounts of the extra-parliamentary movement; accounts which are often episodic or focused narrowly on one of the movement's many battles.⁷

Third, the newspapers offer a degree of substitution for the significant challenges posed by researching trade union archives. Trade union archives available through the National Library and Archives in Ottawa, the Ontario archives at York University, and various university libraries, are only substantially organized and accessible to scholarly research up until the early 1990s. It may be the case that this problem is accentuated by the transitional nature of the period in terms of archiving documents. Physical documentation is extensive up until the early 1990s and digital archiving has not kept pace. Some new archival materials have emerged in recent but constraints have prevented them from being examined and incorporated, if warranted, into this study. As explained below, these limits in accessing internal union documents also influenced the focus of interviews.

⁷ See David Camfield, "Assessing Resistance in Harris's Ontario, 1995-1999," in Mike Burke, Colin Mooers, and John Shields (eds.), *Restructuring and Resistance: Canadian Public Policy in an Age of Global Capitalism* (Halifax: Fernwood, 2000), 306-317. Camfield's chapter-length survey is an excellent introduction to the contours and context of the movement's rise and fall but operates in generalities, drawing heavily upon contemporary interpretations in leftist and trade union publications, not primary source material. Kozolanka and Kellogg draw more heavily upon newspapers to reconstruct events, although Kozolanka's research project is episodic in structure, focusing on the 1996 OPSEU strike, Megacity amalgamation of Toronto, and Bill 160 teachers strike of 1997. Similarly, Kellogg's study only spans the emergence of the movement following the June 8 1995 election to the first Day of Action in London on December 11 1995. An example of a study drawing heavily upon oral interviews and union strike materials is David Rapaport's history of the 1996 OPSEU strike. See David Rapaport, *No Justice, No Peace: The 1996 OPSEU Strike Against the Harris Government in Ontario* (Montreal: McGill-Queen's University Press, 1999).

An important limitation of the newspapers is the selection of quotes from countless participants in various strikes, protests, and oppositional meetings. We have no means of knowing the precise manner in which journalists selected people to interview, or which parts of the interviews were published. This is evident with the heavy reliance for quotes from senior union officials whom journalists expect to speak for a whole movement as a substitute for interviewing the extra-parliamentary opposition popular base of support. Furthermore, quotes from this base of support are sometimes only highlighted for their glib sensationalist shock value as opposed to any astute and informative understanding of events. For this study, the quotes drawn from newspapers have been carefully considered to elucidate either general sentiments of the extra-parliamentary opposition, or the competing and clashing perspectives within it.

Interviews with eleven participants in the protest movement provide another major source of data for this study. Interviewees were selected by two main criteria. First, they had to be “activists” in the protest movement within the first six months of the Harris government and carrying through to the formal end of the Days of Action in July 1998. The second main criteria is related to my definition of “activist”. For the sake of interview selection, an “activist” is defined as someone engaged in sustained reflexive activity in the protest movement. Practically, this involved regular active engagement in the internal life of unions or community and political organizations. Of the eleven participants, three are trade union activists, serving no position higher than a local union executive member or local labour council delegate. Three are organizers with advocacy organizations, and two more are organizers with socialist political organizations. The remaining three participants are either university students or activist workers in a non-

union private sector workplace. Six were based in Toronto, the remainder in Ingersoll, Hamilton, St. Catharines, Peterborough and Ottawa.

My decision to focus on these “activists” was taken in order to mine the experiences and analyses of people involved in the prosaic organizing routines necessary to build the protest and strike movement. These people also engaged in an ongoing critical self-reflection of their activity and the general direction of the movement itself. With virtually no power as individuals to shape and direct the movement in the manner of senior union leaders, these participants were the most active leadership elements *within* the *base* of the movement as distinct from the union leadership. Interviewees proved indispensable in developing an understanding of intangible dynamics such as momentum or demoralization, moments of galvanization, polarization and radicalization. Such insights were essential in constructing the narrative and cutting against the pitfalls of impressionism when studying newspapers, union documents, and activist publications.

Other publication rounding out the main source base of this study include leftist, trade union, and government publications. Union research and government policy documents provide rich and sometimes competing sets of datum upon which to establish a strong grasp of the Common Sense Revolution. These sources also serve to corroborate or correct the newspaper interpretations of said policy and research documents. Leftist publications provide largely analytical coverage of events, sometimes veering into the polemical, and often many months after the fact given their infrequent publication.⁸ Despite this, leftist publications have a propensity to expose disputed and contentious

⁸ Leftist publications include *Briarpatch Magazine*, *Canadian Dimension*, *New Socialist*, *Our Schools/Our Selves*, *Socialist Worker*, and *This Magazine*.

conjunctures within the opposition movement that are not commented upon in trade union documents, newspapers or remembered clearly by interviewees.

Neoliberalism

The Common Sense Revolution is understood and treated in this study as a neoliberal political project. Three mutually-reinforcing theoretical frameworks of neoliberalism from academics Stuart Hall, David Harvey and Alan Sears inform this perspective. Geographer David Harvey provides a powerful yet simple definition of neoliberalism crafted and informed by a sweeping survey of neoliberalism around the world since the 1970s. Alan Sears offers an Ontario-based Harris-era grounded theory of neoliberalism in his concept of the “lean state” which is compatible with Harvey’s general framework. Last but not least, Stuart Hall’s study of “Thatcherism”, itself a grounded theory of neoliberalism in early 1980s Britain, contains a powerful set of insights into neoliberalism as a political and ideological response to Britain’s post-war social democratic welfare state.⁹

Harvey writes that neoliberalism is simultaneously “a *utopian* project to realize a theoretical design for the reorganization of international capitalism” and “a *political* project to re-establish the conditions for capital accumulation and to restore the power of economic elites.” The utopian project may have rested upon a theoretical design but neoliberalism “primarily worked as a system of justification and legitimation” in order to

⁹ Stuart Hall, “The Great Moving Right Show,” in Stuart Hall and Martin Jacques (eds.) *The Politics of Thatcherism* (London: Lawrence and Wishart, 1983); David Harvey, *A Brief History of Neoliberalism* (Toronto: Oxford, 2005); Alan Sears, “The “Lean” State and Capitalist Restructuring: Towards a Theoretical Account,” *Studies in Political Economy* 59 (Summer 1999), 91-114.

push through concrete political and economic transformations.¹⁰ This disarticulation of theory and practice is crucial in understanding how the Common Sense Revolution combined both a utopian and political project in often highly contradictory ways, yet somehow pointed in a clear direction.¹¹

In developing his analysis to uphold this basic definition, Harvey identifies the state as the central and decisive instrument of neoliberal transformation. This has immense relevance with regard to the period of the Common Sense Revolution. The neoliberal state, observes Harvey, favours unfettered free market capitalism, free trade, individual property rights, and the rule of law. Concretely, this translates into policies such as the privatization of public assets, the elimination of government regulations in various economic sectors, and the dismantling of protectionist trade measures, all to enable private sector accumulation. This political project is organized around the claims of the utopian project that competitive capitalism freed from state interference would result in the “trickle down” of wealth, serving to raise the standard of living for anyone willing to take personal responsibility in improving their lives.¹²

Among the consequences here, Harvey argues the neoliberal state “is necessarily hostile to all forms of social solidarity that put restraints on capital accumulation.” The power of independent trade unions built up after the war have been “disciplined, if not destroyed...in the name of the supposedly sacrosanct individual liberty of the isolated labourer.” This extended beyond just the ability of organized labour to redistribute wealth downwards through the collective bargaining process, but also corporatist aspects of the

¹⁰ Harvey, 19.

¹¹ Progressive Conservative Party of Ontario, *The Common Sense Revolution* (Toronto: 1994). By early 1995, the Tories claimed to have distributed two million copies of the 24-page booklet.

¹² Harvey, 64-65.

social safety net that empowered workers in the labour market, such as Canada's Unemployment Insurance program. Harvey argues rather convincingly "labour control and maintenance of a high rate of labour exploitation have been central to neoliberalization all along."¹³

The strength of Harvey's definition and analysis is also its weakness. The overarching definition is broad enough to arguably encompass the totality of neoliberal experiences, but it leaves us the task of developing a grounded theory of neoliberalism in Ontario. This gap is filled by the idea of the "lean state" developed by Alan Sears during the late 1990s, also used as a foundational framework for Camfield's understanding of the Harris Tories, and in Andy Hanson's labour history of Ontario's elementary teachers between 1970 and 1998.¹⁴

Observing the commonalities between Japanese assembly line management and work organization imported into Ontario auto plants during the late 1980s and early 1990s, Sears noted how these same "lean production" techniques were being adopted in Ontario's education system during the first term of the Harris government. The goal of lean production was "dramatic improvements in productivity by reducing labour time through the deployment of new technologies, the elimination of "waste" associated with older mass production methods, and the development of new approaches to the social reorganization of work and labour/management relations."¹⁵ The Common Sense Revolution was fixated on reducing "waste" from a "bloated bureaucracy" in which there

¹³ Harvey, 75-76.

¹⁴ Sears, "The "Lean" State and Capitalist Restructuring." See also Alan Sears, *Retooling the Mind Factory: Education in a Lean State* (Aurora, ON: Garamond, 2003); Andy Hanson, "Not In Their Classrooms: Class Struggle and Union Strength in Ontario's Elementary Teachers' Unions, 1970-1998," (PhD. Dissertation, Trent University, 2013).

¹⁵ Sears, 96.

was “plenty of fat to be cut”.¹⁶ Generalizing beyond the province’s education system, Sears came to posit the concept of the “lean state” to describe the neoliberal state. The state is not only lean in the sense of “cutting the fat” and advancing efficiency, but lean *and* mean: a tough, muscular state whose “disciplinary activities reinforce discipline by visibly suppressing forms of “deviant” conduct which threaten the norms of commodity exchange.” One can imagine the lean state as an agile and muscular boxer, capable of outmanoeuvring and containing its opponent, landing accurate and painful blows, all while maintaining momentum and initiative.¹⁷

Stuart Hall’s influential essay “The Great Moving Right Show” in which he observed the emergence of Thatcherism, was a reflection on what he called the “neglected political and ideological dimensions” of the regime.¹⁸ Hall believed Thatcherism was a form of “authoritarian populism” combining “resonant themes of organic Toryism – nation, family, duty, authority, standards, traditionalism – with the aggressive themes of a revived neo-liberalism – self-interest, competitive individualism, anti-statism.”¹⁹ The Harris Tories blended many of the exact same themes. Unsurprisingly, Hall’s analytical framework is foundational to Kozolanka’s study of the Common Sense Revolution’s communications strategies. Paul Leduc Browne’s short essay on “Thatcherism in Ontario” also draws heavily on Hall.²⁰

Anticipating the two-fold definition of neoliberalism advanced by Harvey two decades later, and linking up with Sears’ concept of the lean state, Hall is acutely aware

¹⁶ The Common Sense Revolution, 15-16.

¹⁷ Sears, 105.

¹⁸ Hall, 23.

¹⁹ Hall, 29.

²⁰ See introduction of Kozolanka, 1-27; Paul Leduc Browne, “Déjà Vu: Thatcherism in Ontario,” in Diana Ralph, André Régimbald, and Nérée St-Amand (eds.) *Open for Business/Closed to People* (Halifax: Fernwood, 1997), 37-44.

of the contradictions of Thatcherism. He writes that the organic Toryism and revived neoliberalism are “condensed” around the “contradictory point” of the “free market” and “strong state”. Hall concludes that this “reactionary common sense” has been “harnessed to the practice and solutions of the radical right and the class forces it now aspires to represent.”²¹ People are not won to Thatcherism, warns Hall, through “rhetorical device or trick” but “in the way it addresses real problems, real and lived experiences, real contradictions” and “pulls them systematically into line with policies and class strategies of the right.”²²

However, Hall is particularly clear that Thatcherism was also constructed *in response* to the failures of a social democratic party in government, a point of immense relevance to this project given the NDP government which preceded Harris. Hall noted how the Labour government of 1974-79 sought to manage a protracted economic crisis through a Keynesian-corporatist form of discipline, the Social Contract, to limit wage growth and inflation. Following the “Winter of Discontent” strikes against the Labour government’s restraints, the Tories led by Thatcher were swept into power. Four years later, Hall wrote: “In this climate of austerity, Keynes has been decently buried; the right has re-established its monopoly over ‘good ideas’; ‘capitalism’ and ‘the free market’ have come back into common usage as terms of positive approval.”²³

The parallels with Ontario in the early 1990s are strikingly similar. In his study of the Social Contract imposed upon Ontario’s public sector unions in 1993 by the NDP government of Bob Rae, Stephen McBride writes that this event underscored the “demise of Keynesianism” in Canada and the “exhaustion and failure of social democratic

²¹ Hall, 30.

²² Hall, 38-39.

²³ Hall, 20, 32-33.

economic analysis and policies”. This was central to the NDP’s catastrophic collapse in Ontario in the 1993 federal and 1995 provincial elections, and the “mood of pessimism” and “source of disillusion” which spread among party supporters.²⁴

Furthermore, as Hall elaborates, Thatcher waged a faction fight within her own party through the 1970s and into the 1980s while Prime Minister to excise the “consensus politics” within the Tories around collectivist and statist policies of the post-war period.²⁵ Similarly, Harris himself aligned with Frank Miller’s successful leadership bid to succeed retiring Premier Bill Davis in 1985. Davis came from a long line of “Red Tories”, the party’s ruling faction since 1943, which aligned itself with a gradualist and statist approach to development and governance. As Albo and MacDermid wrote, “Davis was no neo-liberal Margaret Thatcher or Ronald Reagan.”²⁶ During the 1970s and early 1980s, Miller represented the “radical right” of the Tories. He had made a name as Health Minister in the late 1970s when he sparked popular opposition with proposed hospital cuts. Briefly premier but defeated in the 1985 election, the old guard “consensus politics” wing of the party under Larry Grossman triumphed only to lose the 1987 election, with Grossman himself losing his seat. In 1990, Harris won the party’s leadership contest, suffered an electoral defeat but held on. His neoliberal faction set about reorganizing and renovating the party after a 1992 conference, and developed the Common Sense Revolution for publication and promotion in 1994.²⁷ Needless to say, by

²⁴ Stephen McBride, “The Continuing Crisis of Social Democracy: Ontario’s Social Contract in Perspective,” *Studies in Political Economy* 50 (Summer 1996), 66.

²⁵ Hall, 25.

²⁶ Greg Albo and Robert MacDermid, “Divided Province, Growing Protests: Ontario Moves Right,” in Keith Brownsey and Michael Howlett (eds.) *The Provincial State in Canada* (Toronto: Broadview, 2001), 175.

²⁷ On Miller rise and fall see Albo and MacDermid, 176-178. A laudatory but detailed journalistic account of how the Harris faction rebuilt Ontario Tories in the early 1990s is found in Christina Blizzard’s book *Right Turn: How the Tories Took Ontario* (Toronto: Dundurn, 1995). There is no other comparably

the time Harris won the 1995 election, the “Red Tory” faction with its gradualist collectivist and statist elements had been decisively defeated.

Within Harvey’s two-fold definition, Sears grounds our understanding of how state power is wielded on behalf of the neoliberal political project. Meanwhile, the utopian project of neoliberalism, or the theoretical design for reorganizing capitalism, is historicized by Hall who situates neoliberalism as a response to the limits and failures of the post-war Keynesian consensus to contend with severe economic crisis of international dimensions. Furthermore, Hall’s commentary on the contradictory nature of Thatcherist ideology has provided a helpful framework for this dissertation. It informs this careful appreciation of how the contradictions of the Common Sense Revolution draw upon the contradictions in the lived experience of Ontarians themselves, and reframe these contradictions in its favour.

Labour bureaucracy

While neoliberalism serves to inform our understanding of the Common Sense Revolution, a Marxist theory of labour bureaucracy is used throughout in order to grasp the internal dynamics of the extra-parliamentary opposition. Before proceeding, we must define what “extra-parliamentary opposition” means. In this study it refers to the popular movement that sought to use strikes and protests to punish employers and induce a political crisis for the Tories in a bid to derail the Common Sense Revolution program. The movement was extra-parliamentary in two senses: First, it operated independently of the decision-making structures of the parties represented in the legislature, including the

exhaustive study of how the Ontario Tories were reformed under Harris during the early 1990s. For example, not a single essay in *Open for Business/Closed to People* discusses the internal life of the Ontario Tories prior to their 1995 election.

New Democratic Party. Second, it opposed the governing party through extra-parliamentary methods, namely protests including civil disobedience and strikes. This study concludes in the summer of 1998 when union leaders suspended the strikes and subordinated protests towards the new task of ousting the Harris Tories from office in the 1999 provincial election.

Several historically-informed accounts of the labour bureaucracy are utilized in this study, with Richard Hyman's work providing much of the foundation. Drawing on his work from the mid-1970s and grounded in the industrial turmoil of Great Britain at the time, Richard Hyman provides not simply a definition of the labour bureaucracy, but a framework for understanding the labour bureaucracy's various behaviours in a period of sustained political and industrial conflict. Reaffirmed and sharpened by the subsequent works of Ralph Darlington, Martin Upchurch and David Camfield, Hyman's analysis of the labour bureaucracy is augmented by historically-informed studies of the Canadian labour bureaucracy, notably that of Don Wells, Leo Panitch, and Donald Swartz.²⁸

Defining the labour bureaucracy as elected or appointed full-time union officials and staff, Hyman's understanding of the labour bureaucracy is framed by two elementary observations about the nature of trade unions. First, unions served to protect their memberships against the excesses of capital, not to fundamentally challenge the wage-labour relationship with capital; a relationship which Hyman identifies as inherently

²⁸ Richard Hyman, *Industrial Relations: A Marxist Introduction* (London: Macmillan, 1975); David Camfield, "What is Trade Union Bureaucracy," *Alternate Routes* 24 (2013), 133-156; Ralph Darlington and Martin Upchurch, "A reappraisal of the rank-and-file versus bureaucracy debate," *Capital & Class* 36 (2012), 77-95; Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms*. Third Edition (Aurora, ON: Garamond, 2003); Don Wells, "Origins of Canada's Wagner Model of Industrial Relations: The United Auto Workers in Canada and the Suppressions of "Rank and File" Unionism, 1936-1953," *Canadian Journal of Sociology*, 20 (1995), 193-225.

contradictory and involving a “radical conflict of interests.”²⁹ Second, trade unions are not class organizations. Rather, they are organized along narrower sectional lines and interests in response to the actions of employers in a manner “comprehensible only if viewed in its historical dimension.”³⁰ Shaped so profoundly by economic and workplace arrangements independent of their control, Hyman warns against ascribing significant agency to unions as organizations while conceding the significant authority and control over union decision-making enjoyed by union officials. Hyman instead emphasizes a focus on the “effect of powerful external pressures on the definition of trade union objectives.”³¹ From these premises, Hyman draws two powerful insights into the structural pressures shaping the behaviour of the labour bureaucracy.

First, with regards to the collective bargaining agreements and the system of industrial legality achieved in most Western countries after the Second World War, Hyman describes the social function of full-time union officials as enforcing contracts and protecting the system of industrial legality which enshrines collective bargaining rights.³² As Darlington and Upchurch put it, “While it is undoubtedly vital that union officials (utilising the threat of rank-and-file industrial strength) can win material improvements for their members, they are subject to powerful normative influences of ‘industrial legality.’”³³ On these normative influences, Don Wells writes of Canada’s post-war compromise as one which “contained major gains for labour” but “also contributed to fundamental, enduring weakness in the internal organization of industrial

²⁹ Hyman, 22-23, 87.

³⁰ Hyman, 35-36.

³¹ Hyman, 68-69, 83, 87.

³² Hyman, 90-91.

³³ Darlington and Upchurch, 82.

unionism.”³⁴ The new post-war legal architecture of industrial relations contained and defused mass militancy, solidarity and “rank and file” unionism, and empowered the union bureaucracy to bargain with employers along rather economic lines. Hyman observes that where the membership challenged industrial legality, “unions can readily be transformed, at least partially, into an agency of control *over* their members to the advantage of external interests.”³⁵ Hyman is still quite careful in emphasizing how the labour bureaucracy is compelled by powerful external pressures to police their own membership in defence of industrial legality, while simultaneously drawing upon the energies and capacities of the membership to defend a regime of industrial legality. Even David Camfield, who places far more emphasis in his analysis of the conservative tendencies of a “crystallized” labour bureaucracy, warns “the sway of the officialdom is not always exercised against militancy or radicalism.”³⁶

Second, Hyman describes the search by union officials for legitimacy among “significant others” as a further consequence of the external pressures placed on unions. Even with a trade union bureaucracy playing a role of containing membership activities within the confines of industrial legality, and unions not challenging the wage-labour relationship between labour and capital, unions are nevertheless subjected to profound political and ideological pressures and criticisms. As Hyman notes, the “terms of discussion in the media and in everyday political debate – both of which are profoundly affected by the power of capital – encourage trade unionists to disavow as ‘subversive’, ‘irresponsible’ or ‘economically-disastrous’ any but the most modest of objectives.”³⁷

³⁴ Wells, 195.

³⁵ Hyman, 68. Italics in original.

³⁶ Camfield, “What is Trade Union Bureaucracy,” 149.

³⁷ Hyman, 88.

This ideological environment intersects with other “exceptional” but common measures of legislative, legal and physical repression against labour. The result, contends Hyman, is a common union policy which “curbs those objectives which seriously threaten the *status quo*” and which may “win the acquiescence and even goodwill of employers and the state.”³⁸ With the general post-war compromise across Western states serving to stabilize labour relations within a framework of industrial legality, the “domestication of union goals” manifests itself in the integration of unions into various “consultative and administrative committees” which “generate a degree of identification with government policy on the part of union leaders, and encourages them to tailor their own strategies accordingly.”³⁹

Based upon these two insights, Hyman identified two general tendencies within organized labour that emerged in periods of intensified confrontation with the state and employers. These tendencies are immensely useful in grasping how Ontario’s labour bureaucracy responded to the Common Sense Revolution in a period of “permanent exceptionalism,” a term developed by Leo Panitch and Donald Swartz to describe the entrenchment of restrictive and punitive legislative and legal measures curtailing union activity and power.⁴⁰ One tendency Hyman observes is that “when strategic interests of workers and employers are at stake, the *mobilisation of power* becomes of critical importance; and union representatives who are accustomed to rely on a ‘reasonable’ relationship with management may find themselves disarmed.”⁴¹ Union leaders fixated on contract negotiations and the various committees of governance “rather than the

³⁸ Hyman, 88-89.

³⁹ Hyman, 89.

⁴⁰ Panitch and Swartz, 25-29.

⁴¹ Hyman, 109.

underlying realities of power” were at a loss in such conflicts. Intensified, sharpened conflict might reveal the profound weaknesses of certain unions. However, an opposite tendency can emerge. In restructuring the legal architecture of labour relations so explicitly in favour of capital, unions may begin to operate outside the law and “its policies are likely to be militant and disruptive, perhaps involving an explicit challenge to the political regime.”⁴²

During the Common Sense Revolution, these two tendencies defined the two contending factions inside the Ontario Federation of Labour, the umbrella organization for almost all Ontario unions. The “Pink Paper” faction of mainly private sector unions had been disciplined severely by the economic recession of the early 1990s. Their militancy curtailed, the Pink Paper bureaucracy sought instead to secure favourable partnerships with capital via the New Democratic government.⁴³ The opposing faction inside Ontario labour, the “Common Front” unions, comprised the public sector unions and Canadian Autoworkers (CAW) who had broken with the NDP in 1993 over the legislated concessions of the Social Contract. These unions were instrumental in building the illegal political strikes and mass protests of the Days of Action and raising the prospects of the extra-parliamentary opposition challenging the prerogatives and power of the provincial government. However, the two tendencies were not at all mutually exclusive and the labour bureaucrats of the Common Front unions were torn between strategies of confrontation and negotiation.

⁴² Hyman, 142.

⁴³ The Pink Paper statement clearly outlines a strategy of extending union influence and “worker control” into realms of the economy dominated by employer ownership and control via legal openings pried open by NDP legislation. “Rethinking our mission in Ontario: A discussion paper for union leaders,” (November 1 1993), 5-8.

The importance of Hyman's insights and observations is the identification of dynamics and tendencies within the labour bureaucracy that allow us to move beyond simplistic and moralistic critiques of "bad leaders" and "sellouts", or collapsing into structurally-deterministic analyses. Hyman does describe a labour bureaucracy hemmed in by legal, political, ideological and economic pressures and thus prone to curtailing disruption of industrial legality by members. These pressures do create the conditions for strategies of accommodation, collaboration, and the quest for legitimacy in the eyes of the media, employers, and government. Government and employers have also sought such collaboration in order to mitigate industrial disruption. However, union bureaucrats may also fight in defense of legal rights afforded when they are threatened. In the context of neoliberalism involving a state-led restructuring of society favourable to capital, the trade union bureaucracy is likely to respond in a manner greatly determined by the historical peculiarities of each section.

Historiography

The empirical and narrative approach of this study is directly informed by the fragmented, narrow and often impressionistic character of the literature related to the Common Sense Revolution. Nevertheless, some of this material provides a solid foundation for this study.

The available literature on the Common Sense Revolution falls into three general categories. The first category is peer-reviewed articles which examination specific policies and their legislative passage during the Harris years. Generally, these studies offer fairly narrow understandings of the Common Sense Revolution's component parts.

There are important exceptions, such as Graham and Phillips' study of provincial-municipal relations between 1995 and 1997 which embed their interpretation of policy in a nuanced understanding of a shifting, unstable political terrain.⁴⁴ Some policies of the Common Sense Revolution are subject to even deeper contextualization, notably in the areas of social assistance and municipal amalgamation where insights into the organizational, economic and ideological differentiations within the working class help inform a nuanced understanding of the extra-parliamentary opposition to Harris.⁴⁵

The second category is the journalistic monograph, often centred upon the Common Sense Revolution's electoral victory and transition to power. Syndicated *Toronto Sun* columnist Christina Blizzard offers a laudatory journalistic account of the 1995 election strategy of the Harris-led Progressive Conservatives which draws directly upon her assignment to cover the campaign. Portraying the party as outsiders to establishment politics, Blizzard provides the most comprehensive look inside how the Common Sense Revolution was cobbled together after the 1990 election by a

⁴⁴ One significant exception is a study of provincial-municipal relations under the Harris government between 1995 and 1997 by Katherine A. Graham and Susan D. Phillips, "'Who Does What' in Ontario: The process of provincial-municipal disentanglement," *Canadian Public Administration* 41 (Summer 1998), 175-209.

⁴⁵ On the Megacity, see Julie-Anne Boudreau, "Megacity Toronto: Struggles Over Differing Aspects of Middle-Class Politics," *International Journal of Urban and Regional Research* 23 (December 1999), 771-781; Julie-Anne Boudreau, Roger Keil and Douglas Young, *Changing Toronto: Governing Urban Neoliberalism* (Toronto: University of Toronto Press, 2009); Roger Keil, "'Common-Sense' Neoliberalism: Progressive Conservative Urbanism in Toronto, Canada," *Antipode* 34 (July 2002), 578-601. On the transformation of social assistance in Ontario, its social impact, and the resistance it invoked, see Thomas R. Klassen and Dan Buchanan, "Ideology, Policy, and Economy: Liberal, New Democratic and Conservative Reforms of Ontario's Welfare Program," *Journal of Canadian Studies* 40 (Fall 2006), 186-210; Ronald D. Kneebone and Katherine G. White, "Fiscal Retrenchment and Social Assistance in Canada," *Canadian Public Policy* 35 (March 2009), 21-40; Julie Anne McMullin, Lorraine Davies, and Gale Cassidy "Welfare Reform in Ontario: Tough Times in Mothers' Lives," *Canadian Public Policy* 28 (June 2002), 297-314. One important work that bridges neoliberal urban governance and the retreat from a statist social safety net is Jason Hackworth and Abigail Moriah's "Neoliberalism, Contingency and Urban Policy: The Case of Social Housing in Ontario," *International Journal of Urban and Regional Research* 30 (September 2006), 510-527. A brief survey of social housing restructuring in Ontario can also be found in Gregory Suttor, *Still Renovating: A History of Canadian Social Housing Policy* (Montreal: McGill-Queen's University Press, 2016).

strategically-minded core of political operatives around Harris. Similar ground is tread by John Ibbitson, syndicated political columnist with the Southam News and based out of the *Ottawa Citizen*. Embracing the fiscal and technocratic thrust of the Common Sense Revolution, Ibbitson also delves inside the party's internal organization and renovation preceding the 1995 election, as well as how the party handles its first two years in power. A more dispassionate assessment of the transition is provided by David R. Cameron and Graham White in their study of how each new party acted immediately following their election victories in 1985, 1990 and 1995.⁴⁶

Ibbitson and Blizzard are exceptionally useful in revealing the techniques and strategies of political intervention honed by the Tories well before they came to power. Harris in particular comes across as incredibly adept at engaging virtually any policy issue and framing it through the Common Sense Revolution program, and in turn transforming a document into a comprehensive and seemingly coherent lens through which to view society as a whole. Ibbitson and Blizzard adopt the well-known lens of "journalistic objectivity," yet in both cases editorial criticism is muted by a distinctly laudatory tone.

The third and final category are works on the protests and strikes of the early Harris years. Most studies are of particular strikes or protests during the Days of Action. There are only four significant works on the Days of Action themselves, although all are sufficiently distinct in approach and periodization.

David Camfield has written the most focused analysis of the movement from its inception in the summer of 1995 to its denouement in the spring of 1998. Camfield

⁴⁶ Blizzard, *Right Turn*; John Ibbitson, *Promised Land: Inside the Mike Harris Revolution* (Scarborough, ON: Prentice-Hall, 1997); David R. Cameron and Graham White, *Cycling Into Saigon: The Conservative Transition in Ontario* (Vancouver: UBC Press, 2000).

assembles a coherent trajectory of major events which generally hold up under scrutiny. However, the limited length of the article means that a great amount of detail is lost. This explains the polemical tone of his critique of the labour bureaucracy for its containment and undermining of the protest movement, and his abstract contention that an independent organized political force inside and outside the unions was necessary to push and pull the movement towards escalation. Insufficient detail is provided to empirically confirm such claims about the labour bureaucracy's political perspectives and techniques of control. There is little to go on in identifying the conjunctural possibilities closed off by the labour bureaucracy's decisions. More importantly, the article lacks a grounded analysis of the movement as a whole and the dynamic relationship between movement base, intermediary layers, and the senior labour leadership.⁴⁷

Yonatan Reshef and Sandra Rastin provide a comparative study of labour opposition to the Klein regime in Alberta and Harris government in Ontario. While not central to their thesis, Reshef and Restin suggest that Ontario's labour movement failed in stopping the Common Sense Revolution when it stepped outside the industrial relations regime, and that any escalation of the Days of Action towards a province-wide general strike was "fleeting" and essentially too late to have a meaningful political impact. The analysis builds upon a more detailed assessment of events than Camfield but is fundamentally flawed in framing the general strike question around a formally-ratified resolution at the November 1997 Ontario Federation of Labour convention. It is indisputable that a general strike was essentially impossible in the wake of the

⁴⁷ David Camfield, "Assessing Resistance in Harris's Ontario, 1995-1999," 306-317.

devastating defeat of the teachers' strike.⁴⁸ However, the authors fail to address the demand for a general strike that emanated from the base of the movement in late 1995, a demand that was rebuffed at several critical moments prior to the 1997 OFL convention when escalation was a distinct possibility. Trapped in an institutional analysis of labour, Reshef and Rastin are focused on labour leadership at the expense of the wider movement spilling beyond the ranks of labour and placing its hopes, and efforts in building a sustained and successful extra-parliamentary opposition. As one union researcher Jason Foster observes, this shortcoming in Reshef and Rastin's study is a "missed opportunity", resulting in a work that describes the barriers confronting organized labour, but offers no comment on "unlocking the power" of the social forces at its disposal.⁴⁹

Paul Kellogg's careful study of the origins of the protest movement is a significant step towards resolving the limitations of Camfield's survey and correcting the oversights of Reshef and Rastin. Kellogg pieces together how feminist activists in Ontario learned directly from their contacts in Alberta about the necessity of mounting a protest movement against the Harris government from the outset of its mandate. As Kellogg describes in great detail, a small and loose grouping of feminists, childcare workers, anti-poverty activists and trade unionists initiated protests through the summer of 1995 that laid the organizational basis for reaching wider layers of trade unionists, winning labour councils to active opposition, and setting in motion events culminating in the Days of Action.⁵⁰ The significance of Kellogg's work is the depth with which it

⁴⁸ Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution: Government Restructuring in Alberta and Ontario* (Toronto: University of Toronto Press, 2003), 150-151.

⁴⁹ See Chapter Two of *Unions in the Time of Revolution* for the comparisons between Klein and Harris in their differing political projects, techniques of governance, and ideology. Jason Foster, "Unions in the Time of Revolution," *Labour/Le Travail* 54 (Fall 2004), 263-265.

⁵⁰ Kellogg, 125-130.

delves into how the movement manifested itself through small-scale organizing and some sense of short-term and medium-term strategy. In doing so, Kellogg establishes an empirical research method and analytical frame which grounds Camfield's critique of the labour bureaucracy.

Kirsten Kozolanka's *The Power of Persuasion* explores how the Harris government managed its political messaging in the media to navigate the protests, strikes and scandals which erupted once they were in power. Gramsci's theory of hegemony features prominently in her analysis and serves to limit any overestimations of the popular strength of the Harris Tories by compelling readers to consider the fluidity and speed with which political realignments took place in the early 1990s. Building upon Gramsci, Kozolanka cites Stuart Hall's investigation of Thatcherism to convincingly contextualize the Common Sense Revolution as gaining traction amidst the existence or threats of economic, political and even moral crises. Here, Kozolanka's work here is confirmed by both Ibbitson and Blizzard but there is a significant distinction to be made. The latter two understand the Common Sense Revolution's emphasis on crisis as a pragmatically astute method of electioneering. Kozolanka goes much further arguing that the layered economic, social and moral crisis was skillfully emphasized and even exaggerated to ensure the political conditions would enable an entire transformation of the province through state power.⁵¹

In this context, Kozolanka observes the consistent Tory messaging of "special interest groups" aligned with the welfare state and against the ostensible job-creating dynamism of free market forces and "small government." In focused case studies of the

⁵¹ Kozolanka, *The Power of Persuasion*. For an earlier and more concise publication of Kozolanka's research, see "Taming Labour in Neo-Liberal Ontario: Oppositional Political Communication in a Time of 'Crisis'," *Canadian Journal of Communications* 31 (2006), 561-580.

1996 OPSEU strike, the 1997 teachers strike, the Megacity amalgamation, and the Days of Action, Kozolanka shows how the Harris government was able to largely fend off the ideological attacks mounted by the protest movements. Kozolanka's study is essential to understanding the extra-parliamentary opposition's general failure to advance a coherent political alternative and unwillingness of so many movement activists to advance the NDP as a solution. Despite these limitations, Kozolanka's focus on ideological framing of the struggle dangerously understates the extent to which the defensive character of the protest movement succeeded in damaging the Common Sense Revolution and blunting and defeating some of its components, such as workfare, Bill 136, and hospital closures.

A handful of sectoral studies are worth noting. First is David Rapaport's incredibly detailed history of the five-week strike by 55,000 Ontario Public Service Employees Union (OPSEU) members in early. Despite Rapaport's role in the early 1990s as an elected OPSEU executive in the Toronto area, his history of the OPSEU strike offers virtually no substantial commentary on the wider protest and strike movement against Harris, or the state of OPSEU and its membership in the subsequent protests and Days of Action.⁵²

A small but strong body of literature surrounds the restructuring of education under Harris, and consequently the 1997 teachers' strike. This strike was the last major political strike of the period, and a moment in which the Harris government was floundering in the polls and early eulogies were appearing in the press. Writing shortly after the teachers' strike, education historian R.D. Gidney emphasized the remarkable continuity between the Common Sense Revolution's education policies and the NDP's goals between 1990 and 1995. Gidney, however, does not downplay the Common Sense

⁵² Rapaport.

Revolution's significance, observing that the comprehensive nature of the reforms, as opposed to the piecemeal reforms advanced by earlier governments, set up a confrontation of historic proportions and signaled a historic new direction in the province's education system.

A more critical perspective comes from Joseph B. Rose who characterized the introduction of Bill 160, which teachers struck against, as a "blunt and heavy-handed [effort] to control collective bargaining processes and outcomes" which destabilized labour relations in the education sector. At least in the realm of industrial relations, Rose asserts that the Harris government launched education in a new direction.⁵³

Alan Sears goes much further than Gidney or Rose, contending that Harris's education reforms were not merely technocratic reform, but a profound political project reshaping social, lived experiences, and cultural norms. Like Kozolanka, Sears draws upon Gramsci: "The Harris government in Ontario, like other neo-liberal administrations, is attempting to accomplish a revolution in common sense, shifting the taken-for-granted assumptions and expectations that are widespread among the population."⁵⁴

For our purposes, two important insights emerge out of the existing literature. First the extra-parliamentary opposition must be understood in its totality, which means analyzing the movement's base and labour bureaucracy as interdependent social elements locked in a power relationship that, in the context of a movement emerging outside of formal union structures, extended beyond union structures. This is the basis for understanding this less as a labour movement than a union-led extra-parliamentary

⁵³ R.D. Gidney, *From Hope to Harris: The Reshaping of Ontario's Schools*, (Toronto: University of Toronto Press, 1999), 276-281; Joseph B. Rose, "The Assault on School Teacher Bargaining in Ontario," *Relations Industrielles/Industrial Relations*, 57 (2002), 100.

⁵⁴ Sears, *Retooling the Mind Factory*, 6-7.

opposition. Second, the movement as a whole operated in a period of profound ideological confusion stemming from the defeat and failures of a social democratic government and in the context of an advancing transformational political project of neoliberal austerity. An appreciation of this ideological and political crisis within labour is necessary to understand the manner in which the Days of Action were contained and ultimately suspended by one faction of the labour bureaucracy, and why the other faction was unwilling to escalate the extra-parliamentary opposition's confrontation with the government. The labour bureaucracy, in other words, cannot be treated as a unified social layer, but one fractured by ideological and political perspectives rooted in sectional histories and the crisis of social democracy itself.

Chapter Organization

Chapters are organized chronologically beginning in June 1995 with the election of the Harris Tories and ending in July 1998 with the formal suspension of the Days of Action by provincial union leaders at an Ontario Federation of Labour meeting.

The periodization of each chapter often begins and ends with major protests, strikes, or legislation which help to define an identifiable phase within the conflict between the extra-parliamentary opposition and the government. Chapters span as few as four months or as many as ten based on the pace and salience of events, or the phases of growth, escalation paralysis or demobilization of the contending forces. The purpose of such organization is to elucidate the internal workings of the movement and its evolving, shifting responses to the Common Sense Revolution.

The first two chapters are the only overlapping in terms of chronology. The first chapter traces the emergence of the extra-parliamentary opposition independent of the provincial union leadership between June 1995 and November 1995, beginning with the election of the Harris government and the response of community and advocacy organizations, and ending with the province-wide one-day childcare strike of late November. The second chapter begins in October 1995 with the introduction of anti-labour legislation, follows the subsequent momentum towards a province-wide general strike, and concludes with the first Day of Action in London in December. The overlap of these two chapters is necessary given the dizzying pace of events from September through December. Together, the chapters identify how the protest movement emerged independent of the union leadership, and as the Common Sense Revolution unfolded, shaped the character of escalating labour militancy towards industrial action, and cemented civil disobedience and economic disruption as the primary tactics of the extra-parliamentary opposition.

The third chapter covers January to April 1996, from the massive growth of the movement in response to Bill 26 and the enormous Hamilton Days of Action, to the conclusion of the five week OPSEU strike. During these months, the provincial union leadership consolidates its control of the movement while beginning to make concessions on allegations of violence and unruliness, and employers begin to accommodate the Days of Action in order to circumvent economic disruption. Furthermore, despite the movement achieving unprecedented levels of mass participation and demands to expand the size of the Days of Action to wider regional or province-wide actions, decisions are

made not to escalate the Days of Action beyond their city-wide one-day industrial actions, and keep the Days of Action separate and distinct from the legal OPSEU strike.

Chapter four spans April 1996 through to October 1996, from the Kitchener-Waterloo and Peterborough Days of Action in the spring through to the CUPE-Ontario boycott of the United Way for its participation in the government's "workfare" scheme. This period marks the provincial union leadership's decisive assertion of control over the extra-parliamentary opposition in a bid to use the Days of Action protests to leverage negotiations with the Premier. In seeking to gain the respect of the government, workplace civil disobedience during the Days of Action is further contained through the growing use of employer-union agreements, while union leaders make contrite public concessions to equivocal municipal complaints about clean-up and policing costs. This goal of maintaining respectability continues with the active opposition of major union leaders to CUPE-Ontario's boycott of the United Way. Designed to disrupt and stop the unrolling of workfare in community agencies funded by union donations to the United Way, the boycott achieves a degree of success despite its limited scope. Throughout this period, as the provincial union leadership brings the movement under its command, demoralization spreads in the ranks and factionalism begins to emerge.

The next chapter begins with the Metro Toronto Days of Action in October 1996, and continues through the first half of 1997. The Metro Days of Action is a one-day general strike in Canada's biggest city followed by one of the largest demonstrations in the country's history. Immediately following the protest, the electorally-oriented "Pink Paper" unions coming out in public opposition to the Days of Action strategy. The subsequent Days of Action in Sudbury and Thunder Bay were very small affairs, dwarfed

in size and significance by the eruption of mass opposition to extensive hospital closures announced in February and March. Along with the community opposition to the amalgamation of Toronto, the first half of 1997 was dominated by a series of fragmented and independent community-based campaigns, and the unions receding rapidly in significance even within the general movement to defend the hospitals against closures and cuts. All the while, the government and the Common Sense Revolution begin to falter, with dissent brewing in the backbenches, and opinion polls showing a significant decline in support.

Chapter six follows the resurgence of the union movement in response to the introduction of anti-union bills 136 and 160 between June and September of 1997. The two major union factions reunite and renewed threats of a province-wide general strike to defeat Bill 136 which is almost immediately followed by teachers waging a popular two-week illegal strike against Bill 160. However, three of the five teacher union leaderships call off the strike and it collapses. During this resurgence of working-class militancy, possibilities to connect the battles against both bills, and to use the very successful Days of Action in North Bay and Windsor towards these ends, are all squandered as union leaders balk at linking their fates and that of both bills.

The final chapter follows the deliberate destruction of the Days of Action by provincial union leaders and the imposition of a narrow electoralist strategy in lieu of an extra-parliamentary one. An open faction fight at the Ontario Federation of Labour witnesses the collapse of the protest-oriented Common Front and the Pink Paper faction's capture of the presidency. Despite the convention floor voting nearly unanimously for a province-wide general strike, union leaders refuse to set a date. Following the

convention, the labour leadership uses de-escalation and delay by allowing five months pass until the St. Catharines Days of Action on May 1. With widespread demoralization setting in during these winter months, the protest fizzles. A final Day of Action in Kingston is more energetic, drawing upon favourable local union militancy, but in July the provincial union leadership suspend the Days of Action and unscheduled general strike for lack of support, and set off to pursue their own independent electoral strategies.

Chapter 2:

The Emergence of a Protest Movement, June - November 1995

In the six months following the election, various networks of political activists organized a series of small protests and campaigns that became increasingly collaborative and coordinated. Initially attracting hundreds of people, these actions were soon drawing in many thousands, culminating in a September 27 rally at Queen's Park in which ten thousand people angrily greeted the opening of the new legislature. The rally sparked off a fully-fledged protest movement that spilled far beyond the metropolis of Toronto. Creative, militant and aggressive, the movement galvanized an activist layer within the unions that began to pull elements of the senior union leadership into activity and towards illegal political strikes.

Despite the appearance of unimpeded quantitative and qualitative growth, the process of going from a few thousand protesters to city-wide general strikes was by no means linear. Organizers who believed an extra-parliamentary opposition to the Harris Tories had to be built did so without waiting for official support from organized labour or sympathetic politicians. Nor did they have a clear long-term strategy beyond the general notion that protest would help build a social base for larger-scale resistance. This gambit by small networks of activists and organizers was opposed and even ridiculed by erstwhile supporters while prominent union leaders counseled a "wait and see" approach in the hopes that the new government could be reasoned with through high-level negotiations. As Paul Kellogg has pointed out in his immensely useful history of the movement's origins, traditional conceptions of a "classic confrontation" between labour and capital are insufficient for understanding how the movement eventually came to be understood as such a "classic confrontation." This trajectory of growth was only achieved by the

diligent organizing of feminists, anti-poverty and community activists, students, and “relatively isolated left-activists” who tapped the “mass anger” erupting over the initial wave of cuts, most notably the 21.6 percent cut to social assistance deemed by many the most cruel and objectionable.¹ As the scope of these cuts to programs, budgets and jobs began to intersect and reinforce one another, various social forces began to collaborate and fuse into a single opposition movement. This dynamic would come to envelope hundreds of thousands of Ontarians as the Common Sense Revolution became a transformative force in almost every aspect of daily life. This was the crucible in which small-scale opposition was generalized in an explosive, militant manner.

This chapter examines how the rising tide of protest in the summer and autumn of 1995 was shaped by the political perspectives, organizational capacities and strategies of activists outside organized labour. The first half of the chapter explores how the protest movement was conceived, how it grew in response to the unfolding Common Sense Revolution and eventually won the support of organized labour in the September 27 Queen’s Park protest. The second half of the chapter, spanning October and November of 1995, examines how the militant and aggressive character of a protest movement spread across the province and forged strong local community-labour coalitions.

Early protests

Less than a week before the election, Harris was riding high in the polls. The prospects of a Tory government led the Coalition of Lesbian and Gay Rights in Ontario to call a rally on June 2 in Toronto. A thousand people gathered at Church and Wellesley and marched to Queen’s Park

¹ Paul Kellogg, “Workers Versus Austerity: The Origins of Ontario’s 1995-1998 ‘Days of Action’,” *Socialist Studies* 7 (Spring/Fall 2011), 134-135.

where a copy of the Common Sense Revolution was burned and speakers took turns to denounce the three major political parties for defeating Bill 167 a year earlier. The legislation, which would have extended the same rights enjoyed by heterosexual married couples to same-sex common law couples, was opposed by the Tories and Liberals. In a “free vote” allowed by NDP Premier Bob Rae, some NDP MPPs and cabinet ministers voted against it.² “We’re all dykes and we vote,” exclaimed Hyla Mendelow, a worker at a Guelph women’s shelter. “We’re entitled to the same equal rights as anyone else and we should damned well have them.”³

This public display of opposition was a harbinger of things to come. Committed activists and a handful of organizations were already determined to fight Common Sense Revolution. Beyond a handful of small socialist organizations based in some Ontario cities, the National Action Committee on the Status of Women (NAC) and the Ontario Coalition Against Poverty (OCAP) were quick to conclude that only a substantial protest movement could stop the government in its tracks.⁴ “With Harris it will be clear-cut war from Day One,” predicted John Clarke, an organizer with the OCAP. With the Tories promising a 21.6 percent cut to social assistance rates, OCAP was already organizationally prepared and politically clear on combating the new government through extra-parliamentary protest. Despite its name, the group’s

² For a detailed account of the struggle to pass Bill 167, see Tom Warner *Never Going Back: A History of Queer Activism in Canada*. Toronto, 2002), 226-234. Albo and McDiarmid also provide a useful wider contextualization of the Bill 167 free vote concluding that in the last few years of the NDP government, the embrace of neoliberal economic policies began to be accompanied by socially conservative trends citing the defeat of Bill 167 and “a highly publicized crackdown on welfare fraud.” See Albo and McDiarmid, “Divided Province, Growing Protests: Ontario Moves Right,” in *The Provincial State in Canada*. Eds. Keith Brownsey and Michael Howlett (Peterborough, ON: Broadview, 2001), 187. Interview with Michelle Robidoux, February 26, 2016.

³ Lisa Wright, “Gay rights protesters give Harris rough ride,” *Toronto Star*, May 14 1995, A10; David Israelson, “‘We’ll be back,’ gays warn,” *Toronto Star*, June 3 1995, A22.

⁴ These socialist organizations included the International Socialists, from which the New Socialist Group would split in early 1996, as well as the Communist Party of Canada which had also undergone a significant decimation of its ranks with the fall of the Soviet Union. The Communist Party retained roots and influence among a layer of union activists involved in the Action Caucus, a broad grouping of union leaders and staffers, although its numbers in 1995 are unclear. The International Socialists had a membership of almost 400, most of them centred in Toronto with other fairly small Ontario branches in Windsor, London, Hamilton, Kingston, Guelph, Ottawa and Sudbury. Interview with Hassan Hussein, November 1 2015; Ritch Whyman, November 4 2015.

organizational base was in Toronto. Formed in the very late 1980s, OCAP's initial conception as a province-wide organization was still-born in part because of the NDP's promise of organizational and financial support fell through after their stunning 1990 election. OCAP nevertheless provided a degree of leadership in a loose provincial network of like-minded anti-poverty organizations and activists who had begun to employ a more disruptive set of tactics during the early 1990s recession and as the Ontario NDP froze social assistance rates.⁵

Meanwhile, Kam Rao of the NAC believed Harris was genuine when he "promised to move quickly to change the province radically."⁶ Rao was not alone in sharing this view within the NAC. "There is no question we have our work cut out for us," said NAC President Sunera Thobani. "But we are building on our coalitions with labor and anti-poverty organizations to oppose what we see as an erosion of women's equality rights and economic rights."⁷ The NAC had a storied history of coordinating women's and feminist campaigns across the country. Formed in 1971, the National Action Committee on the Status of Women, was a coalition of dozens of organizations immersed in a wide range of struggles, including sections of organized labour. Sunera Thobani's election in 1993 as NAC president also struck a real and symbolic blow against racism inside and outside the women's movement. The trajectory of the NAC towards more radically intersectional politics meant it was conceptually prepared to confront the Harris government.⁸

⁵ Richard Brennan, "Harris opponents plan confrontation," *Waterloo Record*, June 24 1995, A1; Interview with John Clarke, April 14 2016. The early history of OCAP during the NDP government is traced in Bryan D. Palmer and Gaétan Héroux, *Toronto's Poor: A Rebellious History* (Toronto: Between the Lines, 2017), 311-324.

⁶ Richard Brennan, "Harris opponents plan confrontation," *Waterloo Record*, June 24 1995, A1.

⁷ Laurie Monsebraaten, "NAC fears uphill battle to stop rights erosion," *Toronto Star*, June 11 1995, A5.

⁸ These dynamics up until the very early 1990s prior to Sunera Thobani's election as NAC president are laid out in Jill Vickers, Pauline Rankin and Christine Appelle, *Politics As If Women Mattered: A Political Analysis of the National Action Committee on the Status of Women* (Toronto: University of Toronto Press, 1993). A focused examination of the debates and controversies inside the NAC leading up to and following Thobani's election as NAC president in 1993 can be found in Barbara Pirsch-Steigerwald, "The Rise of Neo-Liberal Discourse in Canada (1984 - 1996): Or How NAC Became a 'Special Interest Group.'" PhD diss., York University, 2001), 284-302.

The NAC held their annual general meeting in Ottawa only a few days after the election. With the Harris victory dominating discussion at the AGM there was a clear consensus that Tory promises to repeal employment equity, welfare benefits and introduce workfare had to be confronted.⁹ Liz Jefferson and Angela Patten observed a “depression in the air” at the AGM, but this was actively “counteracted by the world-weary fortitude of long-term NAC members.”¹⁰ At a Southern Ontario caucus meeting, Albertan NAC members advised their Ontarians counterparts what to do. Veteran Alberta labour and NDP activist Anne McGrath “was giving us an amazing barnburner speech about the Alberta experience and Klein,” reported Kam Rao. “She said that you had to hit hard, you have to hit them fast, you can’t blink because that their strategy with you and you have to mobilize.”¹¹

With encouragement from the Albertans, an ad hoc mobilization group was formed out of the Southern Ontario caucus meeting. Learning that the Harris government would be sworn in on Monday June 26 at Queen’s Park, the new group debated the merits of a demonstration. Some suggested holding it Saturday June 24 prior to give people a better opportunity to attend, but the debate was resolved in favour of Monday. According to Rao, a protest on Saturday would mean “standing in front of an empty legislature building” whereas showing opposition at their swearing-in would be picked up by the news. The group initially called themselves Harass Harris but quickly changed their name to Embarrass Harris. Immediately after the NAC’s AGM, Embarrass Harris members returned home and began calling up friends and allies, community organizations and local unions to help build the protest, raise money and gather resources. “We

⁹ Laurie Monsebraaten, “NAC fears uphill battle to stop rights erosion,” *Toronto Star*, June 11 1995, A5; “Women’s group gives support to Innu battles,” *Toronto Star*, June 12 1995, A9.

¹⁰ Liz Jefferson and Angela Patten, “NAC: Issues and strengths,” *Canadian Dimension* (October-November 1995), 19.

¹¹ “Interview with Kam Rao,” *Ginger: A Bulletin of Socialist Debate*, Fall 1996, 13.

hoped that we wouldn't humiliate ourselves," said Rao, "and that we'd have more than 500 people."¹²

The organizing effort cut against the approach of senior union leaders. Sid Ryan, CUPE-Ontario's president, counseled against immediate protests: "To be going into an all-out war right now with a government that clearly has a mandate -- before they even take office -- I think is the wrong strategy for labor."¹³ The province's labour leadership believed they could convince Harris to retreat from his program of cuts and layoffs, and repeal of Bill 40 and Bill 91. These two pieces of NDP labour legislation expanded the rights of workers, banned replacement workers (scabs) during strikes or lockouts, and curbed the power of employers to meddle in union drives.¹⁴ Despite Harris promising 13,000 public service job cuts, even Ontario Public Service Employees Union (OPSEU) president Leah Casselman told the press it would be better to work with the government to convince them of the folly of the cuts, and dismissed the idea that labour should be issuing ultimatums. Similarly, Ontario Director of the Steelworkers Harry Hynd and Ontario Federation of Labour president Gord Wilson publicly expressed their desire to meet with Harris and explain the "grossly unfair" and "mean spirited" repeal of the NDP labour reforms.¹⁵

This opposition to immediate protests was qualified with tough but vague talk from some quarters. Ryan predicted "serious labour unrest" if the public service layoffs happened, and Wilson threatened to "shift from discussions in meeting rooms to struggle in the streets" if Tories "scapegoated" workers. Buzz Hargrove, president of the Canadian Autoworkers (CAW), said of

¹² "Interview with Kam Rao," *Ginger: A Bulletin of Socialist Debate*, Fall 1996, 13.

¹³ Richard Brennan, "Harris opponents plan confrontation," *Waterloo Record*, June 24 1995, A1.

¹⁴ On the passage of Bill 40, see Thomas Walkom, *Rae Days* (Toronto: Key Porter, 1994), 124-130.

¹⁵ Tony Van Alphen, "Protest cuts, unions tell voters," *Toronto Star*, June 25 1995, A9; Tony Van Alphen, "Labor to stand fast on legislated gains," *Toronto Star*, June 10 1995, A12; Tony Van Alphen, "Unions predict 'struggle in the streets'," *Toronto Star*, June 21 1995, A21.

Bill 40's potential repeal: "We will not idly stand by and watch the rollback of hard-earned gains of working people."¹⁶ These qualified threats left plenty of room for Embarrass Harris to build their protest. As Embarrass Harris organizer Andrea Calver put it, "We had a demonstration before the government had done something and that was the main critique of it: that it hadn't done anything yet. Well, we know their agenda, so right from the very start we are dedicated to protesting them at every single opportunity."¹⁷ While union leaders narrowed their criticisms to matters of labour legislation and jobs, Embarrass Harris, OCAP and other groups would, in the words of Paul Kellogg, "nurture the flame of resistance during what were very difficult times."¹⁸

Working within an incredibly narrow window of time to organize the rally, and only providing a week's public notice, Embarrass Harris organizers were ecstatic when over two thousand people turned up at Queen's Park for the noon-hour protest on Monday June 26. A number of workers in nearby government, university and hospital buildings joined during their lunch breaks. University students and members of local unemployed and anti-poverty groups were in attendance. The energy and anger was enormous. Speeches and chants were loud enough to be heard inside the legislature. As Embarrass Harris activists had hoped, the protest made the news, and even dominated the framing of widely-syndicated news reports of the legislature's opening. In this respect, a degree of success was achieved when headlines read "Protesters call for his political head as Harris is sworn in."¹⁹

¹⁶ Tony Van Alphen, "Unions predict 'struggle in the streets'," *Toronto Star*, June 21 1995, A21.

¹⁷ Interview with Andrea Calver, November 12 2015.

¹⁸ Kellogg, 128.

¹⁹ Richard Brennan and John Ibbitson, "Protesters call for his political head as Harris is sworn in," *Hamilton Spectator*, June 27 1995, A2.

Childcare

Another front opening up against Harris was in childcare where workers, parents, and even operators began to develop a coalition to defend the fragile childcare system. Emerging in the 1960s and 1970s through a complex amalgam of grassroots parent and educator initiatives, entrepreneurial business ventures, and new municipal services, Ontario's childcare system was a patchwork of operators and programs heavily reliant on provincial wage and parental subsidies. Childcare operators included municipal non-profits, private non-profits and private for-profits. The workforce was partially unionized, with union density highest in municipal childcare centres and lowest among private for-profit operators. Wage and operating subsidies by the province reflected the extent to which childcare costs were too expensive for many parents and wages of childcare workers too low to escape poverty. The system was widely criticized by parents, childcare workers, operators and even politicians, yet the vital nature of the system and the scope of the challenges meant governments were prone to small-scale reform rather than a comprehensive overhaul towards a standardized, accessible childcare system. Conversely, a drastic rollback of parental and wage subsidies, could unleash a destructive domino effect through the system, driving numerous operators out of business, destroying thousands of spaces and jobs, and driving up costs.²⁰

Over 100,000 children attended licensed childcare centers in 1995, of whom 14,000 had unemployed parents relying on direct provincial subsidies. The daily cost of childcare was out of reach for most parents, averaging \$700 per month across Ontario and higher in Metro Toronto. In addition to subsidies for parents, the province's 14,000 childcare workers received an annual \$8,000 wage subsidy. The Common Sense Revolution stoked fears that both these subsidies

²⁰ For early critiques of the childcare system from advocates for a comprehensive childcare system, Ontario Coalition for Better Daycare, *Daycare: deadline 1990* (Don Mills, ON: 1981) and Ontario Coalition for Better Child Care, *Child Care Challenge: Organizing in Ontario* (1990).

would be slashed were widespread among parents, operators and childcare workers. Women childcare workers were already scheduled to lose \$1600 annually due to the capping of pay equity subsidies at \$500 million – a cut of \$85 million. Most of the women benefiting from pay equity were earning less than \$20,000 annually, which covered a majority of childcare workers.²¹

With momentum and inspiration from the Embarrass Harris protest in late June, Toronto childcare workers of CUPE Local 2484 held an emergency membership meeting on Sunday July 16. The membership voted to strike on Thursday, July 20 to protest the scheduled announcement of \$1 billion in spending cuts by Finance Minister Ernie Eves on July 21.²² Despite his earlier comments cautioning against “all-out war” with the government, CUPE-Ontario president Sid Ryan endorsed the action explaining any cuts to subsidies would not only throw childcare workers into poverty but drive people out of the profession and destroy the non-profit childcare system. The result, he contended, would be a childcare system only the rich could afford. Harris adamantly denied Ryan’s charges claiming instead that he sought “the most number of day-care spaces and the best quality.” The walkout, the Premier argued, would only hurt children.²³

On the day of the strike, a thousand people descended on Queen’s Park despite the rainy weather. Children, mothers and childcare workers made up the majority of the boisterous crowd. Attendance was bolstered by sympathetic childcare operators who made the rally an outing for children, parents and their employees. Unsure of what to do with protesting mothers pushing children in strollers, Queen’s Park security allowed hundreds of people into the legislature to carry on their speeches and chants indoors.

²¹ Kelly Toughill, “Pay equity for 80,000 likely to be killed,” *Toronto Star*, July 19 1995, A1; Jane Gadd, “Child care, pay equity cuts called ‘abusive,’” *Globe and Mail*, July 22 1995, A5. Laurie Monsebraaten, “Critics condemn plan to change day-care funding,” *Toronto Star*, November 3 1995, A12.

²² Kelly Toughill, “Child-care workers planning walkout,” *Toronto Star*, July 18 1995, A6.

²³ Kelly Toughill, “Child-care workers planning walkout,” *Toronto Star*, July 18 1995, A6; Kelly Toughill, “Pay equity for 80,000 likely to be killed,” *Toronto Star*, July 19 1995, A1.

Organizers considered the strike and protest a real success. Based on CUPE 2484's membership of 350, the union expected only 17 childcare centres to be affected. However, over a thousand childcare workers walked off the job at 85 centres, more than quadrupling the anticipated size of the protest and spilling far beyond the ranks of CUPE 2484's membership. Media coverage was also sympathetic, even favourable. Janet Tiebo, president of Local 2484, was excited by the turnout but said their work to stop the government had only just begun. Out of the protest, a new local network of childcare activists was formed and actions were planned at the offices and businesses of Conservative MPPs, including Al Palladini's car dealership in Vaughan. The union also backed plans by the Ontario Coalition for Better Child Care (OCBCC) to launch a province-wide walkout in the fall if there was still no commitment from the Tories to protect the subsidies propping up the childcare system.²⁴

The walkout was the first illegal strike by CUPE Ontario workers since the 1981 hospital strike, and the first strike against the Harris government. The community-labour coalition had successfully fused a traditional protest rally with a strike, bridging the gap between service users and service providers, low-income parents and low-wage workers. Still, significant challenges remained. The coalition was centred in Toronto where a rich local history of women's organizing underpinned the protest's success. It remained to be seen if this community-labour model could work in the province's smaller cities and generate similarly successful actions.²⁵

²⁴ Laurie Monsebraaten, "Day-care cuts called an attack on children," *Toronto Star*, July 21 1995, A6; "Day-care workers protest cuts," *Kingston Whig-Standard*, July 21 1995, 2; Pam Joyner, "Daycare workers lead off the struggle," *Socialist Worker*, July 26 1995, 2.

²⁵ Rianne Mahon, "Child Care as Citizenship Right? Toronto in the 1970s and 1980s," *Canadian Historical Review*, 86 (June 2005), 1-17. Paul Kellogg's "Workers Against Austerity" is the only account of the Days of Action that mentions the role of the July 20 childcare walkout in Toronto. See Kellogg, 125.

Harris swings the axe

As a policy document, the Common Sense Revolution dated to May 1994. As a political phenomenon it dated to the 1995 election campaign when the Tories surged ahead of the collapsing Liberals and Mike Harris's well-rehearsed brand of plain-speaking "tough love" populism captured the spotlight.²⁶ However, as a concrete political program the Common Sense Revolution began in earnest with the July 21 economic statement. Finance Minister Ernie Eves delivered the news of a first round of \$1.9 billion in cuts beginning in August.

The single largest cut was a \$469 million reduction in social assistance spending scheduled October 1 and affecting half a million households. For a single person on social assistance, support would fall from \$663 per month to \$520. The maximum allowance for a single mother with one child would be \$1,221 reduced to \$957. A family with two children would see a \$1,503 cut to \$1,179.²⁷ The poorest in Ontario were hit further with the cancellation of the NDP's \$340 million *jobsOntario* training program which sapped funding from numerous social service agencies. An election promise of a five percent cut to injured worker benefits was also carried out. Pre-injury earnings were reduced from 90 to 85 percent, or a \$98 million cut from the \$2.2 billion in payouts to 300,000 injured workers.²⁸ The social consequences, argued social assistance recipients, injured worker advocates and anti-poverty activists, would be immense. For example, with 90 percent of social assistance recipients living in private housing, a wave of evictions and increase in homelessness was anticipated. Kerry McCuaig, executive

²⁶ Kozolanka, 64-65.

²⁷ Agnes Bongers, "Surviving on welfare cuts," *Hamilton Spectator*, July 22 1995, B1; Laurie Monsebraaten, "Welfare cuts to bite this week," *Toronto Star*, September 25 1995, A6.

²⁸ "Injured workers' pay to be cut 5 per cent," *Toronto Star*, July 26 1995, A9.

director of the Ontario Coalition for Better Child Care, called the social assistance cuts “abusive” and “a direct attack on poor people, employment equity and child welfare.”²⁹

On the childcare front, twenty percent of the costs for the 14,000 subsidized childcare spaces was downloaded to municipalities despite the program costing only \$88.5 million. The government justified the downloading by explaining that the 21.6 percent cut to social assistance would help municipalities cover the new childcare costs.³⁰ If there was a silver lining, the \$8,000 wage subsidy for 14,000 childcare workers was spared. Also following the childcare strike, Metro Toronto Council freed up emergency funds to help childcare centres through to the end of the calendar year. Whether or not these concessions were in direct response to the July 20 strike is unclear, but activists certainly made the claim.³¹

The July 21 statement was followed up by further policy announcements, including a capital expenditures freeze and reduction of annual infrastructure spending from \$4.2 to \$3.8 billion. Municipal transit systems were especially hard hit, as the freeze meant no new buses or rolling stock for the foreseeable future. Even Toronto’s Eglinton Avenue subway project was scrapped despite \$200 million invested and another \$100 million in outstanding contracts. The hole being dug was literally filled in. The subsequent August 11 Toronto subway accident at Russell Hill, which killed three and injured dozens, helped, according to Ian Macdonald, “galvanize political support for diverting expansion funds to a state-of-good-repair program” which was nevertheless necessary given the poor state of maintenance in the subway system and

²⁹ Richard Brennan and John Ibbitson, “Ontario braces for Harris revolution,” *Ottawa Citizen*, July 20 1995, A1; Laurie Monsebraaten and Paul Moloney, “Needy left with \$6.50 a day,” *Toronto Star*, July 22 1995, A10.

³⁰ John Ibbitson and Dan Nolan, “Tories cut spending by \$1.9 billion,” *Ottawa Citizen*, July 22 1995, A1.

³¹ Pam Joyner, “Daycare workers lead off the struggle,” *Socialist Worker*, July 26 1995, 2.

its contribution to the fatal crash.³² Ontario's transit systems were to be frozen in time until infrastructure spending was restored.

The most significant aspect of the infrastructure rollbacks was the abandonment of a provincial housing strategy. In his history of Canadian social housing policy, Greg Suttor writes how "Ontario in the 1990s took devolution to a greater extreme than any affluent nation, devolving funding responsibilities and program administration to municipalities."³³ Housing Minister Al Leach did not mince words at a press conference stating, "It's our desire to get out of the housing business...Over the course of the next 12 months, we're going to be reviewing non-profit housing, including ones that are going to be taken to completion, to see if there are ways and means of getting entirely out of the non-profit business." A 30-day moratorium on non-profit housing projects put the future of 16,732 houses, townhouses and apartment units in financial limbo. An additional 385 planned housing projects were cancelled, with only 105 spared because they had received final government approval for construction. The entire Ontario Housing Commission's stock of 84,000 houses and apartments would be put up for sale. In all, Leach believed the complete extrication of government from the housing market would save \$500 million over five years.³⁴

The backlash from labour and even the business sector was significant. The president of

³² Ian Macdonald, "Labour and the City: Trade Union Strategy and the Reproduction of Neoliberal Urbanism in Toronto and New York," (PhD diss., York University, 2011), 196; Daniel Girard "Capital cuts forced by 'spending crisis:' Eves," *Toronto Star*, July 22 1995, A8.

³³ Greg Suttor, *Still Renovating: A History of Canadian Social Housing Policy* (Montreal: McGill-Queen's University Press, 2016), 142.

³⁴ Mary-Jane Egan, "Union warns of 'human deficit'," *London Free Press*, July 24 1995, B1; John Ibbitson, "Harris Tories shut door on housing," *Ottawa Citizen*, July 26 1995, A3; Gord Henderson, "Time is here for private sector to try solving Ontario's housing problems," *Ottawa Citizen*, July 28 1995, A11; Leslie Ferenc, "Housing is on hold, subsidies may be cut," *Toronto Star*, July 30 1995, NY1. Many of the warnings and fears about the Common Sense Revolution's devolution of social housing were confirmed when, according to Greg Suttor, the entire provincial restructuring of housing was completed in 2001, producing "a social housing regime of enormously reduced capacity and an inexorable long-run funding squeeze." See Suttor, 184.

the Toronto Construction Association called it “a dark day for the construction industry.”³⁵ John Cartwright of the Toronto Building Trades Council, and an influential figure in Toronto’s local labour movement, said the housing cuts would cost thousands of jobs:

The number of projects that are being cancelled will result in a substantial number of bankruptcies of subtrades, such as bricklaying, electrical and plumbing contractors, who will not be able to survive through the gap from the ending of these projects to the time when the private sector may develop rental housing.³⁶

The government’s opponents seized the opportunity to charge the Tories with hypocrisy. “It’s been 44 days since the election and this man has not created one single job in the province as of yet,” declared Sid Ryan. “In fact, he’s gone the opposite way and put people on to welfare and now he’s cancelling capital projects.”³⁷

The July 21 economic statement and related infrastructure cuts were the opening salvos of the Common Sense Revolution. They revealed the government’s two-prong strategy of attack. First, the majority of the cuts fell on the province’s most vulnerable people with the least amount of political and economic leverage. The Tories avoided direct conflict with organized labour by leaving aside public sector layoffs and repeal of Bill 40, and making no major announcements regarding education funding.

Second, the government’s ideological line remained focused on relieving the taxpayer of the immense burdens of a bloated welfare state and inefficient government. This was most evident in Eves’ justification for a relatively small cut to healthcare spending which violated one of the Common Sense Revolution’s most significant promises. Eves argued these spending reductions were aimed at the healthcare sector’s administrative bureaucracy, not frontline jobs. Savings, he explained, would be cycled back into these frontline services. Eves was making a

³⁵ Daniel Girard, “Capital cuts forced by ‘spending crisis:’ Eves,” *Toronto Star*, July 22 1995, A8.

³⁶ John Ibbitson, “Harris Tories shut door on housing,” *Ottawa Citizen*, July 26 1995, A3.

³⁷ Daniel Girard, “Capital cuts forced by ‘spending crisis:’ Eves,” *Toronto Star*, July 22 1995, A8.

subtle but powerful connection between the grievances of the overburdened taxpayer and the grievances of the government service user. On the housing front, Leach said the private sector would take care of housing needs, which was in line with the government's talk of unleashing the dynamism of business by getting government out of the way. Any temporary economic disruption was forgivable as employment and economic activity would shift from government-contracted projects to the private sector.³⁸

The opposition's arguments against the economic statement and infrastructure cuts were fragmented and defensive. There was no mainstream media platform, significant political organization, or mass movement articulating and generalizing a coherent alternative analysis or narrative of the Common Sense Revolution. Having embraced austerity measures during a prolonged economic and political crisis, the New Democrats had played a crucial role in rounding out a mainstream political consensus on the necessity of fiscal austerity. In doing so, the NDP closed off substantial political space for opposing views to be heard in the mainstream media.³⁹ Critiques of the Common Sense Revolution were largely centred on the speed and technique of government cuts, not necessarily the cuts themselves. This general perspective was captured in an analogy made Jeff Schlemmer, a lawyer operating a legal clinic in London: "People in Ontario have no idea how recklessly these cuts are being made. Mr. Harris is effectively doing open heart surgery on our social assistance system and he refuses to consult with any doctors."⁴⁰ Like Ontario's labour leaders who believed they could talk sense into Harris

³⁸ Gord Henderson, "Time is here for private sector to try solving Ontario housing problems," *Ottawa Citizen*, July 28 1995, A11.

³⁹ This point is repeated in several interviews conducted for this research as well as publications. Interview, John Clarke, July 2 2016; Interview, Ritch Whyman, November 4 2015; Greg Albo and Robert McDiarmid, "Divided Province, Growing Protests: Ontario Moves Rights," 186-187; Palmer and Héroux, 324.

⁴⁰ Laurie Monsebraaten and Paul Moloney, "Needy left with \$6.50 a day," *Toronto Star*, July 22 1995, A10.

through negotiations, many opponents of the Common Sense Revolution positioned themselves as the doctors who deserved consultation.

In certain cases, as in the example of labour leaders cautioning against “all-out war,” this perspective dovetailed with highly critical and even dismissive criticisms from erstwhile allies of the nascent opposition protests. For example, Naomi Klein, editor of *This Magazine*, told the *Toronto Star* that the June 26 action and “stop-the-cuts” protests were ineffective. “Rallies don't always mean you're stuck in the '60s, but they have to be a culmination of something. Slogans in themselves...you look like a idiot. That ‘Embarrass Harris’ stuff was stupid.”⁴¹ Wayne Roberts, a left-wing member of the NDP, even castigated opposition to workfare as a short-sighted view of the full employment possibilities that could be extracted from the Harris government through negotiation.⁴² Carolyn Egan, a socialist feminist and Steelworker replied to the critics in her *Socialist Worker* column, “If the trade-union brass won't begin to fight, if “lefties” like Wayne Roberts and Naomi Klein are more interested in attacking activism than in taking on the Tories, they should heed the old Black Panther slogan: “Move on over, or we'll move on over you.”⁴³ Despite the criticisms of their methods, the small networks committed to building an extra-parliamentary opposition continued their work. At the July 21 Embarrass Harris rally protesting the economic statement, John Clarke of the Ontario Coalition Against Poverty called from the podium for further mobilization and protest to drive Harris “out of office.” Clarke was not alone in believing this. Small but growing numbers were coming to similar conclusions. The stage was set for a summer of small but important protests.⁴⁴

⁴¹ Lynda Hurst, “What's left of the Left?” *Toronto Star*, July 15 1995, E1/E4.

⁴² Wayne Roberts, “Welfare's Fraud,” *Now Magazine*, July 13 1995, 12-18.

⁴³ Carolyn Egan, “Stop the backlash against activism,” *Socialist Worker*, July 26 1995.

⁴⁴ Laurie Monsebraaten and Paul Moloney, “Needy left with \$6.50 a day,” *Toronto Star*, July 22 1995, A10.

Protest percolates

Toronto was the epicentre of the emerging protest movement spearheaded by Embarrass Harris, OCAP and other community and leftist organizations. On July 29, OCAP led another protest against welfare cuts which culminated at Queen's Park after three lengthy twenty kilometre marches of about fifty people each arrived from Scarborough, North York and Etobicoke. Joined by several hundred supporters at Queen's Park, speakers continued to hammer home the message of unity against the cuts and calling out the Harris government for waging a war against the poor, children, women and the unemployed.⁴⁵

Meanwhile, protest activity began to emerge in other cities. In Brampton, a group of stay-at-home mothers joined forces with local food banks and OCAP to launch a "tell five others" letter-writing campaign to protest the social assistance cuts. "If MPPs get 100,000 letters in the mail," explained one of the mothers, Bonnie Nish, "maybe they'll reconsider."⁴⁶ In Hamilton, almost a hundred people set up a tent city on August 5 to protest cuts to eight local non-profit and co-operative housing projects, including two of which were already under construction.⁴⁷ A large rally of several hundred was organized outside a downtown Ottawa housing agency to express anger at 1,200 planned local housing units being scrapped. Even one of the city's biggest developers, Bill Malhotra, joined in the protest to tell the press how the banks would not finance low-income housing because the poor were seen as a liability. Only the government, he argued, could bridge the gap between construction costs, market rents, and low-income housing needs.⁴⁸ Signaling the beginning of Tory MPPs being personally targeted, several dozen protesters including many children marched three kilometres to John Snobelen's Mississauga riding office

⁴⁵ Pam Joyner, "Protesters slam Tory welfare cuts," *Socialist Worker*, August 9 1995, 11.

⁴⁶ Mike Funston, "Letter-writing drive protests welfare cuts," *Toronto Star*, August 11 1995, BR1.

⁴⁷ Rob Andrus, "Protesters pitch tents to oppose co-op cuts," *Toronto Star*, August 6 1995, A11.

⁴⁸ Pat Dare, "Protesters fight subsidized housing cuts," *Ottawa Citizen*, July 28 1995, A4.

to protest the housing cuts.⁴⁹ Back in Toronto, OCAP rallied six hundred people on August 22 to march through Regent Park, one of the city's poorest neighbourhoods, and on to Rosedale, one of its richest. John Clarke recalled

It was dramatic because people coming from this poor neighbourhood had never been to Rosedale and we marched in there at night and it was like something from a Batman movie with these huge gothic darkened buildings with all the lights out and all the cars taken off the street. People were at first just shocked then incredibly angry to see such wealth given what they had faced and what they were about to face.⁵⁰

The marchers intended to deliver a personal protest about welfare cuts to Lieutenant-Governor Hal Jackman. Jackman, it turned out, was not home.⁵¹

Some of the smaller budget cuts were deemed so egregious, protesters received regular and sympathetic media coverage. One such example was the cancellation of the \$1.3 million provincial subsidy earmarked for the Toronto Transit Commission's Wheel-Trans service providing 400,000 rides to 23,000 disabled people each year. Under intense media criticism, used car salesman and Transport Minister Al Palladini explained how the government "cannot keep supporting some of the Wheel-Trans people," adding that tougher requirements would reduce the number of Wheel-Trans users. The furious response from Wheel-Trans users was augmented by revelations that Palladini was chauffeured daily in a limousine to Queen's Park. Palladini defended his limousine rides saying he would rather dogsled to Queen's Park than drive himself. When Harris weighed in to deny provincial responsibility for the cuts, this was quickly

⁴⁹ "Children's crusade," *Toronto Star*, August 11 1995, MS2.

⁵⁰ Interview, John Clarke, July 2 2016.

⁵¹ "Marchers protest welfare cuts," *Toronto Star*, August 23 1995, A11; "They profit, we suffer," *Socialist Worker*, August 23 1995, 11.

disproven when the TTC Chairman produced a letter from the Ministry of Transportation giving them explicit instructions to cut \$1.36 million from Wheel-Trans.⁵²

On September 9, over three hundred people, many in wheelchairs, protested in front of the provincial legislature. “Wheel-Trans allows me to live a full life despite my disability,” said Doreen Tripp, a Metro Toronto social services employee. “I shouldn't have to lose my job, be trapped in my home and give up my freedom.” Tripp mocked Palladini by having a husky pull her wheelchair. Katherine Wicks was also protesting. At 64, Wicks had severe arthritis and was recently diagnosed with cancer. Undergoing regular hospital visits, she required WheelTrans because she could not afford regular transit on her budget.⁵³

Like many of the protests through the summer, the Wheel-Trans action was numerically small and comprising some of the province's poorest and most neglected people. However, these protests continued to open up a political space to revitalize old activist networks and forge new ones as people looked to such actions as a means of expressing their anger against the unfolding Common Sense Revolution.⁵⁴ Often well-organized and sometimes involving a captivating story for the press, protests like the march on Rosedale and WheelTrans rally received favourable news coverage even if a coherent protest *movement* had yet to emerge. Despite the discrediting of social democracy during the Rae regime and the new austerity consensus which had emerged, the protests through the late summer managed to draw together people still holding on to moral and political beliefs rooted in concepts of collectivity, community and social solidarity whose mediated manifestations in the welfare state were under threat.

⁵² “Tory cuts target seniors & disabled,” *Socialist Worker*, August 23 1995, 12; Mike Funston, “Disabled protest planned cuts,” *Toronto Star*, September 10 1995, A4.

⁵³ Mike Funston, “Disabled protest planned cuts,” *Toronto Star*, September 10 1995, A4.

⁵⁴ Interview, Ritch Whyman, November 4 2015.

The system is “broken”

As protest percolated and networks of opposition grew, the new school year approached. A central and even defining concern of successive Ontario governments, the province’s education system was a complex one.⁵⁵ Comprising four separate school systems with two million students, and a combined annual budget of over \$14 billion, the Tories sought to deliver their education cuts through “classroom-based budgeting” designed to reduce “consultants, bureaucracy and administration” believed to be drawing money away from classrooms. Education reform was also aggressively reframed as a function of international economic competition and the related needs of a “flexible” labour market. The Common Sense Revolution program laid out clearly that such reforms were “essential if Ontario’s next generation is to find high-paying, productive jobs in increasingly competitive world markets.”⁵⁶ As Alan Sears has described this transformation, Ontario’s education system would be renovated in a manner similar to “lean production” techniques requiring the dispensation of “waste” inside and outside the classroom, the replacement of “child-centred” pedagogies with standardized curriculums, and “continuous improvement” through compulsion.⁵⁷

To meet these goals, Harris promised a \$750 million reduction in education funding.

Reflecting the party’s perspectives on education reform, John Snobelen was appointed Minister

⁵⁵ Together, the work of R.D. Gidney and Robert M. Stamp provide useful social and political histories of education in Ontario. Gidney’s work, however, is focused on the post-war period and brings us up to the 1999 Ontario election. Stamp’s ends in 1976 but is helpful in contextualizing the curricular and pedagogical transformations of the late 1960s and early 1970s which informed the character of retrenchment in education under Harris in the late 1990s. R.D. Gidney, *From Hope to Harris: The Reshaping of Ontario’s Schools* (Toronto: University of Toronto Press, 1999). Robert M. Stamp, *The Schools of Ontario, 1876-1976* (Toronto: University of Toronto Press, 1982).

⁵⁶ *Common Sense Revolution*, 8.

⁵⁷ See Alan Sears chapter “Children of the Market” in *Retooling the Mind Factory: Education in a Lean State* (Aurora, ON, 2003), 191-230.

of Education. Snobelen was a high school dropout and came from the private sector where he was president of three companies.⁵⁸ Asked why he was delivered the portfolio, Snobelen said,

I can't speculate on what the Premier was thinking. I believe I have considerable business experience in the business of change. I will bring those perspectives to this ministry, which is a ministry we clearly have a commitment to making some changes in. We'll do the things we said we'd do in the Common Sense Revolution, among them ending Grade 13 and making junior kindergarten optional (for school boards). That's the first stage. Longer term, we'll make the educational system more accountable and create the best possible value in education for the taxpayer.⁵⁹

Soon after Snobelen assumed the mantle of Ministry of Education, restructuring was immediate.

The department's senior public servant, deputy minister Charles Pascal, was summarily fired without explanation leading to speculation that Pascal's views on education were simply

antithetical to the government's priorities.⁶⁰ The provincial testing regime and budget of the

Education Quality and Assessment Office was slashed on the grounds of being a wasteful

bureaucracy although it was initially established as an independent agency to prevent partisan

political manipulation of standardized testing.⁶¹ The July 21 economic statement by Ernie Eves

included a \$32 million cut to school board grants, which Eves said would be achieved by

slashing "outside the classroom" and which were aimed at, according to Harris, the "edu-crats."⁶²

A few days later, Snobelen sent a letter to thirteen school boards announcing the cancellation of

the full-day kindergarten pilot projects. Snobelen claimed the project was "not financially

sustainable" and could not support "this particular approach" to early childhood education.⁶³

⁵⁸ "Tory learning curve," *Toronto Star*, July 4 1995, A16.

⁵⁹ Mike Funston, "New minister of education is all business," *Toronto Star* July 7 1995, BR5.

⁶⁰ "Tories axe deputy education minister," *Toronto Star* July 19 1995, A5.

⁶¹ Andrew Duffy, "Ontario's Grade 9 test for literacy shelved for a year," *Toronto Star* July 1 1995, A8.

⁶² "Revolution vs. reality," *Toronto Star*, July 24 1995, A14.

⁶³ Daniel Girard, "Tories kill full-day kids' class," *Toronto Star*, August 5 1995, A1; Daniel Girard, "Parents fear end of junior kindergarten," *Toronto Star*, August 9 1995, A8; Jennifer Lewington, "Minister sees education as a service organization," *Globe and Mail*, August 16 1995, A2.

Following these initial measures, Snobelen delivered his inaugural speech as Minister of Education in front of five hundred teachers at the annual meeting of the Ontario Public School Teachers' Federation in Etobicoke. As the teachers sat in bemused silence, the Minister revealed his desire to reframe the entire education system in the language and concepts of the private sector.⁶⁴

The ministry of education is a service organization. It delivers education and training services to its clients on behalf of its customers. In primary and secondary education, the client is the student and the customer is the taxpayer and parent.

Now as obvious as this might seem, it has occurred to me that the ministry probably should be designed as a service organization. Call us up sometime and you will find out that we're not.⁶⁵

Snobelen went on to describe computer technology as a transformative tool in the education system, revealing the extent to which his understanding of education was not the creation of citizens and well-rounded people, but information-sharing, testing, and evaluation.

Some see teaching as merely the distribution of data and information. Those few poor souls are in for a shock. We are in the information age.

The microprocessor has made the cost of information a million times cheaper over the past 20 years. It is the single biggest revolution that we humans have ever known: Bigger than the Iron Age, bigger than the mechanical age, bigger than our shift from an agrarian to an industrial society.

The people who believe they are in the business of simple distribution of data and information had better step out of the way before a computer runs over them.

Traditionally, the teacher's role has included a large amount of information distribution. In the very near term, much of this will be replaced by other information distribution systems, most of them computer-based.

The entire education system lags behind other professions in the use of computer technology for tracking clients' progress, for communication with customers, for testing and evaluating and for raw information distribution. This technology gap cannot be tolerated over time.

⁶⁴ Andrew Duffy, "Tories tell teachers it's down to business," *Toronto Star*, August 16 1995, A8.

⁶⁵ John Snobelen, "Blueprint for redesigned education system," *Toronto Star*, August 17 1995, A29.

While many fear that increasing information technology in the classroom will make the teacher's position redundant, I believe that is a very short-sighted assessment of the possibilities.

In fact, I believe it will return teachers to the real art of teaching - motivation. It will provide for an individually tailored education system and a lot more one-on-one between teacher and client.

It will give the system more, not less, flexibility to help kids.⁶⁶

In subsequent interviews, Snobelen explained his way of speaking: "It's the language of organization and it's used in business and service industries of all kinds. Frankly, teachers are in the business of teaching, the business of education. That's what they do professionally; they receive remuneration for that. There's no dishonor in that word."⁶⁷

Following the speech, Snobelen went on the media circuit where he insisted the education system was "broken" and that students, parents and teachers were all unhappy and frustrated. He also talked of removing the powers of taxation from school boards which he described as bureaucratic and wasteful. Echoing the conservative backlash against the Hall-Dennis Report in the 1970s, Snobelen attacked the Royal Commission on Learning for having "expectations" of the education system "all over the map" and not delivering a clear set of promises to parents.⁶⁸

When the Ontario School Board Reduction Task Force, headed by former Liberal provincial cabinet minister John Sweeney, released an interim report in early September, it recommended reducing the number of school boards from 172 to 82, cutting 2,000 school board trustees down to 540, capping trustee salaries at \$20,000 per year, and halving the number of

⁶⁶ John Snobelen, "Blueprint for redesigned education system," *Toronto Star*, August 17 1995, A29.

⁶⁷ Andrew Duffy, "Schools 'broken,' says new minister," *Toronto Star*, August 19 1995, A1.

⁶⁸ Jennifer Lewington, "Minister sees education as a service organization," *Globe and Mail*, August 16 1995, A2; Andrew Duffy, "Schools 'broken,' says new minister," *Toronto Star*, August 19 1995, A1; Andrew Duffy, "Prepare for 'war,' teachers warned," *Toronto Star*, August 29 1995, A9. For a discussion of the Hall-Dennis Report and its discontents, see *Gidney* 70-77.

school board administrators. The Task Force had been established under the previous NDP government but Sweeney spoke the language of the Common Sense Revolution, arguing that a large school board bureaucracy was keeping money from flowing directly into schools: “Left as it is now, we can’t see anything but deterioration,” said Sweeney, echoing Snobelen’s description of a “broken” system. Snobelen welcomed the interim report: “It’s been the thrust of this government to move money from the boardroom to the classroom so any effort in that regard is certainly welcome.”⁶⁹

Despite being the object of some public ridicule for his selection as Minister of Education and his business-speak, these early austerity and restructuring measures did not spark off any sort of protest. However, this quickly changed with the first major political crisis of the Harris government.

Creating a Crisis

In late August, Ontario Secondary School Teachers Federation president Earl Manners delivered a speech to two hundred delegates at the union’s annual convention in Toronto. In a prescient comment, Manners charged Snobelen with “deliberately trying to create a crisis of confidence.”⁷⁰ A short while later, the *Windsor Star* obtained a videotape of a July 6 presentation by Snobelen to senior government bureaucrats. The subsequent story by journalist Richard Brennan was published on September 13 across Ontario through Southam’s extensive newspaper holdings and sold to the *Toronto Star* for republication. The story quickly generated an enormous popular

⁶⁹ Andrew Duffy, “School boards urged to merge,” *Toronto Star*, September 6 1995, A1; Andrew Duffy, “Bloated bureaucracies called threat to school,” *Toronto Star*, September 7 1995, A26; Virginia Galt, “Education report gets mixed reviews,” *Globe and Mail*, September 7 1995, A9.

⁷⁰ Andrew Duffy, “Prepare for ‘war,’ teachers warned,” *Toronto Star*, August 29 1995, A9.

uproar. In the leaked video, Snobelen laid out his political strategy as the newly-appointed Minister of Education:

Creating a useful crisis is part of what this will be about. So the first bunch of communications that the public might hear might be more negative than I would be inclined to talk about... Yeah, we need to invent a crisis, and that's not an act just of courage, there's some skill involved.⁷¹

When one of his audience asked how they would prepare for change, he responded:

(We must) bankrupt the actions and activities that aren't consistent with the future we're committed to. But there are a couple of things we need to get done properly along the way. One of those is...to declare the future.

One of the problems with that is that there is a tendency to want to wait for others to declare for you. It's not a very collaborative process. That needs to be done before what needs bankrupting and how to bankrupt it occurs.

I like to think of it as creating a useful crisis. The word 'bankrupt' might conjure up other images. Creating a useful crisis is what part of this will be about.⁷²

Brennan presented the videotape as evidence Snobelen was designing a crisis to build support for transforming the education system. Brennan observed how soon after the July 6 meeting, the minister began speaking to the media about a "broken" education system.⁷³ Snobelen denied any malicious intent or manipulation and offered a series of explanations for his statements. On one occasion, he said: "Normally, the word 'invention' would be used to describe declaring a problem internal to an organization and 'real' would be used to describe an externally declared problem."⁷⁴ In a subsequent interview with Brennan, Snobelen pondered aloud, "The whole idea

⁷¹ Richard Brennan, "Exclusive: Minister tried to invent school crisis," *Windsor Star*, September 13 1995, A1.

⁷² Thomas Walkom, "Snobelen scales the windy heights of bafflegab," *Toronto Star*, September 14 1995, A25.

⁷³ Richard Brennan, "Exclusive: Minister tried to invent school crisis," *Windsor Star*, September 13 1995, A1.

⁷⁴ Thomas Walkom, "Snobelen scales the windy heights of bafflegab," *Toronto Star*, September 14 1995, A25.

of invented crisis, I guess that word sounds a little strange if you were to literally define it.”

Snobelen conceded “I may not have language[d] it properly.”⁷⁵

Earl Manners and his counterpart at the Ontario English Catholic Teachers’ Association, Marilies Rettig, were fuming. Rettig said it was clear that Snobelen was generating a crisis for “political gain” and Earl Manners forcefully declared “Never before in the history of Ontario education has the minister responsible for education attempted to undermine the system from within so he could impose his agenda on it.”⁷⁶ The outrage extended beyond union leaders, beyond teachers, and beyond the ranks of the nascent extra-parliamentary opposition. The Liberals and NDP both called for Snobelen’s resignation, and the media took aim at the government with columnists skewering Snobelen’s “bafflegab” and labelling him “Captain Crisis”.⁷⁷

Harris reacted quickly and an emergency cabinet meeting took place the same day Brennan’s story broke. The Premier emerged from the meeting to tell reporters that Snobelen’s comments were “dumb” and a “mistake” and that had accepted Snobelen’s explanation of miscommunication. The Minister of Education was ordered to apologize publicly and send an apology letter to every school board, teacher and parent group, post-secondary administrators, and student unions.⁷⁸

The controversy was the first of its kind for the new government. No minister or member of the caucus had yet been embroiled in such a scandal. Given the cautious approach to

⁷⁵ Richard Brennan, “Minister plotted ‘to invent a crisis,’ *Toronto Star*, September 13 1995, A3; Thomas Walkom, “Snobelen scales the windy heights of bafflegab,” *Toronto Star*, September 14 1995, A25.

⁷⁶ Lisa Wright, “Apologize for remarks Harris tells Snobelen,” *Toronto Star*, September 14 1995, A3.

⁷⁷ Thomas Walkom, “Snobelen scales the windy heights of bafflegab,” *Toronto Star*, September 14 1995, A25; Allan Fotheringham, “When Mike Harris read Charles Dickens,” *Maclean’s* (October 16 1995), 84; Jim Coyle, “Report card shows some Ontario cabinet ministers are failing the grade,” *Ottawa Citizen*, November 27 1995, A8.

⁷⁸ Lisa Wright, “Apologize for remarks Harris tells Snobelen,” *Toronto Star*, September 14 1995, A3; Jennifer Lewington, “Snobelen apologizes for inventing crisis,” *Toronto Star*, September 14 1995, A8; Lisa Wright, “Educators receive Snobelen apology,” *Toronto Star*, September 16 1995, A10.

restructuring sectors with large unionized workforces, the Premier's rapid response and the public nature of the disciplinary action was reflective of his unwillingness to engage in a serious confrontation with educators, at least not initially. For the government, there was no sense in pushing the teachers' unions into active opposition. Committed to \$750 million in education cuts, the Tories were still grappling with how to restructure the sprawling system and incorporate two NDP legacies into this process: the new Ontario College of Teachers (OCT), and the Ontario School Board Reduction Task Force chaired by Sweeney. These two bodies served a potentially complimentary role. The OCT was already serving to displace school boards from governing teacher certification and discipline, and the prospect of removing taxation powers from a reduced number of school boards provided cabinet immense financial leverage and power over the entire education system.⁷⁹ Former elementary school teacher Andy Hanson described the OCT's emergent role in this period as "a return to a more repressive age" in which teachers "already under constant scrutiny from parents, trustees, principals, and members of the community" would be subjected to "management by stress" by an "opaque, punitive and absolute" institution.⁸⁰ With school boards reduced in number and losing the capacities afforded to them by the powers of taxation, the Ministry of Education could bring school boards in line with provincial spending and restructuring priorities. This also meant exerting greater provincial pressure on the scope of collective bargaining with the unions. This radical restructuring process would be difficult enough for the government without the Snobelen scandal.

Snobelen's speech served to polarize the province and galvanize further opposition. Yet, despite the dark clouds hanging over the commencement of the new school year, teachers and their unions were not yet prepared to instigate any sort of protests. By reining in Snobelen and

⁷⁹ Gidney, 237.

⁸⁰ Andy Hanson, "Not In Their Classrooms: Class Struggle and Union Strength in Ontario's Elementary Teachers' Unions, 1970-1998," (PhD diss. Trent University, 2013), 365-366.

asserting control over messaging in education, Harris managed to limit the conflict to what Manners called a “war of words.”⁸¹ This helped ensure there was no membership mobilization or wider protest activity by the teachers, including the teacher unions not endorsing the Queen’s Park demonstration planned for the re-opening of the legislature on September 27.

Labour stirs

By mid-August, some sections of the union movement began to shift towards mobilization as activists connected to the various struggles against the cuts began to gain a greater hearing inside union bodies, especially labour councils stirring to life for local Labour Day parades. Embarrass Harris activists and supporters at the York Region and Metro Toronto labour councils put forward the arguments for a protest and won the two councils to formally supporting the coalition and the Queen’s Park on September 27.⁸² Where union leaders were less responsive, activist members took matters into their own hands. For example, OPSEU members in the Toronto area launched a petition demanding a province-wide work-to-rule campaign against the 13,000 looming layoffs, and OPSEU’s official endorsement of the Embarrass Harris demonstration on September 27. These activists would circulate petitions at the Toronto Labour Day parade and in workplaces and deliver them to their regional executive on September 13.⁸³

At the top of the union hierarchy, about seventy union leaders had gathered at the OFL headquarters in Toronto in mid-August. OFL President Gord Wilson was clear about the divide and conquer approach of the Harris government: “The people they are taking on are the people on the low end of the economy, workers who are members and workers who do not belong to

⁸¹ Andrew Duffy, “Prepare for ‘war,’ teachers warned,” *Toronto Star*, August 29 1995, A9; On Snobelen’s difficulties in maintaining message discipline, see Kozolanka, 184-185..

⁸² Interview, Andrea Calver, November 12 1995; Kellogg, 118.

⁸³ Phyllis Waugh, “OPSEU members to picket Executive Board,” *Socialist Worker*, August 23 1995, 11.

unions. So I categorize this as a bully agenda.” For the union leaders, however, the major issue was the repeal of Bill 40. Wilson claimed labour would “kick the hell out of them” in reference to any employer that would try to scab if Bill 40 was repealed. “One thing we can definitely say to you today is that scabs will not be coming into our workplaces,” added Sid Ryan. “We don’t care whether it’s a public-sector union or a private-sector union.”⁸⁴ Later in the month, Buzz Hargrove warned government and employers that a repeal of Bill 40 would bring major industrial strife. “The ‘good old days’ were not helpful to anyone,” lectured Hargrove. “It was constant war – struggles, grievances, overload, wildcat strikes. There was no such thing as working together.”⁸⁵

A massive turnout of 20,000 at Toronto’s annual Labour Day march confirmed a shifting mood at the base of the unions. Literature and speeches focused on protecting social programs, and a theme community-labour solidarity dominated. “These are things workers have fought (to get) for decades and we are not about to see them destroyed,” said Metro Toronto Labour Council president Linda Torney. Spread out through the massive crowds were dozens of Embarrass Harris supporters distributing ten thousand flyers announcing the September 27 Queen’s Park protest.⁸⁶

Labour Day parades in other cities also experienced a surge in participation. In Hamilton, the march down Main Street was reported the largest in over a decade. In Sarnia, a town of 70,000 people, an impressive three thousand participated. Harris’s hometown of North Bay, population 55,000, recorded an impressive turnout of about 7,000.⁸⁷ In Windsor, Labour Day

⁸⁴ Greg Crone, “Labor threatens violence,” *Waterloo Record*, August 19 1995, A1.

⁸⁵ Brian Cross, “CAW talks tough on Bill 40,” *Windsor Star*, August 29 1995, A3.

⁸⁶ Peter Edwards and Angie Gallop, “Labor flexes muscles,” *Toronto Star* September 5 1995, A3; Interview, Andrea Calver, November 12 2015.

⁸⁷ Pat Currie, “Unionists foresee rise in militancy,” *London Free Press*, September 5 1995, A2; Adrian Humphreys, “Labour Day march attracts large crowd,” *Hamilton Spectator*, September 5 1995, B1; John Tollesfrud, “Labor Council pays tribute to area workers,” *North Bay Nugget*, September 2 1997, A3.

events included a fiftieth anniversary celebration of the 1945 Ford Windsor strike. Celebrations drew well over five thousand and a parade of 1,500 workers from 20 union locals also marched down Turner Road to the Fogolar Furlan Club where speakers addressed even larger crowds. “It’s not going to be easy,” declared former CAW president and current CLC president Bob White, “but it wasn’t easy in 1945, it wasn’t easy in the many struggles that took place since that time; but we had a vision and a common solidarity that we were going to take it on.” Hargrove argued: “You’ve got to put the pressure on the real power – the unelected government – the corporations. And that’s where we’ve got to put the pressure in 1995.”⁸⁸

Later in the evening after thousands had marched in the streets behind union banners, three dozen Indigenous protesters occupied a part of Ipperwash Provincial Park to draw attention to the injustice of a long-standing land claim. Ontario Provincial Police units moved in. Two days later on September 6, police opened fire on a school bus driven by protesters, injuring two and fatally wounding Dudley George. For an hour, police denied George access to a hospital. He died at 12:20am on September 7. For many already opposed to the Harris government, George’s death confirmed the brutality they suspected was at the heart of the Common Sense Revolution.⁸⁹

Storming the Pink Palace

At midnight on September 27, a dozen activists from the Ontario Coalition Against Poverty met in Markham at the constituency office of David Tsubouchi, Minister of Community and Social Services. Joining them were seven members of Montreal’s *Comité des sans emplois*. Before they set off for a 25 kilometre march to Allan Gardens, a group of welfare case workers showed their support by bringing them coffee and donuts. As the activists marched into Scarborough at 9am,

⁸⁸ Brian Cross, “‘Harris better beware’,” *Windsor Star*, September 5 1995, A1.

⁸⁹ The definitive account of these events is Peter Edwards’ *One Dead Indian: The Premier, the Police, and the Ipperwash Crisis* (Toronto: Stoddart, 2001).

they were served breakfast by Canada Employment Centre workers at 811 Danforth Avenue. Thirty PSAC members joined them for the rest of the way to Allan Gardens where about five hundred people greeted them.⁹⁰

The common sense of protesting at Queen's Park on September 27 spread across the province. More than two dozen buses from outside Toronto, including as far away as Sudbury, Kingston, and Ottawa, brought a thousand people to the rally while a handful of people attended from the Thunder Bay Anti-cuts Coalition. Local actions were also held, including rallies on most university campuses and many cities. Three small marches from Windsor, St. Thomas and London departed for Chatham where they set up a "Harrisville" tent city outside the constituency office of Tory MPP Jack Carroll.⁹¹

Back at Queens' Park, the Ontario Coalition Against Poverty feeder march from Allan Gardens was greeted by thousands. Crowds also streamed in from the University of Toronto campus while hundreds of workers poured out from the hospitals on University Avenue in an uncoordinated, spontaneous walkout.⁹² From the podium, speakers railed against the government's attacks on the poor, housing, education, and services for the disabled and seniors. An Indigenous activist accused the government of ordering the OPP shooting death of Dudley George. The energy was approaching critical mass. OCAP's John Clarke delivered the final speech in his working-class English accent. "This protest doesn't mean letting off steam and buckling under to the Harris agenda. It means defeating the Harris agenda. The Harris government is going to become a government behind sandbags. That's because he is going to be

⁹⁰ Faline Bobier, "Anti-poverty activists take on Harris agenda," *Socialist Worker*, October 4 1995, 2.

⁹¹ Dan Nolan, "Protesters want no part of Conservative vision," *Ottawa Citizen*, September 28 1995, A1; Dawn Walton and Murray Hogben, "Protesters decry cuts," *Kingston Whig-Standard*, September 28 1995, 1; Ted Shaw, "Labor, social advocates march to oppose cuts," *Windsor Star*, September 30 1995, A3; Faline Bobier, "Anti-poverty activists take on Harris agenda," *Socialist Worker*, October 4 1995, 2; Caltha Rimmer, "Anti-Tory," *Socialist Worker*, October 4 1995, 10.

⁹² Carolyn Egan, "The OFL must give a lead," *Socialist Worker*, October 4 1995, 10.

confronted and silenced by people like us.”⁹³ The crowd’s impatience boiled over. Within moments of Clarke leaving the microphone, protesters knocked over the metal barricades set up by the police. Hundreds surged towards the front doors of the legislature despite a substantial police presence. Police sealed the entrance, even blocking MPPs from entering, and a contingent of police in helmets, batons and shields quickly established a line between the doors and protesters and held it through the use of batons and pepper spray.⁹⁴

As news spread of the protest’s size and the dash for the doors, a massive dose of confidence and enthusiasm surged through various activist networks inside and outside organized labour. September 27 energized thousands and drew an even larger number of people into the extra-parliamentary opposition.⁹⁵ Harris, however, shrugged off the protests, posturing himself as the revolutionary: “They’re the people who like the status quo, who like the government of the last 10 years of big spending... There will probably not be a single blade of grass untrampled by protesters on the front lawn of Queen’s Park by the time we finish.”⁹⁶ As with Snobelen’s claims of a “broken” education system, Harris sought to align the protesters with a failed economic model, tying them to the discredited NDP government. It was certainly true that the protest movement had yet to articulate a coherent alternative. The pace of events had also precluded it, and there was still no organization in a serious position to advance one.

⁹³ Laurie Monsebraaten, “Protesters, police clash at Queen’s Park,” *Toronto Star* September 28 1995, A16.

⁹⁴ Laurie Monsebraaten, “Protesters, police clash at Queen’s Park,” *Toronto Star* September 28 1995, A16; Dan Nolan, “Protesters want no part of Conservative vision,” *Ottawa Citizen*, September 28 1995, A1. The “heavy” police presence is recalled by Andrea Calver. Interview, November 14 2015.

⁹⁵ Interview, Andrea Calver, November 12 2015; Interview, John Clarke, July 2 2016.

⁹⁶ William Walker, “Government must make ‘hard choices,’ Tories say,” *Toronto Star*, September 28 1995, A1.

Tuna, eggs and bologna

In the first week of October, the 21.6 percent cut in social assistance was enacted, Bill 7 was introduced to repeal the NDP's Bill 40 labour reforms, and Minister of Community and Social Services David Tsubouchi published a shopping list for welfare recipients encouraging them, among other things, to haggle with merchants for lower prices on dented tins of tuna.⁹⁷ Later in October, Harris himself tried to sympathize with the poor claiming he had once lived off bologna sandwiches. When his father dismissed the comment as untrue, the press transformed an off-the-cuff remark into a sensationalist public spat between the Premier and his father.⁹⁸ As with recent controversies surrounding Palladini and Snobelen, Tsubouchi's "welfare diet" advice and Harris's bologna claims painted the ruling party as callous, vindictive and far removed from the social problems it claimed to be solving. In the polarizing climate, Premier Harris, cabinet members and other caucus members began touring Ontario for publicity and to replenish party coffers through fundraisers with party faithful and supporters.

At the Premier's first stop at Waterloo City Hall on October 6, several hundred protesters, including a sizeable union contingent, showed up for the ceremonial tapping of the Oktoberfest kegs. As dignitaries gathered on stage, one of the protesters, 24-year-old Anna O'Brien, held up a photo of her four-year old son and her resume and shouted, "here is my resume Mike. I want a job!" Following O'Brien's outburst, Kitchener Mayor Richard Christy's speech about prosperity was booed. "That he [Christy] had the gall to invite the guy [Harris], means the mayor showed no regard for the people of this community," said Marco Perez, one of the protesters. When Harris stepped forward to tap the kegs, three eggs sailed through the air. The Premier and Miss

⁹⁷ The contents of Bill 7 and the debates surrounding it are dealt with at length in the next chapter.

⁹⁸ Wendy McCann, "Living on bologna incentive to get ahead," *Ottawa Citizen*, October 22 1995, A6; Richard Brennan, "No bologna for Harris, his dad says," *Toronto Star*, October 24 1995, A4; Greg Crone, "I did so eat bologna in younger days Harris insists," *Toronto Star*, October 25 1995, A13.

Oktoberfest Paulete Schier were hit. Police waded into the crowd to arrest one man for breach of peace. Visibly shaken, Harris left the festivities without saying a word.⁹⁹

Harris and six other MPPs, including Solicitor-General Bob Runciman of Brockville, traveled to Kingston for an October 11 party fundraiser at the Cataraqui Golf and Country Club. At \$150 per plate, the Country Club drew 150 guests. An array of local groups, including union, anti-poverty and student groups, organized a protest would gather at nearby Lake Ontario Park. Kingston-area OPSEU leader Warren “Smokey” Thomas wanted the action to be non-violent. “We’ll make lots of noise and then we’ll go home. We’re not advocating violence.” Thomas also said OPSEU members would not cross King Street, the road dividing Lake Ontario Park from the Country Club.¹⁰⁰

On October 11, about four hundred people gathered at Lake Ontario Park while some protesters were already milling around the Country Club. Families were in attendance and a group of children carried signs reading “I don’t like tuna”. Without any discouragement from union officials, the crowd crossed King Street and converged on the club’s main entrance. Fifteen Kingston police in riot gear stood inside the doors to keep protesters out, occasionally opening them to unleash a stream of pepper spray into the crowd now surrounding them. Eggs were thrown and pushing and shoving ensued. The chaotic scene was compounded by the noise of protesters banging pots and pans and pounding on the exterior walls. As the battle unfolded outdoors, diners inside “sipped wine and listened to a string quartet.”¹⁰¹ One protester managed to finally disrupt the diners by climbing on to the roof and lighting a piece of paper on fire by the air conditioning duct, filling the interior with smoke. During the entire confrontation, Harris hid in a car in the parking lot for two hours before the protest dwindled and melted away. When he

⁹⁹ Carol Goodwin, “Irate workers to greet Harris,” *Waterloo Record* (October 5 1995), A1.

¹⁰⁰ Jack Chiang, “Groups plan Harris protest,” *Kingston Whig-Standard* (October 11 1995), 9.

¹⁰¹ Dawn Walton, “Premier provokes fury,” *Kingston Whig-Standard* (October 12 1995), 1.

entered the Country Club, supporters chanted “Mike! Mike! Mike!” Harris delivered his speech, calling it a “usual gracious welcome” of protesters who opposed “real change.” Riffing on Snobelen’s “crisis” scandal, the Premier wisecracked that the demonstration was set up by Runciman to justify more resources for policing.¹⁰²

Afterwards, Kingston police claimed that its officers, club staff and even a television reporter were assaulted by protesters. Nineteen windows and one door were broken according to the Country Club. A Kingston lawyer later claimed his 74-year-old father was “punched, kicked and hit by three thrown eggs.” With allegations like these, Kingston police obtained a warrant and seized three thirty-minute videotapes of the demonstration filmed by local CBC affiliate, CKWS television. No additional charges were laid. Runciman and Kingston’s police chief Bill Closs expressed public disappointment and disapproval with the protest for threatening the safety of others, as well as damaging property. Protester Shaun Maxwell replied, “I don’t care if I get a criminal record for doing this because I don’t think we should follow unjust laws.”¹⁰³

The outcome of the protest drew a familiar dynamic of claim and counter-claim from protesters and opponents alike. Doug Haunts, the lawyer who claimed his father was beaten by protesters, said the “unruly horde indicates a breakdown in society and in our traditions as a society.” Not to be outdone, Steve Lukits, a *Whig-Standard* columnist already unfriendly to the emerging anti-Harris movement, claimed a small minority of “goons” ruined the protest, calling it “perverse and wrong.”¹⁰⁴

¹⁰² Dawn Walton, “Premier provokes fury,” *Kingston Whig-Standard* (October 12 1995), 1.

¹⁰³ Dawn Walton, “Premier provokes fury,” *Kingston Whig-Standard* (October 12 1995), 1; Patrick Kennedy and Dawn Walton, “Violence at anti-Harris protest condemned,” *Whig-Standard* (October 13 1995), 1; Wendy, McCann, “Protesters promise to dog premier,” *Kingston Whig-Standard* (October 14 1995), 1.

¹⁰⁴ Patrick Kennedy and Dawn Walton, “Violence at anti-Harris protest condemned,” *Whig-Standard* (October 13 1995), 1; Steve Lukits, “Rampaging mob ruined protest,” *Kingston Whig-Standard* (October 13 1995), 8.

Rob Hutchison, a local resident and activist, took Lukits and local media to task in a letter to the *Whig*. The protest was attended by between 400 and 600, not 200 as the paper had described and that the violence was perpetrated by a small minority.¹⁰⁵ The criticism of the local media's distorted coverage of the protest had some merit. While focusing on the violence at the Cataraqui Golf and Country Club, no local media covered a People First Community dinner held the same night as Harris' fundraiser. While \$150-a-plate dinners stocked PC Party coffers, proceeds of the People First Community dinner went to a local food bank and free clothing outlet.¹⁰⁶ For his part, Smokey Thomas believed the protest message was lost in the confrontation at the Club and as a result, failed to reach "those sitting on the fence." He hadn't anticipated the violence: "It will make me think twice about what we'd do next time."¹⁰⁷

A more celebratory perspective came from local resident and writer Jamie Swift who brought his daughter to the protest. The initial rally at Lake Ontario Park had "a tangible feeling of excitement," and the crowd was larger and more diverse than the many local protests he had seen in some time. "The crucial thing was not the violence that later occurred," argued Swift. "It was the fact that people saw each other not through the lens of a Betacam unit while they sat at home, but making common cause together and sharing their heartfelt concerns about the direction of their country, their province, their city." Swift added that while protesters, the poor and unemployed were being berated "to get off their collective butts," St. Lawrence College next door to the Country Club had recently received 547 applications for about fifty positions in its correctional worker program. Further down King Street, Corrections Canada had just received

¹⁰⁵ Rob Hutchison, "Only a minority took part in 'violence'," *Kingston Whig-Standard* (October 18 1995), 7.

¹⁰⁶ Lorraine Boughner, "Story gave distorted view," *Kingston Whig-Standard* (October 18 1995), 7.

¹⁰⁷ Steve Lukits, "Rampaging mob ruined protest," *Kingston Whig-Standard* (October 13 1995), 8.

three thousand applications for the hundred jobs that open up each year. The problem was not laziness, argued Swift, but a simple lack of jobs.¹⁰⁸

After the Kingston visit, Harris made his way to Ottawa for another party fundraiser at \$500 per plate. “The road ahead will be a very difficult one,” said Harris to the audience of 150. “Progress will be very hard won. But if we’re stepping on some toes it’s because we are taking giant strides. We know that what we are doing is right.” Outside, three hundred protesters were confronted by thirty riot police. The local Stop the Cuts Coalition had marshals wearing yellow and red armbands to help prevent a clash and counter a media narrative that the protests were becoming hopelessly violent. “We’re not egg throwers or rock throwers,” said Steve Sanderson of the Stop the Cuts Coalition. The police claimed the heavy police presence was not only to discourage violence, but to protect protesters from car traffic while marching on the streets. A passerby who witnessed the protest told an *Ottawa Citizen* reporter that the police presence was “intimidating and unnecessary,” and “an unhealthy sign of things to come.”¹⁰⁹

In London, a day after the Kingston protest, hundreds gathered outside the London Convention Centre on Wellington Avenue. After a heavy police escort indoors, Labour Minister Elizabeth Witmer addressed sixty members of the London Chamber of Commerce to promote the new Bill 7 and its overhaul of Ontario’s labour laws. Witmer went so far as to claim the government was seeking “to forge a new relationship with labor” and “work together in harmony.” Outside the Convention Centre the local labour council president Rick Witherspoon said the protesters were there to “greet the minister of business.” Witherspoon told the press that Witmer was “prepared to meet with business but declines to meet with labour, the people most affected.” The crowd chanted:

¹⁰⁸ Jamie Swift, “Why I took my daughter to the anti-Harris rally,” *Kingston Whig-Standard* (October 18 1995), 6.

¹⁰⁹ Karen Brown, “Spending cuts will continue, Harris vows,” *Ottawa Citizen* (October 13 1995), C1.

Lizzy Witmer took an axe
To give labour 40 whacks
When she saw that she was done
She gave the poor 41

The mounting police presence at Tory functions did little to dissuade protesters from militant, disruptive and illegal acts. On October 16, two dozen women occupied Tsubouchi's Ministry of Community and Social Service office in Toronto for several hours. The sit-in was carried out by social workers from local abused women's shelters. Lezlie Lee Kam of Education Wife Assault in Toronto explained that her organization had lost all its funding with recent cuts and was facing closure.¹¹⁰

Two days after the sit-in, hundreds surrounded Toronto's Women's College Hospital to protest the Metro Toronto District Health Council's recommendations to the province to shutdown and merge a dozen hospitals, close down seven emergency wards, and cut 2,800 jobs. "It's going to be women again who will be forced, when they come home from work, to look after their loved ones," exclaimed Sid Ryan to the protesters.¹¹¹

The following day, several hundred more people rallied outside the Ministry of Labour on University Avenue chanting "Don't give the bosses a license to kill!" Organized by the Steelworkers, OPSEU and the Toronto Building Trades, the rally decried the rollback of hard-won workplace health and safety rights, including a reduction in workplace safety inspectors from 215 to 163, and their support staff of physicians, engineers, hygienists and nurses from 88 to 31. John Cartwright, business manager of the Toronto Building Trades Council, called the government's choices "criminal."¹¹²

¹¹⁰ Donovan Vincent, "Sit-in protests cuts affecting women's shelters," *Toronto Star* (October 17 1995), A6.

¹¹¹ Cal Millar, "Hundreds protest health care cuts," *Toronto Star* (October 19 1995), A6.

¹¹² Phinjo Gombu, "Cuts may cause deaths, Harris told," *Toronto Star* (October 20 1995), A10.

Union participation in the rallies began to mount. In Brockville on October 20, Bob Runciman found himself cornered at his Brockville constituency office on October 20 by three hundred protesters, most of them Ontario government workers. Demanding an audience to speak about the new Bill 7. Runciman was coaxed from his office to address the crowd. “There may be occasions when we don’t agree but I want to hear your concerns and suggestions,” he said. He wanted to hear suggestions for other cost-cutting measures, but would not entertain any alternative that did not involve cost-cutting. A chant of “Thank you Bob!” erupted briefly from some of the union members when Runciman promised to set up a meeting between Premier Harris and Leah Casselman.¹¹³ No such meeting took place.

By late October, numerous police forces were on edge, keen to “weed out troublemakers” at protests and prevent what the *Toronto Star* had dubbed the “Queen’s Park riot” of September 27.¹¹⁴ On October 25, dozens of OPP and Metro Toronto Police were focusing their energies on several hundred protesters at Queen’s Park answering a rally call by OCAP. Meanwhile, north of Toronto over a hundred protesters, mainly OPSEU and CAW members, targeted a Tory fundraiser in Concord. Expensive cars pulling into the banquet hall parking lot were pelted with bologna sandwiches, windshields spat on and smeared with lipstick as protesters chanted “pigs!” Others shouted the question “tuna or bologna?” While seven hundred people paid \$300 a plate, Tsubouchi told the press that protesters should have donated the bologna to a food bank. Harris stayed on script: “Any time you take privileges away from one group in society, they fight to hang on to it.”¹¹⁵

Harris could not even find sanctuary in his hometown of North Bay. Hosting a \$175 per plate fundraiser for several at the Pinewood Inn on the edge of town, five hundred people

¹¹³ “‘I want to hear,’ protesters told,” *Kingston Whig-Standard* (October 21 1995), 3.

¹¹⁴ Cal Millar, “Police plan to avert Queen’s Park riot,” *Toronto Star* (October 25 1995), A15.

¹¹⁵ Lisa Wright, “Fed-up feed Tories bologna,” *Toronto Star* (October 26 1995), A12.

protested. The action, organized by the Nipissing Coalition for Social Justice, sold bologna sandwiches for \$1.75 while the protesters chanted and shouted at Harris and his audience. Inside, Harris joked about the welcoming from “union bosses” and those being paid “time-and-a-half” for attending before resorting to his folksy claim of his dad telling him “if you work hard, you can eat roast beef.” In response to the common taunts about being lazy and to “get a job,” anti-poverty activist Lana Mitchell shouted “But there’s no bloody jobs, you idiot!”¹¹⁶ North Bay in particular was facing a grim future, observed Brian Stevens, president of the North Bay Labour Council. Its top ten employers were in the public sector, including eight provincial, and employed roughly 40 percent of the workforce. Hundreds, possibly thousands of local jobs were on the line.¹¹⁷

After the WheelTrans cuts, Transportation Minister Al Palladini remained a popular target. On Saturday November 18, some forty OPSEU workers arrived at 4pm on Weston Road in Vaughan at Palladini’s Pine Tree Lincoln Mercury car dealership held by the minister in blind trust. Having learned of the protest in advance, the dealership followed police advice and closed down an hour before protesters arrived. Handing out leaflets, waving placards and banners, the protesters declared the early closing a victory. The dealership’s general manager complained that the dealership was unnecessarily targeted and that a hundred employees were hurt by the action.¹¹⁸

One protest incident gained notoriety with the press, propelling a young Tory MPP John Baird into the media spotlight. Miriam Edelson, a mother of a severely disabled 5-year-old,

¹¹⁶ Dan Smith, “The Common Sense Revolution hits home: Mike Harris’s hometown divided over welfare cuts,” *Ottawa Citizen*, November 27 1995, A3.

¹¹⁷ Arnie Hakala, “Harris riding fears cuts may spark depression,” *Toronto Star* (October 17 1995), A2; Dan Smith, “The Common Sense Revolution hits home: Mike Harris’s hometown divided over welfare cuts,” *Ottawa Citizen*, November 27 1995, A3.

¹¹⁸ Henry Stancu, “Protest ahead, so Palladini closes early,” *Toronto Star*, November 19 1995, A7; Sam Demacio “Police advised Palladini shop to close early,” *Toronto Star*, November 25 1995, B3.

attended the legislature on November 28 and she shouted from the balcony “My kid is going to die if you make him move! Don’t do it!” Her son Jake was housed in a Belleville home that was in danger of losing funding because of cuts to the Children’s Aid Society. Not considered a core service by the government, CAS and its special programs such as the one for Jake, were in danger.¹¹⁹ In the legislature Minister Tsubouchi responded that the government would not “send down another bucket into this well of taxpayers’ money” to support new cases like Jake’s. As Edelson was escorted out of the legislature by security for her outburst, John Baird, the Tory MPP from Nepean shouted “She’s an OPSEU member!” Edelson was infuriated explaining that her union membership had nothing to do with her son’s situation. Baird offered an apology saying he did not believe Jake was undeserving of care because his mother was a trade unionist. Baird insisted his outburst was a simple response to someone asking who Edelson was.¹²⁰ Incidents of this nature fueled a palpable hatred of the Tories among many Ontarians.

Another Tory fundraiser in Hamilton became the site of a substantial local mobilization involving significant participation from union members and support from local union leaders. Echoing the desire of Smokey Thomas in Kingston to avoid any kind of violence, Hamilton and District Labour Council president Wayne Marston called for a peaceful protest but also demanded police restrain themselves and not provoke protesters. “Police with riot gear at a peaceful and democratic protest is not acceptable,” said Marston to the press, adding that the Hamilton-Wentworth regional police had a good working relationship with organized labour and no OPP was required. The labour council recruited 24 union marshals to ensure the rally was peaceful and police agreed to block traffic for the protest.¹²¹

¹¹⁹ Kelly Toughill, “Pleading mom ejected from Legislature,” *Toronto Star*, November 29 1995, A3.

¹²⁰ Kelly Toughill, “Pleading mom ejected from Legislature,” *Toronto Star*, November 29 1995, A3.

¹²¹ “No outside police for Harris’ visit, labor reps ask,” *Hamilton Spectator*, November 15 1995, B2.

At least five hundred people came out, including trade unionists, the unemployed, single mothers, and students. After an hour of blocking traffic at City Hall, listening to speeches and watching a satirical reenactment of a Tory cabinet meeting, the crowd marched to the Royal Connaught Plaza Hotel where Harris was addressing a cocktail reception. The Premier had made an early entrance, slipping in a rear entrance to avoid the protest. The crowd, however, was able to heckle and shout at the fundraiser guests who had paid \$175 each for tickets. “What are our children going to eat tonight while you have cocktails?” shouted one protester. Several rattling macaroni and cheese boxes and empty tunas cans were thrown at the guests from the crowd.¹²² John Martin, Steelworkers Local 1005 president, ridiculed Harris as an arrogant coward for refusing to face the protesters. “I’ve never seen anything like this in Hamilton,” he said of the protest itself. “Harris can’t say any longer that we are special-interest groups,” said one of the rally’s organizers, Lisa Duggan. “If anything, Mike Harris represents special interest groups – big business.”¹²³

Duggan’s perspective about Harris representing the interests of big business exhibited an elementary class politics generalizing throughout the movement as organized labour began to exert greater influence over the protests through local political leadership, organizing resources, and sheer numbers participating. In turn, substantial sections of organized labour, from the rank-and-file through to top officials, came to understand the significance of community-labour coalitions in combating Harris. The October and November protests were aggressive, militant and involved a hefty dose of disruptive, illegal and intimidating activity. By November, they were being buoyed by the talk and threats of a general strike by unions.¹²⁴ The growing police presence had not dissuaded protesters in a decisive manner. The anger and outrage driving the

¹²² Mary Pat Elliot and Jim Holt, “Boisterous protest rally,” *Hamilton Spectator*, November 22 1995, B3.

¹²³ Mary Pat Elliot and Jim Holt, “Boisterous protest rally,” *Hamilton Spectator*, November 22 1995, B3.

¹²⁴ This story is told in Chapter 3.

protests was one reason for the persistence of militancy. Another was the growing size and frequency of the protests bolstered by increasing numbers of union members joining with anti-poverty activists, students, welfare recipients and others. There were, however, clear concerns within the ranks of the protest movement that violence and ill-disciplined militancy could discredit the protests and incite police violence.

The Childcare Strike

With the Common Sense Revolution still in full swing, parents, childcare workers and child care operators were under no illusion that further cuts and restructuring were possible. The question for them was how the cuts could be fought. When a confidential social services ministry report was leaked to the *Toronto Star* in early November. The report proposed eliminating direct daycare subsidies for 68,000 low-income parents and replacing them with vouchers between \$346 and \$390 per month. With 120,000 childcare spaces in the province, Carol Gott, president of the Ontario Coalition for Better Child Care, said licensed childcare would be destroyed because the vouchers were largely insufficient given average monthly daycare costs of \$700.¹²⁵ Childcare workers and mothers with direct subsidies were quick to point out that cuts would render childcare unaffordable and force low-income parents back on to welfare. The elimination of grants for childcare operators would also lead to layoffs across the sector, further reducing available childcare and likely driving a number of childcare centres out of business altogether. Gallows humour flourished amidst anxiety and anger. “A lot of us have been joking about what our next career will be,” said Dianne McGuire, a childcare worker at the Kinsmen Day Care

¹²⁵ Laurie Monsebraaten, “Critics condemn plan to change day-care funding,” *Toronto Star*, November 3 1995, A12; Kelly Toughill, “Day-care centres to shut,” *Toronto Star*, November 18 1995, A1; Bert Hill, “At least 50 day cares to shut Friday, parents told,” *Ottawa Citizen*, November 19 1995, A7.

Centre in Preston, “but that could be a reality.”¹²⁶ Tsubouchi claimed not to have seen the report, but maintained he was open to all options. Concerned parents and childcare workers took Tsubouchi’s regular talk of “parental choice” and a “broken” childcare system as an endorsement of the voucher system and the cuts.¹²⁷

In response to the report, a mass meeting was called and a thousand people packed the Toronto school board office on November 7. The crowd cheered on calls for resistance and any mention of the Common Sense Revolution was booed. Attendees learned that with the proposed cuts to municipal transfer payments for January 1 1996, Metro Toronto would lose up to 5,000 childcare spaces. The mass meeting served to build support for a proposed “Walk for Child Care” on November 13, spearheaded by the Metro Coalition for Better Child Care, the local affiliate of the Ontario coalition.¹²⁸

When November 13 rolled around, the Walk for Child Care proved to be a stunning success as far as organizers were concerned. At least a hundred small rallies involving an estimated 5,000 childcare workers, parents, and children were held across Metro Toronto. The action took visible protest out of the downtown streets and deep into dozens of suburban neighbourhoods. The Metro Coalition for Better Child Care estimated 20 percent participation from the city’s five hundred licensed child care centres, an increase over the level of participation in the July protest.¹²⁹

The Ontario Coalition for Better Child Care decided to take the protest province-wide on November 24. Coalition coordinator Cheryl MacDonald believed at least a thousand non-profit centres across the province would participate in the one-day walkout on Friday November 24.

¹²⁶ Beth Gallagher, “Kids may bear brunt of social service cuts,” *Waterloo Record*, November 25 1995, A10.

¹²⁷ Laurie Monsebraaten, “Critics condemn plan to change day-care funding,” *Toronto Star*, November 3 1995, A12.

¹²⁸ Heather Greenwood, “Day-care children speak out on cuts,” *Toronto Star*, November 8 1995, A6.

¹²⁹ Laurie Monsebraaten, “Kids hurt by drastic cuts, say protesters,” *Toronto Star*, November 14 1995, A10.

The walk-out was not simply a strike by child care workers, but intended to spread disruption into the wider economy. “This will show employers how much their own employees rely on child care as people are forced either to take time off work or bring children into the office,” explained MacDonald.¹³⁰ Faced with the looming one-day walk-out, Harris finally weighed in publicly claiming once again to be disappointed. “We’re not closing day-care centres. The only ones closing them are the workers.”¹³¹

The collaboration between operators, workers and parents was extensive, presenting a formidable united front. *Ottawa Citizen* columnist John Ibbitson reported 1,100 out of the province’s 2,800 centres closed. The Ontario Coalition for Better Child Care, which had initiated the protest call, estimated 800 centres were fully closed, with 400 more closed for part of the day, affecting 50,000 children in total. The protests drew participation from 11,000 childcare workers at two dozen rallies around the province with many parents and children attending.¹³²

Arriving by foot, public transit and union-sponsored buses, three thousand childcare workers, parents and children descended upon Queen’s Park. One of the more popular chants was “Don’t balance the books on the backs of children!” Placards read “Mike Harris: Pick on Someone Your Own Size” and “The Hand That Rocks the Cradle Rocks the Boat.” Eight-year-old Xaida Zyvatkaukas addressed the crowd saying “If my day care was not there I’d be lonely and sad and have nowhere to eat.” The rally drew NDP and Liberal politicians. Liberal MPP Sandra Pupatello, who had participated in the Walk for Child Care rallies, predicted the government would “blink” on childcare cuts.¹³³

¹³⁰ Kelly Toughill, “Day-care centres to shut,” *Toronto Star*, November 18 1995, A1.

¹³¹ “1-day closing of day-care centres wrong: Premier,” *Toronto Star*, November 19 1995, A12.

¹³² John Ibbitson, “Day-care centres shut their doors to protest cuts,” *Ottawa Citizen*, November 25 1995, A1; “Day-care centres shut down,” *Kingston Whig-Standard*, November 25 1995, 3; Lisa Wright, “Day-care protest draws thousands,” *Toronto Star*, November 25 1995, A14.

¹³³ Lisa Wright, “Day-care protest draws thousands,” *Toronto Star*, November 25 1995, A14.; “Day-care centres shut down,” *Kingston Whig-Standard*, November 25 1995, 3.

In Ottawa, a thousand people rallied at Parliament Hill in -10°C weather and at least 50 regional childcare centres were closed. Among those addressing the Ottawa crowd was Jocelyn Tougas who asked the crowd what was motivating the cuts. “Is it to force women out of the paid workforce?” she asked. “Is it to push them back into the kitchen like the 1950s? Is it to take away real choices for parents?”¹³⁴

The November 24 protest was not supported by a large minority of daycare operators. The president of the Association of Day Care Operators of Ontario, Peter Knoepfli, said their 500 independent daycare centre members stayed open and dismissed the proposed cuts as “not so severe.”¹³⁵ The position reflected the clientele of the operators from wealthier families, the upper-tier of the de facto two-tier system.

After the protest, Durham-West MPP Janet Ecker, who was heading up a childcare reform study for Harris, stuck to the Premier’s earlier talking points: “For those who were trucking children down to various sites to protest, I think it's interesting that, when the necessity of the need for change confronts them, their first response is to jeopardize the children they say they're protecting.” One childcare worker’s response to this line of criticism was “This may be an inconvenience for parents now, but it will be much worse six months down the road.”¹³⁶

In his detailed examination of these early protests in 1995, Paul Kellogg says the “lesbian and gay rights activists, daycare workers, anti-poverty activists, social assistance recipients, and feminist “Embarrass Harris” organizers who took to the streets in the days and weeks following the Conservative victory helped nurture the flame of resistance during what were very difficult times.” Kellogg contends these “small battles during the summer of 1995 slowly began to build

¹³⁴ Bert Hill, “At least 50 day cares to shut Friday, parents told,” *Ottawa Citizen*, November 19 1995, A7; John Ibbitson, “Day-care centres shut their doors to protest cuts,” *Ottawa Citizen*, November 25 1995, A1.

¹³⁵ “Day-care centres shut down,” *Kingston Whig-Standard*, November 25 1995, 3.

¹³⁶ Lisa Wright, “Day-care protest draws thousands,” *Toronto Star*, November 25 1995, A14.

confidence that the Conservatives could be challenged,” but concludes that only with the active participation of organized labour’s membership could the protests expand into a mass movement with the potential power to actually stop the government.¹³⁷

This assessment stands up to scrutiny. The foundations of a larger movement was laid as the Embarrass Harris coalition and other likeminded activists began to activate union members, and pull more people out to protests. The composition and breadth of the protest movement began to shift steadily after the September 27 “riot”, and the first week of October with the social assistance cuts and introduction of Bill 7. The storming of the barricades at Queen’s Park on September 27 was indeed a major indication that the protest movement undergone a qualitative transformation in size and confidence. Yet, even this formulation fails to grasp the extent to which the protests began to tap into the emerging popular anger driven not simply by legislative agendas, but by the very statements and actions of senior cabinet ministers and the Premier. They became a for the anger of thousands suffering severe attacks on their often meagre, precarious livelihoods. Arrogance, vindictiveness, and dishonesty fed into the explosive and aggressive character of the movement’s confrontational tactics. Dudley George’s death only hardened the resolve of core organizers and many participants. The Tories may have succeeded in cleaving off large numbers of working-class people, including union members, into their electoral fold, but political allegiances were far from cemented at the ballot box. Complicated and fraught working-class loyalties to the welfare state, various conceptions of solidarity, and immediate self-interest collided with the actually-existing Common Sense Revolution .

¹³⁷ Kellogg, 128.

Chapter 3:

Enter Labour, October - December 1995

The October 1 introduction of Bill 7, the Labour Relations Employment Statutes Law Amendment Act, was the catalyst for organized labour's embrace of extra-parliamentary protest against the Common Sense Revolution. Rank-and-file union members and lower tiers of the union leaders were already being pulled into protest activity through October and November and the militant, aggressive style of the protests was matched by CAW president Buzz Hargrove who began to threaten a sector-wide auto strike against Bill 7. Although the talk of illegal strikes and even a province-wide general strike served to raise expectations among union members and the wider extra-parliamentary opposition, the agitation exposed the sectional and factionalized character of the province's labour movement and its deep unevenness in terms of confidence and political perspectives. This chapter examines how, over the span of several weeks, a growing base of union members and the province's top union leaders came to develop the Days of Action strategy and organize a one-day general strike in London, Ontario despite widespread disorganization, hesitancy, bluster, and toxic divisions. Additional important developments are also examined, including the emergence of open conflict between labour and employers, and the nurturing of wider union and popular opposition to the Common Sense Revolution.

Bill 7

Workers' rights were in the crosshairs of the government immediately following the riotous opening of the legislature on September 27. Within a week, Minister of Labour Elizabeth Witmer introduced Bill 7, the Labour Relations Employment Statutes Law Amendment Act. It was a

comprehensive rollback of hard-won labour rights including “sections of the act dating back to 1950.”¹ The Bill 40 “anti-scab” ban on replacement workers, access to first contract arbitration, card check certification, and continuation of employee benefits in the event of a strike or lockout were all eliminated or dramatically weakened.² The legislation went further, banning unions from organizing and picketing on private property, lowering the membership threshold for union decertification, and imposing a 12-month ban on reapplying for certification following a failed or withdrawn application. Wage theft claims were capped at \$2,000 down from \$5,000. Union successor rights enshrined in the 1975 Crown Transfer Act were also removed, meaning collective agreements would not be inherited by the firms benefiting from contracted out or privatized public services.³ Bill 7 also repealed the NDP’s Bill 91 Agricultural Labour Relations Act which had awarded Ontario’s non-seasonal agricultural workers the right to form a union and ended the exclusion of domestic workers from the scope of the Labour Relations Act. The repeal of Bill 91 had an immediate impact in Leamington where workers at a Highline Produce mushroom farm had recently joined the United Food and Commercial Workers and were bargaining a first contract. The UFCW sought an interim injunction to stop Bill 7 but this was rejected, and the farm workers’ union was destroyed by the legislation.⁴

¹ Steve Watson, “Ontario Workers Take On the “Common Sense Revolution”,” in Diana Ralph, André Régimbald and Nérée St-Amand (eds.) *Open for Business/Closed to People* (Halifax; Fernwood, 1996), 137.

² On Bill 40, see Leo Panitch and Donald Swartz, *From Consent to Coercion*. Third Edition. (Garamond: Aurora, 2003), 168-171; Thomas Walkom, *Rae Days* (Toronto: Key Porter, 1994), 126-130.

³ Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution* (Toronto: University of Toronto Press, 2003), 30. The negative effect on successful union organizing was significant. For statistical analysis see Felice Martinello, “Mr. Harris, Mr. Rae and Union Activity in Ontario,” *Canadian Public Policy* 26, 1 (March 2000), 17-33. For a more nuanced and historical appreciation of union organizing activity in the wake of Bill 7, see Charlotte A.B. Yates, “Staying the Decline in Union Membership: Union Organizing in Ontario, 1985-1999,” *Relations Industrielles/Industrial Relations* 55, 4 (2000), 640-674.

⁴ Daniel Girard, “Tories see a level field, unions see a battlefield,” *Toronto Star* (October 7 1995), B5; “Labor law injunction rejected,” *Toronto Star*, November 17 1995, A13; “Farm labor fight moves into courts,” *Leamington Post*, November 22 1995, 1. For more historical context on Bill 91 and of how organized labour has responded to farm workers in Ontario more generally, see Jonah Butovsky and Murray E.G. Smith, “Beyond Social Unionism: Farm Workers in Ontario and Some Lessons from Labour History,” *Labour/Le Travail* 59 (Spring 2007), 69-97.

Bill 8, the Job Quotas Repeal Act, followed quickly on the heels of Bill 7, and eliminated the NDP's groundbreaking Employment Equity legislation. Harris had campaigned consistently against Employment Equity legislation in 1994 and 1995, arguing that it was a "quota law" forcing employers to hire minorities and women over more qualified candidates.⁵ It was, he asserted, an attack on merit-based advancement. In a larger cultural context of a backlash against "political correctness," Harris's attacks on employment equity gained substantial support, including in male-dominated auto plants. This clashed with the efforts of the CAW leadership, which had made numerous overtures to building political alliances with feminist organizations and combating sexism in the workplace and home.⁶ While opponents decried Harris's attack as racist and sexist, Harris in turn called the legislation "discriminatory...divisive...inflammatory and demeaning" and "contributing to intolerance." Like UFCW's fight to save Bill 91, the Federation of Women Teachers' Associations of Ontario challenged the Bill 8 repeal of Employment Equity in the courts but this too was defeated.⁷

The scope and speed with which the government introduced Bill 7 and Bill 8 was a high-risk opening gambit against organized labour, but one that reflected the Harris government's hard-nosed commitment to the Common Sense Revolution's wider goals of restructuring and austerity. The government completely avoided the postwar tradition of government consultations with organized labour, business, academics, and the broader public. So quick was the legislative attack, dozens of last minute amendments to Bill 7 were not even read by government MPPs.⁸

⁵ On the introduction and repeal of employment equity legislation in Ontario (and British Columbia), see Abigail Bakan, *Employment equity policy in Canada: an interprovincial comparison* (Ottawa: Status of Women Canada, 1999).

⁶ Interview, Bruce Allen, October 12 2015.

⁷ Kelly Toughill, "Adoption not a political issue Harris says," *Toronto Star* May 17 1995, A8. On the sexist attitudes towards employment equity by rank-and-file autoworkers, this was described in an interview with General Motors employee and union activist Bruce Allen.

⁸ Watson, 136.

Bill 7 propelled significant sections of organized labour into action, from provincial to local leaders, and numerous rank-and-file activists. The Queen's Park protest on September 27 had already drawn in thousands of trade unionists alongside numerous others opposing the Harris Tories, and union members and local leaderships took their cue from the militancy of the spreading protests now fueled by the October 1 social assistance cuts and mounting criticism of the Premier and cabinet members. This agitation reverberated upwards through the unions where a heated debate over how to respond erupted among Ontario Federation of Labour affiliates.

Organized labour's entry into the fight contained the promise of expanding the extra-parliamentary opposition by tens of thousands of people and introducing economic disruption to the movement's arsenal of tactics. It also marked an important shift in the site of decision-making and locus of control in the protest movement. The networks of activists who built the Embarrass Harris rallies at Queen's Park and forged local community-labour coalitions were a diverse and determined grassroots leadership with a clear understanding that inducing union involvement was likely necessary if there was any prospect of defeating the Common Sense Revolution before the next election. The childcare strike in July demonstrated this possibility. However, organized labour brought with it its own internal political dynamics, notably the conflict within the Ontario Federation of Labour between two hostile factions rooted in the response to the NDP government's Social Contract imposed on public sector unions in 1993. The "Pink Paper" union leaders who defended the Social Contract were committed to pushing for OFL reaffiliation to the NDP, while the "Common Front" of public sector unions and the CAW – who had succeeded in pulling the OFL out of the NDP – were being drawn more quickly into the protest movement. Thus, the increasing involvement of organized labour brought with it not simply enormous financial resources, organizational expertise, and potential for mass protest and

economic disruption, but also an acrimonious political conflict that would collide with the goal of stopping the Common Sense Revolution.

Striking Balance

Although it represented a severe curtailment of labour rights beyond rolling back the gains of Bill 40, Minister of Labour Elizabeth Witmer was careful not to frame Bill 7 as an assault on unions, but an advancement of individual liberties for workers. She further suggested Bill 7 was necessary in order to unleash the private sector's ostensible dynamism: "This package of labour-law reforms will not only enhance the rights of individual workers," she explained, "but it will bring about positive change in our economy."⁹

As for Bill 40, Witmer stuck to the arguments laid out in the party's program: "Bill 40 is a barrier to jobs, growth and investment. In the global economy, Ontario cannot afford to be perceived as anything less than welcoming to the initiative, imagination and job-creation potential of the private sector."¹⁰ Harris struck a similar line but with a more down-to-earth manner: "I don't think you can move fast enough to send a signal out to investors around the world that we're open for business," he declared. The Premier also claimed Bill 40's repeal was about restoring "balance" in labour legislation. "Balance" thus became the entrenched frame of debate over Bill 40, established by the media, its opponents, and even proponents in labour and the NDP.¹¹

The battle over Bill 7 witnessed the entrance of the business community into the political realm. Over the summer they had remained relatively silent, although according to Panitch and

⁹ James Rusk, "Tories start labour-law overhaul," *Globe and Mail* (October 5 1995), A1; Panitch and Swartz, 190.

¹⁰ Emilia Casella, "Bill 40 will die quickly Witmer promises: Introduces legislation to controversial law," *Hamilton Spectator* (October 5 1995), A14; Greg Crone, "Bill 40 dies amid controversy," *Windsor Star*, November 1 1995, A1.

¹¹ Greg Crone, "Bill 40 dies amid controversy," *Windsor Star*, November 1 1995, A1.

Swartz, 85 percent of the business community was directly or indirectly involved in opposing Bill 40's introduction a few years before.¹² The day Bill 7 was unveiled, Witmer read a letter from the president of Hudson's Bay Company to the government promising to invest \$450 million into Ontario stores, inventory and employment and explaining the new legislation had motivated the company to do so.¹³ Already "working closely with the government" on the legislation, the Canadian Manufacturers' Association president Paul Nykanen argued it would make Ontario competitive, exclaiming "why the heck should we have restrictions on Ontario companies...when they are dealing on a worldwide basis?"¹⁴ Numerous local chambers of commerce issued statements supporting the government's legislation, reiterating arguments about Bill 40 being an "impediment to business in Ontario", a "kick in the face" to employers, and "an insult to those people who genuinely believed in the democratic process."¹⁵ Wallace Kenny, president-elect of the Ontario Chamber of Commerce told reporters outside the legislature that Bill 7 was "sending a message that it's open for business and it's going to deal with business in a fair and equitable manner." CUPE-Ontario president Sid Ryan crashed Kenny's discussion saying "When you bring in scabs, then what you find is you're going to have violence on picket lines which drives investment out of this country, sir."¹⁶

Because of such concerns about disruptive, unruly class conflict, business support for Bill 7 was far from unanimous. This was particularly true among large employers with unionized

¹² Panitch and Swartz, 169.

¹³ Daniel Girard, "Tories see a level field, unions see a battlefield," *Toronto Star* (October 7 1995), B5.

¹⁴ Emilia Casella, "PCs promise quick death to labor law," *London Free Press* (October 5 1995), A1; Tony Van Alphen, "Memo to firms seeks evidence of damage," *Toronto Star* (October 12 1995), D2.

¹⁵ Emilia Casella, "Bill 40 will die quickly Witmer promises: Introduces legislation to controversial law," *Hamilton Spectator* (October 5 1995), A14; Emilia Casella, "PCs promise quick death to labor law," *London Free Press* (October 5 1995), D8; Carol Goodwin, "Irate workers to greet Harris," *The Record* (October 5 1995), A1.

¹⁶ Emilia Casella, "Bill 40 will die quickly Witmer promises: Introduces legislation to controversial law," *Hamilton Spectator* (October 5 1995), A14; Emilia Casella, "PCs promise quick death to labor law," *London Free Press* (October 5 1995), A1.

workforces accustomed to “long-established industrial-relations rules of the game.”¹⁷ McDonnell Douglas, Chrysler Canada, and Nestle issued statements diplomatically criticizing Bill 7 for upsetting what they saw as a relatively stable labour relations climate. Later in October, four of Canada’s five largest auto parts firms had also warned the government about the dangers of repealing Bill 40, including A.G. Simpson, Lear Seating, Woodbridge and the country’s largest auto parts manufacturer, Magna International.¹⁸ In a daring remark, Witmer responded to these business concerns by accusing unions of bullying employers. Nestle flatly denied this was the case arguing its goal was “productive, calm, stable environment” for business, labour and government relations. Hargrove commented, “If anyone thinks you can bully major corporations like Nestle...well, it just shows you the problem of having such a naïve labor minister.”¹⁹

General Motors was the largest corporation to openly back Bill 7. Autoworkers became even more upset when Hargrove reported GM Canada had demanded Witmer extend the work week from 48 to 56 hours, lifting a limit in place since 1944.²⁰ Despite GM Canada’s president making public complaints about a lack of “flexibility” in work hours, GM Canada denied they made the specific request for a work week extension. The Canadian Manufacturers’ Association, however, did confirm it was among their priorities.²¹

The divide within the business community over Bill 7 generally reflected the composition of the Ontario Tory base in the business community. As Christina Blizzard notes, the party rebuilt itself through the early 1990s focusing much of its effort on representing the interests of small and medium-sized businesses, especially outside Toronto. With a thick layer of contempt,

¹⁷ Reshef and Rastin, 29.

¹⁸ Richard Brennan, “Witmer accuses unions of threats,” *Waterloo Record*, October 20 1995, A3; Tony Van Alphen, “Parts firm warns Tories over labor-law legislation,” *Toronto Star*, October 25 1995, C12. “Nestle also Signs Joint Letter,” *CAW Contact*, October 22 1995, Vol.22 No.36

¹⁹ Richard Brennan, “Witmer accuses unions of threats,” *Waterloo Record*, October 20 1995, A3.

²⁰ Interview, Herman Rosenfeld, January 10 2018

²¹ Tony Van Alphen, “GM says it’s hurt by limit on hours of work,” *Toronto Star* (October 13 1995), E1.

OCAP organizer John Clarke described the government's business supporters as "a crowd of largely small town petty exploiters."²² Labour's reputation for militancy in certain sectors, notably auto, led some large corporations to become unwilling to shake-up the status quo while smaller businesses and largely non-union sectors were more prepared to back a radical transformation of labour laws.

Labour's case against Bill 7

Labour leaders voiced full-throated opposition. "It's a misnomer to call this a labour bill," said Gord Wilson, Ontario Federation of Labour president. "This is really an employers' bill and it has but one purpose and that is to cremate the rights of working people in the province of Ontario." Regarding the two-stage certification procedure leaving five business days between cards being filed with the Labour Board and a secret ballot taking place, Wilson further argued this was doing "nothing more than empowering employers to harass and intimidate and discourage and eventually defeat workers who want to join a union." Hargrove set the bar for hyperbole, declaring Bill 40's repeal "the most undemocratic, the most dishonest move by government" he had ever witnessed, going so far as to say it was "the closest thing to fascism" the province or even Canada had experienced.²³

Ron Elliot, the OPSEU regional vice-president for southwestern Ontario, situated the rollback in a deeper historical context, arguing Bill 40's repeal was "taking us back to the days of the Fleck strike," an infamous first contract strike at an auto parts plant in 1978. The Fleck dispute involved nearly a thousand OPP officers beating up a largely female workforce of only

²² John Clarke, "Fighting to Win," in Diana Ralph, André Régimbald and Nérée St-Amand, *Open for Business/Closed to People* (Halifax: Fernwood, 1997), 158.

²³ Daniel Girard, "Tories move to demolish NDP labor legislation," *Toronto Star* (October 5 1995), A26; James Rusk, "Tories start labour-law overhaul," *Globe and Mail* (October 5 1995), A1; Greg Crone, "Bill 40 dies amid controversy," *Windsor Star*, November 1 1995, A1.

87 to allow scabs free passage into the plant. Violence at Fleck escalated when autoworkers from across the province arrived in the small town of Centralia northwest of London to back up the strikers. For 23 weeks they stood their ground and finally won a first contract. Fleck was the strike which catapulted first contract arbitration to the forefront of labour's legislative priorities in Ontario, with gains in the late 1980s and a more fruitful realization with Bill 40.²⁴

With no public consultations on Bill 7, the Ontario Federation of Labour submitted an unsolicited brief to the government. The 37-page document opened by describing the legislation as an "unjustified act of political vengeance that wipes out more than 50 years of progressive labour law tradition" which would "cremate the fundamental structure of Ontario labour relations". The detailed document concluded that labour's "co-operation with the government's business allies who have structured this appalling legislation will, simply put, be withdrawn."²⁵

Another front in which labour was placed on the defensive was Harris's repeated claim that Bill 40 was a "proven job killer." This argument was central to the Common Sense Revolution program. Under the subsection "Removing Barriers to Growth," the Tories promised to repeal Bill 40, a "proven job killer," and replace it "with a better, balanced labour law package that will restore balance between labour and management."²⁶ However, there was little factual evidence supporting the claim. The *Toronto Star* noted that 178,000 jobs had been created since Bill 40's introduction while the number of days lost to strikes had fallen dramatically. Both the NDP and labour pointed to a record \$8.8 billion invested in Ontario manufacturing in 1994, the year after Bill 40 became law. The OFL submission on Bill 7 argued that economic growth after the passage of Bill 40 was in fact quite good, contending that the depth and length of the

²⁴ See C.B. Backhouse, "The Fleck Strike: A case study in the need for first contract arbitration," *Osgoode Hall Law Journal* 18 (1980), 495-553.

²⁵ Ontario Federation of Labour, "Submission to the Minister of Labour on Bill 7," (October 30 1995), 1, 36.

²⁶ *Common Sense Revolution*, 15.

recession was itself the consequences of “the Canadian business community’s very own economic agenda” of free trade, GST, and high interest rates.²⁷ Buzz Hargrove noted that neither the Tories nor the business community could provide any concrete evidence showing Bill 40 was a “job-killer” or drove off investors. By mid-October, Hargrove’s point still stood. Paul Nykanen, the Canadian Manufacturing Association’s Ontario vice-president, was unable to provide any elaboration to his claim that Bill 40 was a decisive factor for some investors in choosing to avoid Ontario. Hargrove concluded the legislation was the product of a “group of ideologues” running the government.²⁸ Facing 13,000 layoffs, OPSEU president Leah Casselman turned the argument around and declared “Harris is the biggest job-killer in Ontario.”²⁹

Although the unions enacted internal education campaigns which quickly gained a hearing and politicized the ranks, organized labour had immense difficulty gaining wider public support against Bill 7. This was in large part because of the absence of any effective challenge to the “proven job killer” claim about Bill 40 which was advanced so effectively amidst crushing unemployment. While numerous arguments were made against Bill 40, this point was treated as unassailable by the mainstream media in debates about the legislative “balance” between labour and capital. Thus, the ban on replacement workers and expansion of card check certification were seen as the decisive elements which, in the words of one *Toronto Star* editorial, led Bill 40

²⁷ Daniel Girard, “Tories move to demolish NDP labor legislation,” *Toronto Star* (October 5 1995), A26; Daniel Girard, “Tories see a level field, unions see a battlefield,” *Toronto Star* (October 7 1995), B5. While manufacturing investment was extremely high in 1994, it was part of a brief economic recovery that did not persist through 1995 and 1996. OFL, “Submission to the Ministry of Labour on Bill 7,” 2-3.

²⁸ Daniel Girard, “Tories move to demolish NDP labor legislation,” *Toronto Star* (October 5 1995), A26; Daniel Girard, “Tories see a level field, unions see a battlefield,” *Toronto Star* (October 7 1995), B5; Tony Van Alphen, “Memo to firms seeks evidence of damage,” *Toronto Star* (October 12 1995), D2.

²⁹ Emilia Casella, “Bill 40 will die quickly Witmer promises: Introduces legislation to controversial law,” *Hamilton Spectator* (October 5 1995), A14; James Rusk, “Tories start labour-law overhaul,” *Globe and Mail* (October 5 1995), A1.

to tilt the laws “so heavily towards labour” that the NDP “virtually guaranteed that its successor would be compelled to bring the pendulum of labor relations back into balance.”³⁰

Despite failing to win the battle for public opinion on Bill 7, according to CAW educator Herman Rosenfeld, the membership were politicized around the rollbacks as never before.³¹ The rollback of Bill 40 and further repeal of provisions pre-dating Bill 40 brought the unions to life and into active opposition to the Common Sense Revolution. “There is the potential to cause an explosion in the union movement,” said Sid Ryan “We are getting more and more calls from workplaces interested in organizing.”³² Ryan himself barnstormed across Ontario, encouraging direct membership engagement in local protest movements where they had not existed before. With rumours spreading of a twenty percent cut to municipal funding transfers from the province, Ryan warned members against trying to play the “concession game” of trading off concessions for keeping jobs. “You will give things up and lose the jobs anyway,” he told one meeting of a hundred CUPE members from five Elgin County and St. Thomas locals. The Tories, he said, would expect protests in big cities but “he won’t expect it in this community.”³³ Kingston-based OPSEU executive member “Smokey” Thomas described local labour-community coalitions “growing in leaps and bounds.” Thomas predicted escalating protests and civil disobedience representing the “collective conscience of the real majority of Ontarians.”³⁴

The Common Sense Revolution was beginning to generate an opposition far wider and economically powerful than what the government had dealt with during the summer. “The Harris government is doing a tremendous job of creating an objective basis for unity within the labor movement because it has effectively declared a class war,” observed Don Wells, a respected

³⁰ “Pushing labor laws a little too far,” *Toronto Star* (October 6 1995), A24.

³¹ Interview, Herman Rosenfeld, January 10 2018.

³² Lee Prokaska, “Harris doing tremendous job of uniting the left,” *Hamilton Spectator*, October 7 1995, B4.

³³ “Hold tight, CUPE leader urges,” *London Free Press*, October 17 1995, B5.

³⁴ Warren (Smokey) Thomas, “Ontarians rallying to fight cuts,” *Kingston Whig-Standard*, October 4 1995, 7.

McMaster University labour researcher. “Workers in all sectors, including those who do not belong to unions, have a common enemy in the government, as well as common allies in social justice groups.”³⁵ The methods and militancy of the Embarrass Harris coalition and childcare campaign was finding resonance within activist layers of the labour movement. Provincial and national labour leaders were beginning to take note as their memberships began moving into action independently of union-sanctioned activities. Some union leaders were now ready to talk about major escalation. “We are not going to accept this major setback to working people without a fight,” explained Buzz Hargrove. “And where we fight is in the workplace.”³⁶

The OFL begins to move

Union leaders such as Ryan and Hargrove recognized that industrial action was perhaps necessary in fending off the Common Sense Revolution but there was also a desire among union leaders to re-establish what veteran trade unionist Geoff Bickerton called “a long tradition of chumminess” with the provincial cabinet.³⁷ Such a desire was in fact fueled by the unwillingness of the new government to grant such a meeting. Minister of Labour Elizabeth Witmer insisted she was open to co-operation between labour and government and had an open-door policy but OFL President Gord Wilson called this “absolute nonsense.” Witmer refused to speak to Wilson when they crossed paths outside Queen’s Park in late October, and on three separate occasions in November, Witmer cancelled a scheduled public debate with Wilson about Bill 7. Hargrove

³⁵ Lee Prokaska, “Harris doing tremendous job of uniting the left,” *Hamilton Spectator*, October 7 1995, B4.

³⁶ James Rusk, “Tories start labour-law overhaul,” *Globe and Mail* (October 5 1995), A1.

³⁷ Geoff Bickerton, “Ontario: conflict coming,” *Canadian Dimension* (August-September 1995), 24.

responded to the whole affair by saying the Harris government would not respond to “mature debate”, concluding “so they are going to have to learn the hard way.”³⁸

With Bill 7 passing its first reading on October 4 and its second reading beginning on October 14, the government flatly refused demands from the opposition and labour for public hearings on the legislation. On October 23, the Tories moved to limit debate on Bill 7 to accelerate its passage into law by the end of the month. With this, the CAW leadership began talking publicly of an illegal province-wide strike. In the last week of October, Gord Wilson sent a letter to all 42 OFL affiliate unions asking if it was possible to organize a one-day strike on Wednesday November 1. Affiliates were given a deadline of noon Monday October 30 to respond. Indicative of the early responses, Wilson conceded publicly to the press on Saturday, October 28 that a November 1 strike “won’t have tremendous numbers” because it would be limited to the auto sector as other unions were unable to mobilize their members in time.³⁹

In some quarters, opposition to any kind of job action was strong and counterposed to an electoral strategy. Even before Wilson circulated the letter, Fred Pomeroy, president of the Communications, Energy and Paperworkers (CEP) union said the CAW’s strike talk was an unproductive strategy, arguing instead for labour to rebuild its ties with the NDP.⁴⁰ Some CAW leaders were cautious about a proposed strike. CAW’s Windsor-area director Gerry Bastien confessed sympathy for the corporations who were going to bear the brunt of a political fight with the government, but concluded: “We don’t really have another course of action.”⁴¹ Others were more open to punishing employers for supporting the government. “The companies are

³⁸ Carol Goodwin, “Talks on labor law sought: Witmer not in office as public service workers demonstrate,” *Waterloo Record*, October 28 1995, B10; Richard Brennan, “Protest-strike plans on hold,” *Kingston Whig-Standard*, October 31 1995, 14.

³⁹ Dan Girard, “Ontario-wide strike action considered by labor,” *Toronto Star*, October 28 1995, A9; “Auto industry could lose millions in CAW protest,” *Waterloo Record*, October 30 1995, A2; Ray Ford, “Unions plan automotive shutdown in labor war,” *Windsor Star*, October 30 1995, A1.

⁴⁰ Tony Van Alphen, “Big challenge to labor,” *Toronto Star*, October 23 1995, C1.

⁴¹ Ray Ford, “Unions plan automotive shutdown in labor war,” *Windsor Star*, October 30 1995, A1.

playing footsy with the government,” said Alex Keeney, president of CAW Local 200 in Windsor, of Ford and General Motors cooperating with the Canadian Manufacturing Association to repeal Bill 40. “Through our cooperation we’ve made these companies very profitable in the last couple of years. They should be thinking about that.”⁴² At one CAW meeting of local union leaders, CAW Local 27’s new president Tim Carrie got up to the microphone to declare the London-based local was ready to walk.⁴³

The threats were taken seriously by the auto industry. One analyst predicted the Big Three’s losses at a “staggering” \$220 million and ten thousand vehicles in the event of a one-day auto sector strike. GM Canada director of public relations Stew Lowe said the company would react strongly to any work stoppage and was “disturbed that a discussion of public policy has been brought to the marketplace.” Chrysler Canada expressed disappointment and exasperation with the turn of events. “This is exactly the type of things we were hoping to avoid,” said one Chrysler Canada executive of their concerns over Bill 7.⁴⁴

On Sunday October 29, the provincial unions leaders gathered in Toronto for two days of discussion at the behest of the OFL. The outcome of the meetings was the shelving of the Wednesday strike proposal. Publicly, the decision was presented as the desire by union leaders to build a wider and more inclusive protest against Bill 7. Hargrove and Bastien explained that full and effective participation from all CAW locals was difficult on such short notice. Other union leaders, notably CUPE representatives, favoured a general strike but believed the organizing

⁴² Gary Rennie, “CAW ready to lead shutdown,” *Windsor Star*, November 1 1995, A3.

⁴³ Tim Carrie speaking at “Days of Action: 20th anniversary London,” in London, December 11, 2015.

⁴⁴ Ray Ford, “Unions plan automotive shutdown in labor war,” *Windsor Star*, October 30 1995, A1; Ted Shaw, “Big Three cry foul,” *Waterloo Record*, October 31 1995, B7; Ted Shaw and Gary Rennie, “General strike illegal, labor leaders warned,” *Windsor Star*, October 31 1995, A4.

time-frame was far too short. OFL President Gord Wilson said workers “don’t walk off their jobs for no reason,” and that the general strike would require membership education.⁴⁵

The writing was on the wall for the nearly 600 CAW representatives who gathered Tuesday night in Toronto. Unanimously reaffirming the desire for a province-wide general strike, delegates put off the Wednesday action motioning instead for “a shutdown of the Province of Ontario” by the end of 1995.⁴⁶ The delay was a significant let down for a number of CAW locals that were ready to strike on Wednesday. CAW Local 27 leader, Tim Carrie, reiterated that the membership was ready to walk. The powerful CAW Local 444 in Windsor, based largely out of the Chrysler assembly plant, was also ready to strike, having voted in favour at a Monday night general meeting.⁴⁷ The backdown hinged primarily on the political conservatism and organizational weaknesses in CAW Local 222 at Oshawa’s sprawling General Motors complex employing over 20,000 workers. The prospect of an auto sector strike lacking effective participation in Oshawa would be seized upon by the government as a defeat.⁴⁸ On the same night as the Windsor vote, Bill 7 passed its third reading 74 to 37. “One thing has been made very clear to me,” explained Wilson. “We’re going to have work stoppages in this province.”⁴⁹

The OFL reconvened a meeting of forty union leaders on Friday November 3 to discuss the general strike further. The province-wide action was shelved in favour of a one-day city-wide general strike before Christmas, with Hargrove explaining to the media that unions needed more than a couple months to organize a province-wide general strike. This was a distancing from the

⁴⁵ Ted Shaw and Gary Rennie, “General strike illegal, labor leaders warned,” *Windsor Star*, October 31 1995, A4; Gary Rennie, “Union leaders call summit to plan strike,” *Windsor Star*, November 3 1995, A3.

⁴⁶ Richard Brennan, “Protest-strike plans on hold,” *Kingston Whig-Standard*, October 31 1995, 14; Gary Rennie, “CAW ready to lead shutdown,” *Windsor Star*, November 1 1995, A3. “CAW Top Leadership Endorsed Workplace Action to Challenge Bill 7,” *CAW Contact*, November 5 1995, Vol.25 No.38.

⁴⁷ Ted Shaw and Gary Rennie, “General strike illegal, labor leaders warned,” *Windsor Star*, October 31 1995, A4; Steve Cannon, “Unions plan general strike,” *Waterloo Record*, November 2 1995, A3.

⁴⁸ Interview, Herman Rosenfeld, January 10 2018.

⁴⁹ Daniel Girard, “Tories kill law barring substitute workers,” *Toronto Star*, November 1 1995, A3.

CAW resolution only days earlier for a province-wide general strike by the end of the year. Out of the meeting, a committee of eight union leaders was struck at the November 3 meeting to select a target city in consultation with anti-Harris community organizations.⁵⁰

As the committee developed a shortlist, it appeared once more that CAW was moving independently. Word quickly spread of a one-day strike on November 14 at the massive General Motors complex in Oshawa. The Local 222 leadership and stewards embraced the call. Anger was mounting among Oshawa autoworkers over Bill 7, the company's demands for an extended workweek, and management's announcement of what autoworkers called a "ratline", a 1-800 number for workers to report substance abuse and violations of company policies to management. Members were already distributing stickers mocking GM's "Mark of Excellence" logo which read instead "Mark of Arrogance".⁵¹ Political education inside the local also included work with OCAP about the wider attacks on the poor. As John Clarke put it, meetings with Local 222 leaders, stewards and rank-and-file members always "got a warm reaction" when issues were "presented from the standpoint of working class unity".⁵² The plan for November 14 was for the 6am shift to stay away from work while others built the picket lines. Activists along the 401, from Kingston to Toronto and beyond, scrambled to organize rides and hire buses while local activists and supporters sought to encourage the strike. Then, on November 9, the strike was called off. No CAW officials spoke to the press about the planned strike or explained the backdown. Rumours swirled that the CAW leadership got cold feet, still concerned about the relative strength of the conservative political networks insight the plant.⁵³

⁵⁰ Rob Ferguson, "Union leaders plan protest," *Kingston Whig-Standard*, November 4 1995, 5; Jack Lakey, "Unions set to begin rotating shutdowns," *Toronto Star*, November 4 1995, A14.

⁵¹ "Mark of Arrogance Stickers Make the Rounds at GM Plants," *CAW Contact*, October 22 1995, Vol.25 No.36.

⁵² Quoted in Kellogg, 132.

⁵³ Kellogg, 131-132; "Oshawa strike date inspired thousands," *Socialist Worker*, November 15 1995, 1; "Union leaders – stop blaming the rank and file," *Socialist Worker*, November 15 1995, 1. Paul Kellogg's take differs sharply from that of Herman Rosenfeld. Kellogg believes the backdown was a missed opportunity while Rosenfeld

The day before the Oshawa strike was called off, the OFL reported a general shortlist of strike targets including labour strongholds Hamilton and Windsor, and Witmer's hometown of Kitchener-Waterloo. Sudbury and London were also mentioned, but Toronto was firmly off the list. "Everybody has their preferred list," explained Wilson. "We'll have about a dozen people there, they'll all bring their preferences to the table. We'll be looking at what unions are there, what union membership is as a percentage of the population."⁵⁴ Hargrove was more open in explaining the selection process, stating a "representative city" would be targeted where strong public sector unions existed alongside strong private sector unions who could guarantee major economic disruption. Hargrove's assistant, Hemi Mitic, told the press, "I would think it's a strong possibility Kitchener will be chosen."⁵⁵

When union leaders reconvened on November 12 to discuss the eight-person committee's recommendations, London was selected as the site of the general strike on December 11. A draft motion was prepared for the upcoming biennial OFL convention instructing all London-area affiliates to participate. A number of union representatives expressed their reservations at the meeting and to the press. OPSTF president Reg Ferland, whose union was not an OFL affiliate, said rotating city-wide strikes would be better for teachers than a province-wide strike. CAW national rep, Gerry Bastien said that the idea of illegal general strikes only had "soft support" in CAW ranks. Windsor's labour council president Gary Parent also conceded that there was some

believes the strike call was grandstanding by Hargrove and senior union leaders who had no intention of carrying out the strike, citing the conservatism of the local. Kellogg argues that the political conservatism of the local was exaggerated given the right-wing defeat in the union local elections after the NDP disaffiliation. There are merits to both arguments, but what is clear that a political calculation by CAW officials led them to call off the action and there is no credible explanation but concern about non-participation. The episode is only one part of a longer history of the storied local that has yet to be written.

⁵⁴ "K-W may be target for one-day strike," *Waterloo Record*, November 8 1995, A1; Rick Hughes, "Hamilton eyed for 1-day strike," *Hamilton Spectator*, November 13 1995, B1.

⁵⁵ Richard Brennan, "Labor to test political clout by closing city," *Windsor Star*, November 1 1995, A3; "K-W may be target for one-day strike," *Waterloo Record*, November 8 1995, A1; Rick Hughes, "Hamilton eyed for 1-day strike," *Hamilton Spectator*, November 13 1995, B1.

uncertainty about whether or not the strike could elicit sufficient rank-and-file participation, but observed that Harris' attacks were wide enough and deep enough that any obstacles to launching a general strike could be overcome.⁵⁶ "It would have been easy to start with a city like Windsor," said Hargrove. "If we can do something in London, it'll mean something." Gord Wilson also predicted the London action would gather further support following the government's financial statement scheduled only two weeks before the proposed December 11 London strike date.⁵⁷

An autoworker at the Ford Talbotville assembly plant, and president of the London and District Labour Council, Rick Witherspoon received the news while he was in the CAW Local 1502 office. He was "surprised to a certain extent" that London had been chosen by the Ontario Federation of Labour as the focus for the first "Day of Action" against the Harris government.⁵⁸ Like many others, Witherspoon believed London was selected because of its relatively high union density, and diverse public and private sector workforce. Strong local alliances between community organizations and unions also existed despite the city's conservative reputation. An estimated 60,000 workers in London were unionized out of a workforce 172,000. "Clearly what the OFL is saying is that this is just part of long term strategy," commented Witherspoon. "If somebody doesn't wake up pretty soon then obviously this is going to escalate."⁵⁹

A pre-convention meeting of local London union leaders was organized by the OFL. The Londoners were informed their city would be the strike target and the following day the plan would go to the OFL convention floor for ratification. Initially, there was a lot of hesitancy, even objections in the room. A UFCW representative for grocery store workers argued against the

⁵⁶ Gary Rennie, "Labor to decide today on strike target," *Windsor Star*, November 13 1995, A3.

⁵⁷ Gary Rennie, "OFL votes on London as choice for strike," *Windsor Star*, November 20 1995, A3; Phinjo Gombu, "Tory fight will win backing OFL says," *Toronto Star*, November 20 1995, A9.

⁵⁸ Eric Bender, "London Labor Leaders Caught by Surprise," *London Free Press*, November 14 1995, A3; Rick Witherspoon speaking at "Days of Action: 20th anniversary London," in London, December 11, 2015.

⁵⁹ Eva Jansen, "London top pick for 1-day strike," *London Free Press*, November 14 1995, A1.

strike saying customers would go to non-union grocery stores instead. Further concern was expressed by a representative from the Kellogg's factory union, Bakery, Confectionery, Tobacco Workers and Grain Millers union. When an OPSEU member and Fanshawe College employee raised the problem of a mid-December strike disrupting student exams, a London Transit worker stood up and announced that the buses would not run. If that was the case, replied the Fanshawe College worker, then exams would be cancelled. With that exchange, the mood in the room shifted dramatically and the debate in favour of the strike was won.⁶⁰

The Big Compromise

At the five-day convention beginning on November 20, two thousand union delegates appeared to thrive from the anger and invective directed at Harris and the Tories. One of the largest rounds of laughter came when Gord Wilson made a jab at the Premier's former pro golf career, calling Harris the "the biggest damn caddy the business community ever had."⁶¹ However, unity against Harris could not obscure the deep divisions within the house of labour. The CAW and their public sector allies were advancing the strike weapon, while the pro-NDP "Pink Paper" unions continued to push for an electoral strategy. Two contending motions reflected the split. Steelworkers, UFCW, SEIU and CEP locals backed a resolution to reestablish OFL support for the NDP. The CAW-led "Fight Back" motion, endorsed by many CUPE delegates, made no mention of the NDP in its proposal for a series of one-day city-wide general strikes culminating in a province-wide strike. The debate polarized the convention floor as delegates from the Steelworkers and CAW led both sides at the microphones.

⁶⁰ Rick Witherspoon and Steve Holmes (Amalgamated Transit Union Local 741) speaking at "Days of Action: 20th anniversary London," in London, December 11, 2015.

⁶¹ Jim Wilkes, "Labor plans to fight Tories," *Toronto Star*, November 21 1995, A20.

During the debate over the Fight Back resolution, CAW Local 200 president Alex Keeney offered up a clear exposition of CAW's position: The NDP could not be included in the Fight Back campaign because, as Keeney explained, he and other Local 200 activists could not credibly return to Windsor and tell autoworkers to vote NDP. The immediate goal of labour, he insisted, was to defend and assert collective bargaining rights and union protections. Relations could be repaired with the NDP in time, but only after the NDP openly conceded the Social Contract was a mistake, or after Rae vacated the party leadership. This sentiment still ran strong among public sector workers. "When Bob Rae makes that admission, the healing will start," said one OPSEU delegate.⁶²

The NDP was not excluded from the convention, but their Ontario leader was noticeably absent. "The short answer is Mr. Rae hasn't been invited," said Wilson without remorse. The federal NDP leader Alexa McDonough addressed the convention instead. Her speech emphasized the need for labour to rejoin the party to defend social programs, unemployment insurance, employment equity, and end the Common Sense Revolution. McDonough acknowledged the Social Contract imposing deep cuts on workers but did not apologize for it.⁶³ As the convention's keynote guest speaker, Reverend Jesse Jackson also pleaded for the NDP to be protected and revitalized. He also called on unions "to march to the plant gates in strike action" and confront Harris, whom he compared to Republican Newt Gingrich.⁶⁴

Voting discipline within several union delegations failed to stop delegates from voting in favour of both motions. The Fight Back campaign and the London strike was on, and the OFL

⁶² Rob Ferguson, "Unions and NDP reunited for fight: Tory government seen as common enemy," *Kingston Whig-Standard*, November 21 1995, 6; Gary Rennie, "Labor federation restores ties with the NDP," *Windsor Star*, November 21 1995, A6.

⁶³ "Ontario labor body debates links with New Democrats," *London Free Press*, November 18 1995, A8; Jack Lakey, "Work with NDP, unions urged," *Toronto Star*, November 24 1995, A10.

⁶⁴ Greg Crone, "Labor supporters march in protest over Harris policies," *Ottawa Citizen*, November 23 1995, A4; Gary Rennie, "Jackson's 'call to action' ignites labor delegates," *Windsor Star*, November 23 1995, A9.

was back in the NDP. Sid Ryan exclaimed “We’ve decided to get back in behind the NDP, [and] we’re going to rebuild our party.” He also made the hyperbolic statement that the London strike was “the best thing that’s happened to the labor movement in a hundred years.”⁶⁵

The vote in favour of both motions represented the general desire of delegates for labour unity and a desire to embrace both extra-parliamentary and electoral campaigns. However, this did not signal the dissolution of the entrenched and opposing labour leadership factions. As journalist Thomas Walkom put it, “behind that façade of unity, the schisms have worsened.” Ryan himself was defeated in his re-election bid to the OFL executive, leaving Ontario’s largest union without representation on the OFL executive. Julie Davis, the OFL’s Secretary-Treasurer who had quit in 1993 as Ontario NDP president to protest the Social Contract, was also defeated. Hargrove did not hesitate to call the election results a rightward shift for the OFL. According to postal worker Geoff Bickerton, although trade unionists would be gearing up for the strike in London, the OFL executive was now dominated by people who “do not promote an activist oriented program for the federation.”⁶⁶

Towards the general strike

CAW member Paul Forder was put in charge of the OFL’s Fight Back campaign and set about working on the December 11 Day of Action which he predicted would “put London on the map” as the beginning of a large-scale opposition to Harris.⁶⁷ The calculation of selecting London was its politically-conservative reputation. As one columnist hostile to the planned protest put it, London was a “blue-suit-and-wing-tip-city” where “the guys who work on the floor of a

⁶⁵ “Ontario labor body debates links with New Democrats,” *London Free Press*, November 18 1995, A8; Phinjo Gombu, “Labor takes its protest to Bay St.,” *Toronto Star*, November 23 1995, A6.

⁶⁶ Thomas Walkom, “Harris slashes while Ontario’s unions feud,” *Toronto Star*, November 25 1995, B5; Geoff Bickerton, “Ontario labour on the move,” *Canadian Dimension* (February-March 1996), 38.

⁶⁷ Eric Bender, “Wernham bids to head off strike,” *London Free Press*, November 15 1995, B1.

relative's factory carry briefcases and Franklin planners." Union leaders believed a successful action in London would neutralize a host of critics who disparaged the capacities of organized labour and demonstrate the depth of public opposition to the Common Sense Revolution.⁶⁸ OFL President Gord Wilson added that London was also chosen because it was the home of Dianne Cunningham, the Minister of Women's Affairs. Cunningham was accused by two battered women's shelters in London that unless they quietly went along with government reforms, their funding would be cut.⁶⁹

Whereas the success of the province-wide childcare strike was built upon months of organizing, coalition-building, and mobilizations, the OFL and its major affiliates had little more than two weeks after their convention to organize the London Day of Action. There was already momentum in the ranks of CAW to strike. Tim Carrie, president of Local 27, said his local's membership "has been waiting for something to take place," adding he was "having trouble holding them back." CAW Local 27 represented 6,000 workers across the city, including large workforces of several hundred each at the General Motors Diesel locomotive plant, 3M, Accuride, and Siemens.⁷⁰

CAW also secured wider regional involvement. In addition to Ford Talbotville assembly halfway between London and St. Thomas, CAW Local 88 members at the CAMI plant in Ingersoll would also walk off the job. The CAMI plant was a joint GM-Suzuki experiment to import "lean" Japanese production techniques to North America. Established in 1986, the workforce quickly unionized with CAW in 1988 and when conditions deteriorated, a five-week strike after the first contract expired in 1992, followed by a wildcat strike in March 1995 against

⁶⁸ "Ontario labor body debates links with New Democrats," *London Free Press*, November 18 1995, A8; Karen Hall, "Strike target: London's bridges falling down – from laughter," *Windsor Star*, November 25 1995, A9; John McClymant, "First we take London," *Briarpatch* (February 1996), 17.

⁶⁹ Peter Edwards, "Labor leaders aim to 'shut down' London," *Toronto Star*, November 14 1995, A2.

⁷⁰ Eric Bender, "London Labor Leaders Caught by Surprise," *London Free Press*, November 14 1995, A3.

outsourcing. Having quickly established a reputation for militancy, the CAMI workers were ready to strike.⁷¹

Across London's public sector, regional OPSEU Vice President Ron Elliot expected 80 percent participation from OPSEU's 5,000 London members, including, 2,700 Ontario Public Service workers. Bill 7 and a deteriorating bargaining situation with the government had OPSEU members up in arms: "We have no other method to punish them...if we are to win this battle, you better stand together with your brothers and sisters and all the other unions and shut London down for a day. Because if we're not successful, then Harris has a lot bigger stick, doesn't he?"⁷² More than two thousand CUPE members in London were also organizing with city workers gearing up to strike and members in the school system, mainly custodians, educational assistants, and support workers, organizing a strike vote.⁷³ As for the London Transit Commission, transit workers with the Amalgamated Transit Union Local 741 would vote on a strike but were facing immense pressure from London Transit Commission and city management to stay on the job.⁷⁴

With the exception of the ATU local, every union preparing for strike action was aligned with the Common Front unions which had broken from the NDP in 1993. The Pink Paper unions did not commit to striking and only offered lukewarm support for the march. The teacher unions, who were not members of the OFL, were also unwilling to join the strike despite growing membership sympathy and support. Most local teacher union leaders deferred the decision about participation to their respective provincial leaderships where opposition was firm.⁷⁵

⁷¹ On the failure of "lean production" techniques at CAMI, see James Rinehart, *Just Another Car Factory? Lean Production and its Discontents* (Ithaca, NY: ILR Press, 1997).

⁷² Greg Van Moorsel, "OPSEU official predicting big turnout," *London Free Press*, November 14 1995, A3. See Chapter 4 for detailed study of OPSEU bargaining with the provincial government and the subsequent strike.

⁷³ "Essential services will be spared, CUPE boss says," *London Free Press*, November 16 1995, B3.

⁷⁴ Joe Ruscitti, "Council 'reminder' to its workers called intimidation," *London Free Press*, November 22 1995, B5.

⁷⁵ Eric Bender, "London Labor Leaders Caught by Surprise," *London Free Press*, November 14 1995, A3.

In response to the criticisms inside and outside labour about the illegality of the strike, Tim Carrie state: “Our position on the legalities is the way we really believe what Harris has done the way he brought Bill 7 forward and the way he is doing things without looking at the ramifications and the way he is hurting ordinary people in the province is fairly illegal – if not illegal, definitely immoral. Drastic times call for drastic measures.”⁷⁶ Those building the London strike were in for a deluge of criticism and resistance, much of it pivoting on the question of legality.

War of words

The media, local and provincial politicians, and business groups responded to the strike call with relentless ferocity, often framing the Common Sense Revolution as democratically legitimate. Strike tactics were also regularly ridiculed as ineffective and counterproductive. For example, a *London Free Press* editorial entitled “Dubious Tactics” argued that strike action would likely fail in shifting the government course. Without offering any concrete alternatives, the editorial asked why labour could not advance more creative methods of protest.⁷⁷ Similarly, Tory MPP for London South Bob Wood was adamant that a one-day strike would do nothing to derail the Common Sense Revolution, predicting “the government is not going to be swayed...there’s not the slightest possibility.”⁷⁸ Chair of the Management Board and Etobicoke MPP Dave Johnson went further in predicting the strike would backfire and that Londoners would oppose it. Harris himself opted to frame the action in terms of its economic consequences: “Before somebody

⁷⁶ Eric Bender, “London Labor Leaders Caught by Surprise,” *London Free Press*, November 14 1995, A3.

⁷⁷ “Dubious Tactics,” *London Free Press*, November 15 1995, B8.

⁷⁸ Eva Jansen, “London top pick for 1-day strike,” *London Free Press*, November 14 1995, A1.

walks illegally off work, they want to think long and hard about whether this is the most effective way to promote Ontario as a place to invest and have jobs.”⁷⁹

Tom Long, the campaign manager behind Harris’ electoral victory told the press: “We just can’t let a small vocal minority that is prepared to pull publicity stunts thwart the democratic will of the people.” Drawing directly from Nixon’s 1968 playbook election, Long said “There’s a silent majority in this province. It just isn’t in their nature to stand out in front of the legislature with placards shouting support for the government – they are too busy working for a living and looking after their kids.”⁸⁰ Another familiar critique was that taken by the Ontarians for Responsible Government, a front group established by the National Citizens’ Coalition during the Rae years, which unrolled a \$20,000 radio campaign denouncing the protest being organized by labour “bosses” trying to “bully Londoners into the streets.” ORG president Colin T. Brown also believed the protest would fizzle and that London was simply a “convenient place to bring in a rent-a-mob.”⁸¹

As the air war raged, London City Council was split down the middle with a slight majority opposing the strike. Councilor Ted Wernham and called for a court injunction against the strike. Opposing him, councilor Diane Whiteside said: “I’m not supporting Wernham. I’m not going to stand in the way of our brothers and sisters. I think it’s one of the few ways labor can be heard. I’m pleased they chose London. I’m honored they chose London.”⁸²

Mayor Diane Haskett, who felt the strike was an “unfortunate inconvenience” and would not “advance union goals”, tried to position the city as a neutral body caught between labour and

⁷⁹ Rob Ferguson, “Labor leaders choose London as site of protest,” *Kingston Whig-Standard*, November 14 1995, 8.

⁸⁰ April Lindgren, “Unlike the French, Canadians have not taken to the barricades over spending cuts,” *Ottawa Citizen*, December 9 1995, B1.

⁸¹ Eric Bender, “Radio blitz will promote, denounce general strike,” *London Free Press*, December 6 1995, A3.

⁸² Eric Bender, “Wernham bids to head off strike,” *London Free Press*, November 15 1995, B1.

the provincial government.⁸³ She opposed an injunction for fear it would label the city as anti-union but also voted with City Council 10-8 in favour of notifying municipal workers that they were expected to show up for work on Monday, December 11.⁸⁴ After a symbolic counter-motion to declare December 11 a “Day of Protest” was defeated 11-7, Haskett then accepted the labour council’s invitation to speak at the protest on the condition that the protest was peaceful. A few Londoners cynically believed Haskett’s qualified support for the protest was in response to the criticisms she had received for refusing to issue a permit for the Gay and Lesbian Pride parade the previous May.⁸⁵ Haskett’s general position on peaceful protest was firmly backed by Julian Fantino, the city’s controversial police chief.⁸⁶ Fantino believed that demonstration organizers had a “moral, legal and civil responsibility to ensure they maintain absolute and total control” over action and individual involved and that the police force would be neutral but crack down on any lawlessness.⁸⁷ With Haskett’s decision to speak at the protest, Wernham condemned her endorsement of “illegal activity” and was joined by the London Chamber of Commerce president Jack Mann who complained the strike was against “a democratically elected government fulfilling its election promises.”⁸⁸

⁸³ Eva Jansen, “London top pick for 1-day strike,” *London Free Press*, November 14 1995, A1.

⁸⁴ Joe Ruscitti, “Council ‘reminder’ to its workers called intimidation,” *London Free Press*, November 22 1995, B5.

⁸⁵ Eva Jansen, “Labor proclamation rejected but mayor offers compromise,” *London Free Press*, December 5 1995, B3; Chip Martin, “Haskett plans proclamation at labour’s side,” *London Free Press*, December 8 1995, B1.

⁸⁶ Fantino was widely condemned by the gay community in London and abroad for launching “Project Guardian” which was intended to stop the sexual exploitation of young males after a cachet of child pornography videotapes was found in the Ausable River north of the city. Alleging and organized ring of pedophiles in the city, Fantino secured additional funds from the Solicitor General and support from the OPP and Metro Toronto Police to wage a campaign in the city on child sexual exploitation. While no such ring ever existed, the police washrooms and parks known to be frequented by the gay community, arresting 47 gay males, many of them homeless teenagers, with only a handful convicted of having sex with underage males, and two for producing child pornography, but none of this activity linked to an organized pedophile ring. By 1995, Project Guardian had largely collapsed after journalistic exposes of the harmful effects the raids were having on consenting gay men and teenagers. See Homophile Association of London Ontario and Coalition for Lesbian and Gay Rights in Ontario, *On Guard: A Critique of Project Guardian* (September 1996).

⁸⁷ John Herbert, “Police, labor leaders appeal for calm,” *London Free Press*, December 7 1995, B3.

⁸⁸ Chip Martin, “Boards, commissions next target,” *London Free Press*, December 7 1995, B3; Chip Martin, “Haskett rebukes critics of her role,” *London Free Press*, December 9 1995, C1.

The mounting criticisms about illegal activity and predictions of picket line violence had union leaders on the defensive. “It’s unfortunate we have a group causing concern in the press talking about mobs and violence. That’s not the message we’re trying to put forth,” said Rick Witherspoon in response to the ORG’s radio ads. Witherspoon tried to reassure the public that union marshals would oversee the conduct of the protesters and clear communications would be established with the police. “Clearly the message we want to send is political,” said Witherspoon. “We can send it peacefully and that is our intention.”⁸⁹ Revealing unease with the obvious illegality of the planned strikes, a directive came down from the upper echelons of the OFL to London organizers to no longer refer to the Day of Action as a strike. “I’m not calling it a general strike; it’s a protest rally,” explained Witherspoon bluntly. Elaine Ellis, co-chair of the London labour council’s organizing committee, elaborated further in an interview: “We are taking the position this is a democratic day of protest as opposed to a general strike. We are taking that position with employers as well – and with that rationale, we are finding a number of employers are agreeing.”⁹⁰ Incredibly, this directive was undercut OFL President Gord Wilson who boasted that December 11 would be only the beginning in a battle between the haves and the have-nots. “Business and their ideologues of the right can’t hire enough police to deal with the social discord and unrest and street incidents they will have to deal with.”⁹¹

Political opponents of the strike were buoyed in late November by an Environics poll finding 77 percent of 1,000 respondents opposed strike action by the OFL. The poll showed a slim majority of 53 percent favouring the repeal of Bill 40, and 57 percent favouring the right of employers to hire replacement workers. An additional 70 percent said union workers should be

⁸⁹ John Herbert, “Police, labor leaders appeal for calm,” *London Free Press*, December 7 1995, B3.

⁹⁰ John Herbert, “School shutdown urged,” *London Free Press*, November 27 1995, B1; Noel Gallagher, “Students ask classmates to join in Dec. 11 protest,” *London Free Press*, December 1 1995, B3; Carol Goodwin, “Busloads of locals to join London protest,” *Waterloo Record*, December 6 1995, A1.

⁹¹ Bertrand Marotte, “Labor leaders ready to battle Harris cutbacks,” *Ottawa Citizen*, December 2 1995, E9.

allowed to keep working if a strike happened.⁹² The poll was commissioned by a large coalition of business groups, many of whom had spearheaded the battle against Bill 40, including the Ontario Chamber of Commerce, Canadian Federation of Independent Businesses, Canadian Manufacturers' Association, Council of Ontario Construction Associations, Ontario Restaurant Association, and the Retail Council of Canada. The survey data gave the strong impression labour had little public support for its London strike and opposition to Bill 7. However, despite Paul Nykanen's framing of the survey results as a response to the London strike call and Bill 7, the poll had been conducted between September 28 and October 4, a full month before any talk of a general strike. Furthermore, Bill 7 was only tabled on the last day of the survey. This blatant misrepresentation of the poll's findings by Nykanen had Gord Wilson speculating that business was "worried...because otherwise they would just let public opinion take its course." Wilson also alleged the survey questions were designed to produce an anti-labour result.⁹³

Yet, the survey data could not be simply dismissed. Veteran labour activist Ed Finn believed such results pointed towards the necessity of extensive internal union campaigns to educate and organize the membership. "The days are gone when unions can do their jobs with the five or 10 per cent of members who go to union meetings and stand for local office. Now they are in a propaganda war where everyone's opinion counts."⁹⁴ Finn's arguments were reflected in how the London strike was reframed as a protest and sweeping assurances were made about its peaceful nature. There were clear signs that sections of labour favouring the protest were still wracked with nerves, uncertain at the prospect of success.

⁹² Richard Brennan, "Poll shows majority oppose general strike," *Windsor Star*, November 24 1995, A7.

⁹³ Richard Brennan, "Poll shows majority oppose general strike," *Windsor Star*, November 24 1995, A7.

⁹⁴ Bert Hill and Ian MacLeod, "Unions face uphill public opinion battle in fight against cuts," *Ottawa Citizen*, November 30 1995, B4.

The Budget and the Bully Bill

With organized labour scrambling to build the London action, and Tory MPPs being chased from town to town by angry protesters, the Common Sense Revolution made another leap forward at the end of November with a new economic statement and the introduction of Bill 26. This big advance was signaled by Harris in a November 27 speech to 500 delegates of the Ottawa-Carleton Board of Trade. “We have been elected to fix the problem,” he declared, citing massive deficits and debts.

And to do that, we must go to its roots: too much spending, too much debt and too many tax increases... We cannot afford the status quo. We are not looking at small changes on the margins. We are reinventing the public sector in Ontario. The steps we are taking, and will continue to take are essential to Ontario’s future and prosperity.⁹⁵

Taxation was not the solution, he argued in his firm, stable demeanor.

In the past decade, previous governments exhausted that route, raising taxes 65 times and giving Ontario personal income tax rates that are among the highest in North America... What (tomorrow’s) statement will do, then, is to lay out the means by which we will continue to reduce – and ultimate eliminate – Ontario’s deficit to embark on the road to jobs and prosperity.⁹⁶

A couple days later, Minister of Finance Ernie Eves tabled the updated budget, outlining in detail what Harris was calling for in his Ottawa speech. By April 1, 1996, a new round of cuts would come into effect, including a \$1.5 billion cut to healthcare funding, \$500 million reduction in municipal transfers, and \$800 million removed from the \$4.8 billion education budget.

Regarding the education budget, transfers to school boards were to be cut by \$400 million. “The government fully expects [school] boards to meet this reduction by cutting costs outside the classroom,” explained Eves in his address, “and without increasing the tax burden on local ratepayers.” Reiterating claims made by the Premier and Education Minister John Snobelen,

⁹⁵ David Vienneau, “Cutbacks will eventually be appreciated: Harris,” *Toronto Star*, November 28 1995, A14.

⁹⁶ David Vienneau, “Cutbacks will eventually be appreciated: Harris,” *Toronto Star*, November 28 1995, A14.

Eves said the cuts would come out of administrative, not classroom costs.⁹⁷ As for post-secondary education, \$280 million was removed from universities and \$120 million from colleges. University tuition fees for international students and some professional degrees were deregulated, while domestic students faced a ten percent hike instituted by the government with another maximum 10 percent hike at the discretion of each university. College tuition would climb by 15 percent.⁹⁸

The fiscal update was a bombshell. It was indisputable that the cuts would be incredibly difficult to absorb, especially in municipalities where services could not be feasibly offset by a simple increase in user fees as with post-secondary tuition rates. The prospect of massive job losses extended beyond the public service to healthcare and education. Major restructuring was required if the cuts were to be absorbed without a catastrophic impact. This was one of the central functions of Bill 26.

The day after Eves speech, the Savings and Restructuring Act, or Bill 26, was tabled. At 211 pages and with 2,000 pages of appendices, the legislation was a rare omnibus bill amending forty-seven pieces of separate legislation designed to radically restructure the provincial government. The sheer enormity of Bill 26 was simply unprecedented in Ontario, and was quickly denounced as profoundly undemocratic due to the logistical impossibility of debating such a sweeping piece of legislation under the rubric of a single bill.⁹⁹ Furthermore, the government had absolutely no intention of holding public consultations or involving interested parties in the crafting of the legislation. Such traditions, fostered and largely upheld by the post-war Tory dynasty of 1943-1985, were dispensed with.

⁹⁷ Daniel Girard, "Education loses \$800 million," *Toronto Star*, November 30 1995, A8.

⁹⁸ Daniel Girard, "Education loses \$800 million," *Toronto Star*, November 30 1995, A8.

⁹⁹ Kozolanka, 89-90.

On the heels of the economic statement, the government's strategy of overwhelming the opposition with Bill 26 backfired and "quickly became a catalyst for the growing opposition to the new government."¹⁰⁰ The media dubbed it the "bully bill," further generalizing and reinforcing the protest movement's characterization of the government and its leaders.¹⁰¹ Media and political opponents of the legislation denounced both its form and content as undemocratic. One critic wrote that Bill 26 revealed Harris's "neo-conservative drive to crush all dissent and to wield an administrative power with the public service that would bleed Ontarians of many of their democratic rights."¹⁰² Providing cabinet sweeping centralized control of the administration of public services without the oversight of parliamentary debate, cabinet ministers were afforded unchecked powers to dismiss, merge or dissolve municipal governments and hospital boards. Municipalities were stripped of the right to hold binding referendums, and doctors were stripped of collective bargaining rights. With massive cuts to municipal transfers in the preceding economic statement, Bill 26 awarded municipalities new powers to impose user fees, privatize more services, and introduce new forms of taxation, even a poll tax.¹⁰³

Amidst the rising tide of anger, Liberal MPP Alvin Curling, the province's only black legislator, decided to act. As government business came to a close on December 6, Curling defied the speakers' orders to leave the legislature after refusing to vote on an unrelated routine motion. When the sergeant-at-arms refused to remove him by force, Curling was quickly surrounded by other opposition MPPs to prevent any possible physical ejection. Urinating into a

¹⁰⁰ Kozolanka, 133.

¹⁰¹ John Ibbitson, "Ontario doctors promise exodus if 'Bully Bill' passes," *Kingston Whig-Standard*, January 2 1996, 2; Tom Fennell, "Ontario's 'Bully Bill:' critics attack the Tories' omnibus legislation," *Maclean's* (January 15 1996); "Still a bully," *Ottawa Citizen*, January 20 1996, B6.

¹⁰² Michelle Weinroth, "Deficitism and Neo-Conservatism in Ontario," in *Open for Business/Closed to People*, 63-64.

¹⁰³ Greg Crone, "Beware 'dictatorial powers,' critics say," *Ottawa Citizen*, December 5 1995, A3; Thomas Walkom, "Omnibus bill would permit local poll taxes," *Toronto Star*, December 7 1995, A29; Ontario Federation of Labour, *The Common Sense Revolution: 1,460 Days of Destruction*, (Toronto, 1999), 17.

bottle under a blanket, Curling began a sit-in which brought the machinery of the legislature to a halt. Opposition MPPs used their new leverage to develop demands. Liberal House leader Jim Bradley and former NDP cabinet minister Dave Cooke organized a meeting with Ernie Eves. After 18 hours of sitting-in, a deal was struck. The government relented and agreed to 300 hours of public consultations, with one week of consultations in December and two weeks of consultations in January. All parties agreed to revisit the bill on January 29.¹⁰⁴

“I didn’t know there was a plan,” explained Curling afterwards. “I didn’t know if everybody was going to be thrown out (of the legislature) one at a time, or if nobody was going to move.”¹⁰⁵ Curling’s actions were widely praised in the press, while the government appeared weak, bitter and unusually silent. “The government blinked big time because they knew they had no chance of winning on this one,” said NDP MPP Dave Cooke. “I think the government has learned a lesson today. And the lesson is just because you’ve got 82 seats in the legislature doesn’t mean you can reign like a bunch of dictators.” Refusing to discuss the deal, Harris only muttered “I think the disruption reflects badly on all politicians.”¹⁰⁶

A sense of optimistic possibility washed over the ranks of the extra-parliamentary opposition. Within a few days, the economic statement, Bill 26’s introduction, and the small victory extracted from Curling’s protest, had spread the sense of anger far beyond the ranks of welfare recipients, childcare workers, and trade unionists.

¹⁰⁴ Kelly Toughill, “Tories to allow hearings on new bill,” *Toronto Star*, December 8 1995, A3; Katherine A. Graham and Susan D. Phillips, ““Who Does What” in Ontario: The process of provincial-municipal disentanglement,” *Canadian Public Administration* Vol.4, No.2 (1998), 182.

¹⁰⁵ Kelly Toughill, “Tories to allow hearings on new bill,” *Toronto Star*, December 8 1995, A3.

¹⁰⁶ Richard Brennan, “Opposition scores win in Ontario standoff,” *Ottawa Citizen*, December 8 1995, A3.

“It’s going to be difficult”

Back in London, the organizing army’s confidence and size grew dramatically, driving forward a community outreach program distributing 130,000 flyers to London homes. Countering the ORG’s ads, a \$20,000 radio ad campaign sought to rally listeners to the protest by talking social service cuts, health care cuts, education cuts, and labour legislation rollbacks.¹⁰⁷ In workplaces, thousands of education flyers, member-to-member discussions and small protests fed into efforts to deliver solid strike mandates and build towards December 11. On Saturday November 25, two hundred delegates attended a local labour council meeting where the strike was backed enthusiastically. The day after, 400 Ford Talbotville workers attended a CAW Local 1520 meeting and voted overwhelmingly to support the strike. Every single bargaining unit of CAW Local 27 was balloted as well, all delivering powerful strike mandates.¹⁰⁸

Community and labour activists were also rallied by OPSEU Local 116 working for the London and Middlesex Children’s Aid Society. They picketed Dianne Cunningham’s home on Sunday, November 26 with signs reading “Who’ll stop the abuse?” and “No bologna – cuts hurt kids.” Karen Cudmore, the union’s local president was angry at cuts to homes and services for children in need while “These politicians get to stay in their warm, comfortable homes and don’t have to move out.”¹⁰⁹

CUPE organized a thousand-strong two-hour meeting to build support and where locals were instructed to seek mandates for the strike. The mood ranged from enthusiasm to grim determination, fear to righteousness.¹¹⁰ “We’re going on the [December] 11 – 90 percent are convinced,” explained school custodian Doug Kimmerly to a local reporter. “I don’t want to lose

¹⁰⁷ Eric Bender, “Radio blitz will promote, denounce general strike,” *London Free Press*, December 6 1995, A3.

¹⁰⁸ John Herbert, “School shutdown urged,” *London Free Press*, November 27 1995, B1. Tim Carrie speaking at “Days of Action: 20th anniversary London,” in London, December 11, 2015.

¹⁰⁹ Noel Gallagher, “Cunningham’s home picketed,” *London Free Press*, November 27 1995, B2.

¹¹⁰ John Herbert, “School shutdown urged,” *London Free Press*, November 27 1995, B1.

what our fathers fought for years ago.” Speech and language assistant Jenny Lee Reed said: “Everyone’s nervous. It’s scary to think about what our employers could do plus dock a day’s pay. They (CUPE) say they will stand behind us. I think the majority are going to do it but I’m afraid.”¹¹¹

City workers with CUPE locals 101 and 107 and library workers with CUPE Local 217 were also committed to walking out and this had city managers preparing a sleep over of non-union employees on the night of December 10-11. “I think it’s totally absurd,” said Witherspoon of the management-led sleepover. “It’s one of the reasons all of the workers at city hall should be unionized so they don’t have to be coerced into these things.”¹¹²

Angered by the city council directive for workers to stay on the job, London’s transit workers pushed ahead with a strike vote. On Wednesday, November 29, two-thirds of ATU Local 741’s members attended morning and evening meetings to hear from speakers representing the OFL, labour council, and the Canadian Council of the ATU. Against the wishes of their union’s international leadership and management threats of losing a day’s pay, members delivered near-unanimous support for the strike.¹¹³

Despite the growing signs of mass participation, teachers showed little sign of joining. Even after the education cuts were announced, London’s Catholic teachers voted against striking. Meanwhile, the public elementary teachers union, OPSTF, told its members to stay at work. With OSSTF initially discouraging participation, union president Earl Manners changed his tune and said participation was a matter of conscience and a decision left to individual teachers.¹¹⁴ By

¹¹¹ John Herbert, “School shutdown urged,” *London Free Press*, November 27 1995, B1.

¹¹² Chip Martin, “Now, what happens Monday?” *London Free Press*, December 9 1995, C3.

¹¹³ Joe Ruscitti, “Council ‘reminder’ to its workers called intimidation,” *London Free Press*, November 22 1995, B5; Noel Gallagher, “Colleges drop exams on Dec.11 as strike plans worry educators,” *London Free Press*, November 30 1995, B1; Shelley Lawson, “Most bus drivers not expected to work,” *London Free Press*, November 30 1995, B3.

¹¹⁴ Kathy Rumelski, “Teachers asked to be no-shows,” *London Free Press*, December 9 1995, A1.

the end of November, the leadership of the five teacher unions had made no decision about participation and there was little expectation they would. When CUPE education workers announced pickets would go up at highly visible sites at both the Catholic and public school boards, the school boards agreed to negotiating an agreement for December 11. The result was a commitment by both sides to ensure no picket line harassment of employees, students or parents, and teacher participation would result in a loss of one day's pay with no discipline.¹¹⁵

London's high school students had different ideas. Outraged by the \$400 million in education cuts, and facing 20 percent increase in tuition fees, a group of students at Catholic Central circulated 1,300 copies of a protest letter outlining these facts and urging students to skip classes and join the main December 11 rally at the Western Fairgrounds. Students under 18 years of age were encouraged to get their parents to sign the letter. "We're trying to show students that the effects of the Harris cuts are going to be devastating for them," said one organizer, 17-year-old Colin O'Connor. The high school organizing efforts spread like wildfire and within days, high school students all across London had circulated tens of thousands of letters.¹¹⁶

With many protesters also coming from out of town there was at least a guarantee that the rally would be quite large. Even so, there remained concerns over whether or not Londoners could muster up enough strength to close down enough employers for the strike to be deemed a success. "It's going to be difficult, it's going to be damn cold and there will be all kinds of excuses for not participating," said Bob White, the Canadian Labour Congress president.¹¹⁷ The Pink Paper unions dug in their heels despite the new momentum behind the protest in early

¹¹⁵ John Herbert, "School shutdown urged," *London Free Press*, November 27 1995, B1; Noel Gallagher, "Colleges drop exams on Dec.11 as strike plans worry educators," *London Free Press*, November 30 1995, B1; Noel Gallagher, "Students ask classmates to join in Dec.11 protest," *London Free Press*, December 1 1995, B3; Shawn Richer, "Agreement on school operations Dec.11," *London Free Press*, December 4 1995, B1; Norman De Bono and Noel Gallagher, "Parents must decide if kids stay home," *London Free Press*, December 7 1995, B1.

¹¹⁶ Noel Gallagher, "Students ask classmates to join in Dec.11 protest," *London Free Press*, December 1 1995, B3; Gary Rennie, "London braces for onslaught of labor forces," *Windsor Star*, December 9 1995, A1.

¹¹⁷ "Labor to flex its muscle in London," *Kingston Whig-Standard*, December 11 1995, 8.

December. “We believe that a majority of our members have not yet been directly affected by this government, and therefore there is little support for action of this kind,” claimed a letter circulated the CEP president discouraging members from participating. “We are supported in this position by other unions such as UFCW, USWA, UNITE, ATU, etc.”¹¹⁸

The United Food and Commercial Workers’ Canadian director Tom Kukovica stated that labour’s fight was with the government and “the UFCW has no desire to penalize our members or the general public by closing stores.”¹¹⁹ UFCW members working at Cuddy Foods, a set of three articulated food processing plants in London, thought differently about participating in strike action. One of the workers, Mario Cordeiro, phoned up his UFCW representative asking about UFCW participation. The rep replied: “If you go, then you keep on going and don’t come back because we don’t want you here.” With strong shopfloor organization, the Cuddy workers defied the UFCW leadership and began building a mass stay-away on December 11. The shopfloor mood was such that management decided to avoid a conflict and lay off the workforce of a thousand for the day.¹²⁰

In a similar bid to avoid pickets, wildcat strikes, and other unpredictable disruptions on December 11, a number of major plants decided to shut down for the day, including the Labatt’s brewery just south of the downtown, and the Kellogg’s and McCormick’s plants on Dundas just east of the Western Fairgrounds where the main rally was to be held.

The Day of Action

The strike started on the city’s eastern industrial outskirts at the GM Diesel locomotive plant on Oxford Street. After weeks of organizing, the 2,400 plant workers had balloted for strike action.

¹¹⁸ Cited in Geoff Bickerton, “Tough questions for Pink Group,” *Canadian Dimension* (April 1996), 10.

¹¹⁹ Eric Bender, “Pickets will try to stop GM Diesel shift Sunday,” *London Free Press*, December 9 1995, A1.

¹²⁰ Mario Cordeiro speaking at “Days of Action: 20th anniversary London,” in London, December 11, 2015.

Threats of disciplinary action fell on deaf ears as thirty Local 27 pickets arrived at the plant gates at 7pm on Sunday, braving the freezing cold on the barren two-lane road. When workers began arriving for the 8pm shift, they refused to cross the lines. More pickets arrived, including a contingent of twenty postal workers from the Canada Post plant on Highbury Avenue three kilometres away. When workers from the Accuride auto parts plant began arriving, the picket line grew to five hundred. The GM Diesel workers returned the favour and shut down the Accuride plant in the southeast of the city. CAW Local 27 president Tim Carrie reported that by early morning every single unit was out on strike, including the 3M plant.¹²¹

Ford obtained an injunction to prevent picketing at the Talbotville assembly, but this did not stop hundreds of CAW Local 88 members from the Ingersoll CAMI plant showing up with their CAW-branded black balaclavas. “Everything’s as tight as a drum, as far as I can tell,” observed Buzz Hargrove when he arrived at the Talbotville gates at 5:30am. “We’re just ignoring it,” said Hargrove of the injunction. “We’re not changing anything.”¹²²

CAMI had also faced threats of discipline, but as Mike Reuter, the CAW Local 88 plant chair said, “if they disciplined any member they might fight themselves with a week-long protest in front of the plant.” The CAW Local 1520 members from Ford Talbotville shut down the CAMI plant. Windsor CAW members also began to arrive by bus at various CAW picket lines across the city after 5am. Between the CAMI, Talbotville and GM Diesel plants, there were 1,500 pickets, and an estimated ten thousand CAW members off the job.¹²³

¹²¹ Eric Bender, “Pickets will try to stop GM Diesel shift Sunday,” *London Free Press*, December 9 1995, A1; Norman De Bono, Robb Cribb, and Pat Currie, “Union lines drawn,” *London Free Press*, December 11 1995, A1; Lori Thorlakson, “Labor leaders lend a hand,” *Kingston Whig-Standard*, December 11 1995, 1; Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1.

¹²² Eric Bender, “Protest ‘total success’,” *London Free Press*, December 12 1995, B1; Brian Cross, “Labor takes London by storm,” *Windsor Star*, December 11, A1.

¹²³ Gary Rennie, “Are we next?” *Windsor Star*, December 12 1995, A1; “Workers won’t be disciplined for protesting,” *Waterloo Record*, December 22 1995, B5; John McClyment, “First we take London,” *Briarpatch* (February 1996), 19.

At the Canada Post sorting plant on Highbury Avenue, operations were shut down at midnight by pickets and the four o'clock shift was cancelled. Operations ground to a halt across much of the region. According to later claims of a Canada Post spokesperson, only a fifth of delivery routes were completed. Deborah Bourque of the Canadian Union of Postal Workers' national executive called it "the nicest picket line I've ever been on" with cars honking in support instead of people shouting with hostility. "I think the public's behind this."¹²⁴

City buses were idled as the London Transit Commission chose to shut down operations for the day instead of fighting ATU Local 741's majority support for job action. However, the union membership decided to keep paratransit going, and some operators were released from picket line duty. Fearing they would be attacked as scab vehicles, cards were put in their windows reading with "This vehicle is authorized by the Day of Protest." Referencing the vehicles authorized to operate by the strike committee during the 1919 Winnipeg General Strike, the cards were signed "J.S. Woodsworth."¹²⁵

City Hall was picketed and Friday garbage routes were not serviced, although the municipal government later claimed only a fifth of the city's workforce was absent. Services at the London Psychiatric Hospital and the Children's Aid Society were disrupted by OPSEU pickets. The Building and Construction Trades Council showed support by ensuring construction sites were deserted. Meanwhile, the London police surrounded the federal building, courthouse and Bell Canada which occupied an entire city block on the western edge of the downtown.¹²⁶

Fanshawe College reported almost 200 absences, including twenty faculty. This conflicted with

¹²⁴ Brian Cross, "Labor takes London by storm," *Windsor Star*, December 11, A1; "Snapshots from Dec. 11 in London," *London Free Press*, December 12 1995, B1. The claim about routes should not be taken at face value. The same spokesperson also claimed that two-thirds of Canada Post's London employees showed up for work on December 11. See Cross.

¹²⁵ Steve Holmes speaking at "Days of Action: 20th anniversary London," in London, December 11, 2015.

¹²⁶ Joe Ruscitti, "First volley a hit, labor says," *London Free Press*, December 12 1995, A1; "Strike call no surprise," *Waterloo Record*, March 13 1996, A1.

the claim by OPSEU Local 109's president – representing 450 full-time non-faculty staff – that no more than ten percent cross picket lines. The university reported only 15 absences without prior notice although the university said workers could take a vacation day or unpaid day off if they wished.¹²⁷

Despite the official unwillingness of the teacher unions to walk off the job, London's schools were largely empty, with teachers and staff often outnumbering students. The London School Board reported a 41 per cent attendance rate at elementary schools, and only 15 percent of high school students. The public board also reported close to 100 percent staffing level in elementary schools and 80 percent in high schools.¹²⁸ Picket lines at education facilities were thin and few in number, staffed largely by CUPE members, including custodians, and teaching assistants. At Central secondary, the principal and two vice-principals slept overnight in the school only to awake to a lone woman picketing the school until CUPE hydro workers reinforced the line at 8am. While the London School Board administrative facilities witnessed pickets, the only other schools with minor pickets included Forest City secondary, the Education Centre, and Wheable adult education.¹²⁹

About 150 buses came in from across the province, bringing in several thousand people, many arriving at picket lines around the city. An estimated one thousand arrived from Hamilton alone, with hundreds more from Kitchener, Waterloo, and Cambridge. Another thousand came from Windsor, about two-thirds of them autoworkers, and 25 buses were said to come from the smaller factory towns between Windsor and London.¹³⁰ Longer treks were also made. Four

¹²⁷ Burt Dowsett, "Catholic school board to save \$38,300 in wages," *London Free Press*, December 14 1995, B3.

¹²⁸ Norman De Bono, "'Split' feared within teaching ranks," *London Free Press*, December 12 1995, B1.

¹²⁹ Norman De Bono, "'Split' feared within teaching ranks," *London Free Press*, December 12 1995, B1.

¹³⁰ Carol Goodwin, "Busloads of locals to join London protest," *Waterloo Record*, December 6 1995, A1; Gary Rennie, "London braces for onslaught of labor forces," *Windsor Star*, December 9 1995, A1; Richard Brennan, "Labor vows second general strike," *Hamilton Spectator*, December 12 1995, A1.

union-chartered buses carrying two hundred people departed from Kingston at 2am for a six-hour drive. Buses from as far away as North Bay, Sudbury and Ottawa were also filled, although Sudbury buses were turned back by bad weather.¹³¹ Contingents of Pink Paper unions also arrived from out of town for the marches, including two SEIU buses from Windsor, Essex and Kent counties, and a bus of Steelworkers from Guelph, Kitchener and Waterloo.¹³²

By late morning Londoners and packed buses began to arrive at various picket lines and staging points. A large private sector union rally coalesced in the east end and began marching south on Highbury Avenue, gathering up some of the people on the picket lines at the Canada Post depot, before turning west along Dundas past the Education Centre and a number of factories. At Victoria Park in downtown London, a second march drawing mainly on public sector unions and community groups began to march east along Dundas, pulling in pickets from City Hall and other government buildings in the downtown. As the two marches approached each other on Dundas Street a short distance from the Kellogg's plant outside the Western Fairgrounds, the mood was electric. The crowd roared, fists were thrust into the air, and a huge sustained roar erupted as the two marches merged.¹³³

The "rent-a-mob" was remarkably disciplined. Five hundred union marshals kept a close watch on the two main marches. Only one arrest was made – a 26-year old woman kicking in a window at a post office. At the Fairgrounds, ten thousand bowls of chili were served out by a lawyer, a welfare recipient, a union activist, and a city councilor. Thousands poured into the

¹³¹ Lori Thorlaxson, "Labor leaders lend a hand," *Kingston Whig-Standard*, December 11 1995, 1; "Thousands protest," *Kingston Whig-Standard*, December 12 1995, 2; Gary Rennie, "Are we next?" *Windsor Star*, December 12 1995, A1.

¹³² Gary Rennie, "Labor protest gains momentum," *Windsor Star*, December 2 1995, A3; Carol Goodwin, "Busloads of locals to join London protest," *Waterloo Record*, December 6 1995, A1.

¹³³ Interview, Pam Frache, November 11 2015.

convention centre to warm up and listen to speeches.¹³⁴ Numbers ranged from the *London Free Press*'s estimate of ten thousand, to the *Hamilton Spectator*'s headline claim of 20,000.

Protesters put the figure anywhere from 12,000 to 15,000, with organizers pegging it at 14,000.

The police said 7,500 – a figure lower than any media estimate.¹³⁵

Consequences

OFL president Gord Wilson described the action as a “mind-boggling success.” The popular Canadian Labour Congress president Bob White said the “winds of change” were felt in London and would “continue to get stronger.” He predicted “Harris and the business (community) will try and dismiss it. But it won’t be forgotten. This will start a major campaign in the province, and Mike Harris should listen.”¹³⁶ Hargrove said it was a good start but the protests had to continue until Harris would “blink.” Sid Ryan made a similar statement saying that there was “no doubt we will be picking other cities...It’s just the beginning.” Wilson was on the same page as Hargrove and Ryan stating “This show is soon to appear in a community near you.”¹³⁷

Referencing the recent healthcare workers wildcat strike in Alberta which halted Premier Klein’s cuts, CUPE president Judy Darcy said: “If they can do it in Alberta, we are going to do it in Ontario.”¹³⁸ Local labour council president Rick Witherspoon was satisfied with the peaceful nature of the protest – something which Mayor Haskett publicly applauded. Referring to business

¹³⁴ Gary Rennie, “Are we next?” *Windsor Star*, December 12 1995, A1; Jason Ziedenberg, “The counter revolution: is Mike Harris helping regenerate the Ontario left?” *Canadian Dimension* (April 1996), 6.

¹³⁵ Richard Brennan, “Labor vows second general strike,” *Hamilton Spectator*, December 12 1995, A1; Gary Rennie, “Are we next?” *Windsor Star*, December 12 1995, A1.

¹³⁶ Eric Bender, “Protest ‘total success’,” *London Free Press*, December 12 1995, B1; Carol Goodwin and Rick Brennan, “It’s not over, labor warns,” *Waterloo Record*, December 12 1995, A1.

¹³⁷ Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1; Eric Bender, “Protest ‘total success’,” *London Free Press*, December 12 1995, B1.

¹³⁸ Carol Goodwin and Rick Brennan, “It’s not over, labor warns,” *Waterloo Record*, December 12 1995, A1.

representatives and the Ontarians for Responsible Government, he noted “They’re the only ones who talked about thugs and violence.”¹³⁹

Local Tory MPPs did not take kindly to the action. Bob Wood claimed that Londoners “overwhelmingly did not support it,” while Dianne Cunningham said “there are no winners.” Minister of Labour Elizabeth Witmer said the government would be unmoved, referring to the protest by saying “there are always going to be individuals who don’t support us.”¹⁴⁰ Harris weighed in saying of the unions, “Yeah, they’re not happy. They’ve lost some power... I thought they had too much and I thought we needed to restore the balance.”¹⁴¹ Harris, however, was not happy about the financial costs of the illegal strikes, confessing that the strikes could have a real economic impact. Ford alone lost \$36 million in gross revenues and 1,200 vehicles. The CAMI plant failed to produce 700 vehicles. GM Diesel lost an estimated \$2 million in production. “The only thing that would cause Ford or anybody else to completely write off Ontario is if they have a government that is going to accede to blackmail or illegal pickets or strikes,” claimed Harris.¹⁴²

John Redmond of the London Chamber of Commerce believed the general strike did not paralyze the city. “Things are busy and business is being carried out,” said Jack Mann, who claimed 70 percent of the workforce still showed up to work. “I think there are more people interested in going to work and earning a day’s pay.”¹⁴³ The Ontario Chamber of Commerce’s executive director James Carnegie called for a complete suppression of future protests arguing “if this continues we need criminal charges” and that “the force of the law will have to be

¹³⁹ Eric Bender, “Protest ‘total success’,” *London Free Press*, December 12 1995, B1.

¹⁴⁰ Carol Goodwin and Rick Brennan, “It’s not over, labor warns,” *Waterloo Record*, December 12 1995, A1; Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1.

¹⁴¹ Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1.

¹⁴² Carol Goodwin and Rick Brennan, “It’s not over, labor warns,” *Waterloo Record*, December 12 1995, A1; Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1; Richard Brennan, “Harris refuses to give in to organized ‘blackmail’,” *Windsor Star*, December 14 1995, A15.

¹⁴³ Don Lajoie, “Business denounces ‘archaic’ action,” *Windsor Star*, December 12 1995, A9; Joe Ruscitti, “First volley a hit, labor says,” *London Free Press*, December 12 1995, A1.

brought into effect.” Reiterating concern that protest would scare off investment, Carnegie characterized the confrontational nature of the protest as “archaic”. Despite his organization’s vanguard role in repealing Bill 40, Carnegie said Ontario needed the “best minds of management, business and labor to work together.”¹⁴⁴

In the media, the protest was roundly dismissed, especially by regular columnists. Steve Lukits in the *Kingston Whig-Standard* claimed “Most people – including many union members – are blocking out the noise,” adding that organized labour had to be more “constructive” and “break this go-nowhere habit.”¹⁴⁵ Despite a column in November dismissing labour’s ability to pull-off a large strike and protest, *Windsor Star* columnist Karen Hall believed that “plenty of innocent folks were held hostage.” Hall instead celebrated a successful day of shopping for many Londoners packing the city’s malls.¹⁴⁶ Hall’s colleague at the *Windsor Star*, Gord Henderson, dismissed the strike as a “charade” feeding “union leaders egos” and describing the strike as labour “reverting to primitive tactics.”¹⁴⁷ Such columns earned an avalanche of angry letters. Len Wallace, a London resident, condemned Henderson’s portrayal of over ten thousand protesters as pawns of union leaders, incapable of genuinely believing what they were doing was right. “Many of us truly believe that democracy is more than voting every four years, that sometimes we must act to defend it, that the status quo just doesn’t cut it and that market capitalism is a disaster.”¹⁴⁸ Further countering such claims were the stories of striking workers themselves, such as school custodian and CUPE member Marvin Lachowsky whose father was a Sudbury miner. “My dad fought for something and Harris is taking it away. I earn only \$4,000 above poverty. More cuts

¹⁴⁴ Don Lajoie, “Business denounces ‘archaic’ action,” *Windsor Star*, December 12 1995, A9.

¹⁴⁵ Steve Lukits, “Unions should break old habits,” *Kingston Whig-Standard*, December 13 1995, 3.

¹⁴⁶ Karen Hall, “Polite protest doesn’t faze Harris,” *Windsor Star*, December 16 1995, A7.

¹⁴⁷ Gord Henderson, “Day of protest: Storming the barricades,” *Windsor Star*, December 12 1995, A6.

¹⁴⁸ “Star columnists got it wrong, wrong, wrong,” *Windsor Star*, December 21 1995, A7.

and I won't be able to afford to live in Ontario... And my father struck in the days there was a shotgun in every doorway.”¹⁴⁹

A sense of unity, purpose and new possibilities were among the most basic and important achievements of the first Day of Action against the Common Sense Revolution. “It gives me a little hope that we are doing something and we're not going to go down without a fight,” said Evelyn King, an anti-poverty organizers from Kingston.¹⁵⁰ “It is a typical right-wing agenda, to take from the poor and give to the rich,” said Waterloo resident and Steelworker Sydney Joseph, originally of Guyana. “The labor movement has fought for years to achieve what we have – we must stop Harris and his government from taking it away.”¹⁵¹

The manner in which the London Day of Action was organized did earn some criticism from within the movement. Julie Le, executive director of the London Battered Women's Advocacy Centre, expressed a general sentiment among community groups that because of the small window of time to organize the protest, organized labour's “lack of understanding of social activism” meant “they were a bit heavy handed when working with the social policy groups.” Despite these criticisms, Le believed the community-labour collaboration in London was unprecedented and had laid the foundations for a powerful new movement.¹⁵² One otherwise enthusiastic Amherstburg protester criticized labour leaders who did not provide members an opportunity to deliver a strike mandate. “It really bothers me to hear union workers state that they had no vote regarding the demonstration because this is a situation where our elected leadership has the authority and obligation to take actions that will benefit their members.”¹⁵³

¹⁴⁹ Shawna Richer, “Workers say they'll fight Harris erosion of long-held rights,” *London Free Press*, December 12 1995, B3.

¹⁵⁰ Paul Schliesmann, “A wake-up call for labor itself,” *Kingston Whig-Standard*, December 12 1995, 4.

¹⁵¹ Carol Goodwin, “Various issues stir protesters,” *Waterloo Record*, December 12 1995, A1.

¹⁵² Jason Ziedenberg, “The counter revolution: is Mike Harris helping regenerate the Ontario left?” *Canadian Dimension* (April 1996), 6.

¹⁵³ “Star columnists got it wrong, wrong, wrong,” *Windsor Star*, December 21 1995, A7.

James Turk, the the director of the Ontario Coalition for Social Justice confessed that the protest was only a step in the right direction but daunting, unresolved political questions remained:

We don't have any experience in this country of how we can get rid of a government, or how we can take away their popular support... The challenge is, how do we drive them out of office, like Mulroney, without leaving their agenda behind? How do we change the government, and the culture that produced it?¹⁵⁴

Jason Ziedenberg, a Toronto-based activist argued the movement needed to “call for a wide, truly democratic debate over tactics, methodology and common goals.” He was clear, however, that only organized labour and the NDP, with their “financial and institutional resources”, were capable of initiating such a meaningful debate. Still, Ziedenberg was certain the recent rapid growth of the movement had unleashed a “new dynamic...too strong for the greediest lefty-powerbroker to control.”¹⁵⁵

To the extent that there was any debate in the extra-parliamentary opposition about tactics, strategy and common goals was due to the tireless work of the ad hoc motley crew of activists who had built the protest movement over the summer and fall of 1995. However, their very success in winning over sections of labour to large-scale civil disobedience meant that leadership in the movement was shifting upwards into the upper echelons of organized labour. This paradoxical effect was due to the absence of any cohesive political infrastructure and organization within the movement capable of moving independently of the labour leadership, a point which David Camfield identifies as the “missing push from below.” To the extent that these activists belonged to organized groups such as the NAC, OCAP and far left outfits like the

¹⁵⁴ Jason Ziedenberg, “The counter revolution: is Mike Harris helping regenerate the Ontario left?” *Canadian Dimension* (April 1996), 6.

¹⁵⁵ Jason Ziedenberg, “The counter revolution: is Mike Harris helping regenerate the Ontario left?” *Canadian Dimension* (April 1996), 6.

Communist Party or the International Socialists, these organizations were simply too small and insufficiently rooted in the unions to counter the political power of the labour leadership inside the movement.¹⁵⁶

The irrepressible “new dynamic” described by Ziedenisberg was more a hopeful statement than concrete assessment of what was happening. The closed door meetings at the OFL headquarters in Don Mills, the spasmodic strike threats in auto, and the directive to avoid the language of strikes in London, all demonstrated that the while debate may have roiled through community centres, pubs, library meeting rooms, and church basements, the decisive debates and decisions had moved to the upper echelons of the Ontario Federation of Labour and its affiliate unions. At this level, the debate was a power struggle between the two contending factions. As Walkom correctly observed, the big compromise at the OFL convention had failed to resolve these differences. This conflict threatened to overwhelm the grassroots pressure being placed on the union leadership to escalate the struggle against the Common Sense Revolution.

Two meetings in late December confirmed the persistence of this factional war. At the CAW general council meeting in late December, representatives voted against the OFL’s new position of rejoining the NDP. “No one in the hierarchy admits they screwed up,” said Buzz Hargrove of the NDP and its 1993 Social Contract. “I’ve always believed the relationship with the party was based on a clear understanding of workers’ rights.”¹⁵⁷ Meanwhile, on December 20, a strategy meeting of senior staff from the CEP, SEIU, UFCW, International Association of Machinists, and Steelworkers, laid out a plan to take over Ontario’s labour councils and direct union and NDP resources into an internal union education campaign to support voting the NDP

¹⁵⁶ David Camfield, “Assessing Resistance in Harris’s Ontario, 1995-1999,” in Mike Burke, Colin Mooers, and John Shields (eds.) *Restructuring and Resistance: Canadian Public Policy in an Age of Global Capitalism* (Halifax: Fernwood, 2000), 313. Interview, Hassan Hussein, November 1 2015; Interview, Michelle Robidoux, February 26 2016.

¹⁵⁷ Gary Rennie, “CAW stands firm in opposition to NDP,” *Windsor Star*, December 26 1995, A1.

back into office. Present at the meeting was Michael Lewis, a Steelworker staffer and brother of former Ontario NDP leader Stephen Lewis. Resources would be directed away from the OFL's Fight Back campaign as the committee believed the OFL president's 1993 criticism of the Social Contract "still govern[ed] Gord's thinking and actions." The meeting agreed to hire a full-time coordinator to organize the campaign also set out to target dissident locals within other unions, such as the Power Workers' Union inside CUPE which opposed to Sid Ryan's leadership and the Days of Action. Literature would target workers using the ONDP's direct mail capacities afforded to them by parliamentary privilege. The content and purpose was straightforward: "...to reinforce in our own ranks that Hargrove and Ryan are NOT the only political voices for Ontario labour and that a significant grouping fully support's Bob Rae's New Democrats..."¹⁵⁸

When news of this meeting leaked in early 1996 it ignited a controversy within labour networks across the province and country. Geoff Bickerton castigated the Pink Paper's "new loyalty test" of backing the NDP in the next election, arguing that previous attempts at political education in unions were "shallow attempts at indoctrination." A divided movement, he concluded, could neither defeat Harris nor help rebuild the NDP.¹⁵⁹ Yet, even among cynical union members and seasoned activists, there was plenty of concern that the strikes were simply a means for pro-strike labour leaders to re-gain their seat at the table with government and business and simply negotiate the restructuring, cuts, and layoffs. Still, union leaders such as Sid Ryan were still advancing a position more in line with sections of the movement's grassroots leadership including sections of CAW, CUPE, and OPSEU. London was widely understood as a step towards building up the strength necessary for a province-wide strike or protest capable of derailing the Common Sense Revolution through economic disruption. Other sections of labour,

¹⁵⁸ "The Pink Group woos," *Canadian Dimension* (April 1996), 9.

¹⁵⁹ Geoff Bickerton, "Tough questions for Pink Group," *Canadian Dimension* (April 1996), 10.

notably the teachers' unions, were operating independently of the Days of Action and it remained to be seen what role they would play. Thus, as decision-making powers over the extra-parliamentary movement transferred into the hands of a divided labour leadership, the extra-parliamentary opposition now had the potential resources, infrastructure and capacity of organized labour to wield immense working-class power against the Common Sense Revolution and its supporters.

Chapter 4:

Confrontation and Containment, January - April 1996

In a bid to escalate its protests against the Common Sense Revolution, the provincial labour leadership through the Ontario Federation of Labour announced in mid-January that Hamilton would be the target of the next Day of Action. With union involvement now drawing tens of thousands of workers into the streets, the character of the extra-parliamentary opposition was quickly transforming from widespread, decentralized protest actions to union-led set-piece battles like London and Hamilton. While raising the political stakes, concerns mounted among union leaders over public perceptions of the protest movement; perceptions of unruly militancy and violence mediated by the mass media's extensive opinion-shaping infrastructure, and the government's own disciplined messaging. As tactical questions such as violence and discipline were wrestled with, a unified political strategy for the extra-parliamentary opposition remained elusive given the fundamental disagreements inside the labour leadership. In the meantime, the government forged ahead with the Common Sense Revolution, declaring that no "special interest group" would knock them off course.

The Hamilton Days of Action would span two days, involving a strike on Friday February 23 and a massive protest on Saturday February 24, coinciding with the Ontario Progressive Conservative party convention being held at a downtown hotel. The timing was opportune given the growing popular opposition to Bill 26 and rising agitation among teacher unions. The faltering negotiations between OPSEU and the government also meant OPSEU members would likely be mobilized in large numbers to participate. The confluence of the two events greatly expanded the potential of the movement's size and capacities.

Even in these favourable conditions, the choice of Hamilton was a political gamble because of the powerful presence of the legendary Steelworkers.¹ Without Steelworker participation, the Hamilton Days of Action would likely be declared a failure by the government and media, strike a blow against the movement's credibility, and strengthen the Pink Paper unions in their struggle to bring the OFL behind an NDP election strategy, not a protest movement. With the announcement of the Hamilton Days of Action, the OFL got off to a good start at mitigating some of these perceptions by recruiting Hamilton & District Labour Council president and NDP loyalist Wayne Marston to co-chair the organizing committee with NDP member and city councilor Andrea Horwath.

Despite all these conditions favouring a massive show of oppositional power in Hamilton, it remained unclear as to how Hamilton fit into a strategy of defeating the government. If this second city-wide protest was a success, would organized labour move towards a province-wide strike? And how would the movement relate to a possible province-wide Ontario Public Service strike? The answers to these questions could no longer be determined by the many smaller organizations, local unions, coalitions and informal networks which had initiated the protest movement.

This chapter will explore how the Hamilton Days of Action and subsequent five-week OPSEU strike channeled an incredible mobilization against the Common Sense Revolution but contained the movement through a nascent routinization of protest activity, collaboration with employers, and dubious efforts to influence the mainstream media's presentation of organized labour and the extra-parliamentary opposition.

¹ Bill Freeman's *1005: Political Life in a Union Local* (Toronto: James Lorimer, 1982) provides a good introductory history of the Stelco workers' union, Steelworkers Local 1005, from its foundation during the Second World War and its storied 1946 strike, to its divisive 1966 wildcat strike raucous 1970s. The weakness of the literature on Steelworkers Local 1005 is the absence of a substantive history involving the 1981 Stelco strike and events afterward.

Confronting the Bully Bill

Liberal MPP Alvin Curling's sit-in had already scored a limited victory to delay Bill 26's passage to the end of January by forcing the government to concede public hearings. These hearings took place in December and January in several cities across the province. The Harris government appointed two committees to oversee them. The hearings would be chaired by Jack Carroll, the Chatham-Kent Tory MPP, while newly-elected MPP Tony Clement chaired the organizing committee. The committees were swamped by speaking requests from organizations and individuals across the province. The government limited official input by selecting only a handful of groups to speak at each. According to the NDP, the first week of hearings in December had 263 requests for only 93 available spots. The first week of hearings in January grew to 493 requests for 137 spaces. The second week had 533 requests for another 137 spaces. In all, 1,289 groups applied for 367 slots.²

The hearings regularly drew protests inside and outside the chosen facilities. At the Kingston hearing the audience of two hundred voiced their displeasure with the entire bill, regularly heckling Carroll. Local NDP activist Vince Maloney delivered a Nazi salute to Carroll, later stating the government was acting like "a bunch of damned fascists."³ At the Windsor hearing focused on healthcare, a crowd of two hundred gathered outside in protest a coffin reading "RIP Medicare," while speakers inside denounced what they called the government's move towards two-tier healthcare system, massive job losses, and hospital closures.⁴ Liberal transportation critic Mike Colle even set up a makeshift toll booth on the Allen Expressway, jamming up traffic for nearly a half hour. "The passage of Bill 26 is going to mean a dog's

² Greg Van Moorsel, "City Hall scrambling to air beefs about Bill 26," *London Free Press*, January 6 1996, A1; Murray Campbell, "1,289 squeaky wheels," *Globe and Mail*, January 20 1996, D1.

³ Bill Hutchison, "Hearing gets hot reception," *Kingston Whig-Standard*, January 13 1996, 1; Paul Schliesmann, "Anti-Tory activists playing with fire," *Kingston Whig-Standard*, January 17 1996, 4.

⁴ Gary Rennie, "Protesters vent anger at Bill 26," *Windsor Star*, January 15 1996, A1.

breakfast of user fees. So in real life terms this type of thing is going to happen,” he told the press in a protest against Bill 26’s proposed allowance for municipalities to introduce road tolls.⁵

Inside the hearings, criticism of Bill 26 ranged widely given the scope of the legislation. Whatever the specific issue, the common underlying position was that cabinet was centralizing control over lower-tier government bodies and services in a bid to impose spending cuts and restructuring, and doing so without serious consultation with the affected parties or consideration of the social consequences.⁶ The mainstream media amplified these criticisms and helped to decisively frame the legislation’s content and government’s tactics by repeatedly referring to the “Bully Bill.” Even editorially-conservative elements of the media opposed Bill 26. For example, the *Ottawa Citizen*, which had excoriated most of the anti-Harris protests in late 1995, opened its January 20 editorial with the scathing remarks:

Amendments to the Harris government's omnibus bill are whitewash on a fundamentally bad law. Ontario's now infamous Bully Bill may have lost a few teeth. But at the end of three weeks of hearings and a storm of protest, it remains as mean and ugly as ever.

In addition, the *Citizen* believed the hearing process was “fundamentally flawed and undemocratic.”⁷ Anger also mounted when it became abundantly clear that cabinet ministers and government backbenchers had little knowledge of the bill’s specifics, and were often incapable of answering questions regarding its financial implications. This was a direct consequence of how the bill was drafted. Cabinet ministers had forwarded their ideas for restructuring and

⁵ Cal Millar, “Protest against Bill 26 a real traffic-stopper,” *Toronto Star*, January 27 1996, A3.

⁶ Ontario Federation of Labour, “The Common Sense Revolution: 1,460 Days of Destruction,” (Ontario Federation of Labour, 1999), 17; Michelle Weinroth “Deficitism and Neo-Conservatism in Ontario,” Diana Ralph, André Régimbald and Nérée St-Amand (eds.) *Open for Business/Closed to People* (Halifax: Fernwood, 1997), 63-64.

⁷ “Still a bully,” *Ottawa Citizen*, January 20 1996, B6.

savings to the premier's office for approval before being sent to the Ministry of Finance where the legislation was quickly drafted in secret.⁸

When Bill 26 was brought to a vote on January 28, various groups arrived from around the province to deliver petitions and hold a day-long vigil. Despite icy winds and wet snow, thousands of people cycled in and out of the vigil. At one point, a handful of protesters tried to make it over steel barricades and into the legislature to "pray for the poor" but were roughed up and arrested by police. Later in the evening at 6pm, about thirty Embarrass Harris activists in the gallery began chanting "Nix 26!" before they were ejected.⁹

Curling's sit-in, the dozens of legislative amendments, widespread public and media opposition, and compelling critiques at the hearings failed to defeat Bill 26. The Restructuring and Savings Act, with 160 amendments, passed 77-47. The house was promptly recessed until March 18. Despite the almost haphazard manner in which the bill was constructed, the Premier and cabinet still believed that their "bully tactics" could work.¹⁰

The Battle of Bill 26 was short-lived but marked a significant transformation and growth of the popular opposition to the Common Sense Revolution. Unlike Bill 7, Bill 26 had earned more consistent and strident ripostes from the media. At the same time, Liberal acts of civil disobedience fed into a general opposition which now existed inside and outside Queen's Park. This opposition existed across the traditional NDP and Liberal base, and in sections of the wider working class and self-described middle class. This was most evident with regards to the \$400 million in elementary and secondary school cuts which, while distinct from Bill 26, was understood by both government and public as part of the same political project. Popular

⁸ Katherine A. Graham and Susan D. Phillips, "'Who Does What' in Ontario: The process of provincial-municipal disentanglement," *Canadian Public Administration* 4 (1998), 182. Weinroth, 63.

⁹ Ellie Teshler, "'Ordinary people' to protest as Bill 26 passes," *Toronto Star*, January 29 1996, A1; Ellie Teshler, "10 charged in protest over Tory bill," *Toronto Star*, January 30 1996, A9.

¹⁰ Graham and Phillips, 182.

confidence in the government's claims about not hurting classrooms was greatly undermined, and confirmed in early January when a leaked government document outlined severe cuts to teacher preparation time, and early retirement in order to bring in new teachers.¹¹ Despite not participating in the London Day of Action, the Ontario English Catholic Teachers' Association (OECTA) called for a demonstration against the education cuts on Saturday, January 13 in downtown Toronto. Hoping for 15,000 participants, at least that many arrived from out of town on 380 buses. The police estimated the crowd gathering at Nathan's Phillip's Square at 35,000, making it the biggest rally against the Harris government to date. The enormous crowd marched up University Avenue to Queen's Park. In front of the legislature, OECTA president Marilies Rettig took aim at the "radical" education cuts that she said would hurt children and families, and Bill 26 for opening the door to user fees in schools.¹²

As mounted police stood in military formation on the west side of the legislature, Canadian Labour Congress President Bob White looked over the mass of people bundled up to fight the January cold. "People are here who have never been to a demonstration in their lives. If they (the Harris government) don't listen, they do so at their own peril," declared White to cheers of approval. He then posed a challenge to those who had been pulled into activity over the education cuts and Bill 26, asking them to take part in a movement that existed outside elections: "People are not going to wait for four years."¹³

The success of the rally aided a process of unification by the province's five teacher unions under the umbrella of the Ontario Teachers Federation which, by the end of January, had

¹¹ Andy Hanson, "Not In Their Classrooms: Class Struggle and Union Strength in Ontario's Elementary Teachers' Unions, 1970-1998," (Diss. PhD. Trent University, 2013), 356-357.

¹² Harold Levy, "Crowds at Queen's Park protest education cuts," *Toronto Star*, January 14 1996, A14; Michael MacDonald, "Teachers give Tory government a budget lesson," *Ottawa Citizen*, January 14 1996, A3.

¹³ Harold Levy, "Crowds at Queen's Park protest education cuts," *Toronto Star*, January 14 1996, A14; Blair Morris, "Police presence intimidates," *Toronto Star*, January 25 1996, A20.

developed a joint “Action Plan” promoted through the OTF’s new publication *Communiqué*. These developments, including the January 13 rally for education, were driven by teachers who “publicly roasted” their leaders for failing to join the London Day of Action and “forcing the teacher bureaucracy to take a more public oppositional stand.”¹⁴ For the first time, the OTF would no longer be a body concerned primarily with the Ontario teachers’ pension board. According to Andy Hanson, an elementary school teacher in the Belleville area, the Action Plan “helped break down resistance of teacher activists to work in concert with other labour organizations” and “mobilizing them to participate in the larger protests of the labour movement, something teachers had not undertaken in the past.”¹⁵ The first task in the Action Plan was committing the five teachers’ unions to participating in the Hamilton protests which was announced only four days after the education rally.

Perceptions and reality

The November economic statement, Bill 26, and mounting protests began to undermine the government’s popularity. By early February, a new Environics poll reported a dramatic collapse in PC support from 50 percent in September to 34 percent in late January. The Liberals shot up from 33 to 43 percent support over the same period. “The honeymoon is certainly over,” commented Toronto activist Jason Ziedenberg.¹⁶ The Environics poll was the first quantitative confirmation that support for the Common Sense Revolution had fallen, but electoral opposition was beginning to coalesce around the Liberals, not the NDP whose support languished in the mid-teens. This was bad news for the Pink Paper unions pressing for an NDP-focused labour

¹⁴ Bryan Palmer, “Showdown in Ontario,” *Canadian Dimension* (May-June 1996), 21; Andy Hanson, 358-359. Interview, Tim Heffernan, August 3 2017.

¹⁵ Bryan Palmer, “Showdown in Ontario,” *Canadian Dimension* (May-June 1996), 21; Andy Hanson, 358-359.

¹⁶ Jason Ziedenberg, “The counter revolution: is Mike Harris helping regenerate the Ontario left?” *Canadian Dimension* (April 1996), 6.

opposition to Harris. It seemed to confirm that placing labour's organizational muscle behind the mass mobilizations was more fruitful.¹⁷ Furthermore, the acts of civil disobedience by the Liberals provided a certain degree of legitimacy to protest in general. As Bob White observed at the January 13 education march, the growing numbers of people on marches spilled far beyond the usual suspects.

The expansion of the movement's ranks brought with it new concerns as senior union leaders assumed control of the protest movement's general direction through the Days of Action strategy. The raucous confrontational protests of October and November had not drawn the large numbers like London or the education rally in January, but they did express and symbolize the anger of the opposition, and the willingness of sections of the movement to act without concern of how it might be represented in the media and reflect upon the movement. Inevitably, with the maturation and growth of the movement, questions and debates surrounding protest tactics and collective self-discipline became more pressing. Even though the London Day of Action witnessed a single arrest, the perception of organized labour as an aggressive, bullying force continued in media representations of the movement. Now openly forging alliances with non-union forces opposed to the Common Sense Revolution, the union leadership sought to manage and control such perceptions. This would have an important impact on the movement's organizers especially following the events of February 7 at Queen's Park.

As part of a National Day of Action organized by the Canadian Federation of Students, two thousand university students rallied at Queen's Park on February 7 to protest the 20 percent hike in tuition fees and major reductions in post-secondary funding. From this group of two thousand, a hundred students broke through the metal barricades by the front doors of Queen's

¹⁷ "Did protest make a difference?" *Kingston Whig-Standard*, February 26 1996, 6; William Walker, "Voters concerned about Tory cuts, poll finds," *Toronto Star*, April 27 1996, A1.

Park and entered the lobby where they conducted a forty minute sit-in. It is unclear what happened next but the *Toronto Star* reported a “wild melee” with students facing off against thirty baton-wielding OPP officers, Metro Toronto police and Queen’s Park security guards. The physical altercation resulted in the hospitalization of two security guards for minor injuries and the arrest of four students. Charles Kernerman, 24, was charged with three counts of assault and intent to resist arrest. Kernerman and the other students were also charged with mischief, breaking and entering, and “intimidating the Legislature,” a relic of the Criminal Code from 1848. This charge, which carried a maximum sentence of 14 years, was eventually dropped since the legislature was not sitting. Police estimated \$10,000 in damages to the Queen’s Park lobby, including broken glass, overturned furniture, and graffiti.¹⁸ York University Graduate Students’ Association president Mike Zmolek, who had helped lead the sit-in, told reporters that the police attacked the protesters from behind as they were in fact leaving the lobby. “I saw no reason for the use of violence and force,” said Zmolek. “There was really no reason for it. It was an attack from behind.”¹⁹

However, photos of young men smashing Queen’s Park windows featured prominently on the front page of major dailies with video footage made it to air on the evening television news. Even the *Toronto Star*, increasingly sympathetic to the opposition, produced a sensational front page report which opened with the line: “Furious demonstrators kicked down a barricade, then smashed through the front doors of Queen’s Park...” Descriptions of a “mob”, the “wild melee” and the hospitalization of two security guards overwhelmed Zmolek’s account which was

¹⁸ Peter Edwards, “Queen’s Park protesters defy police, push inside,” *Toronto Star*, February 8 1996, A1; “Going too far,” *Toronto Star*, February 14 1996, A20; James Laxer, “Fortress mentality of Legislature should be halted,” *Toronto Star*, February 18 1996, F3.

¹⁹ Peter Edwards, “Queen’s Park protesters defy police, push inside,” *Toronto Star*, February 8 1996, A1.

left near the end of the lengthy article.²⁰ The students were also an easy target for criticism. One columnist described them as “yuppie, taxpayer-subsidized” children “throwing tantrums” who had nothing to complain about over tuition hikes because they were already in university.²¹

The mainstream media’s role in constructing the unruly, entitled protester dovetailed neatly with the government’s language of “special interests,” and threatened to undermine the legitimacy of the wider opposition. As a consequence, a number of union officials set about to emphasize the peaceful non-violent nature of the Hamilton protests. Even before the February 7 protest, Wayne Marston had declared that protest organizers were “not interested in coming into direct contact with Mike Harris.”²² Such guarantees did little to stop the Hamilton-Wentworth police force gaining front-page coverage in the *Spectator* for their unfounded speculations about protest violence only days after the paper put out an editorial attacking the looming Days of Action. What the story also revealed was the formation of a 33-member Crowd Management Unit in January which would see its first deployment at the Hamilton Days of Action. As a Hamilton-Wentworth police officer explained, someone would “always...try to take advantage of a situation like this in an attempt to advance their own cause.” In addition, RCMP and OPP detachments would be placed on standby. Despite Marston’s repeated promises of peaceful protest and use of union marshals to maintain discipline, Deputy Police Chief Ken Robertson said it would be the largest police operation in his 28 years. Anticipating a 50,000-strong demonstration, policing costs were estimated at \$100,000. There was no mention of the single arrest and broken window in London.²³

²⁰ Peter Edwards, “Queen’s Park protesters defy police, push inside,” *Toronto Star*, February 8 1996, A1.

²¹ Donna Laframboise, “Vandalism only helps hardliners,” *Toronto Star*, February 12 1996, A15.

²² Mike Hanley, “Workers ‘under attack’: Union leaders in town to show protest support,” *Hamilton Spectator*, February 5 1996, A1.

²³ Jim Holt and Carol Phillips, “Police brace for 50,000 in protest,” *Hamilton Spectator*, February 10 1996, A1.

“We’re getting 100 per cent support”

“Hamilton is one of the beginning points for labor in this country,” said Wayne Marston while predicting the success of the upcoming protest. “It goes back to the 1800s. Where are you going to find a better place?”²⁴ Like the London Day of Action, the Hamilton protest would be the focal point for a wider regional disruption. While winning the Steelworkers to strike action remained an open question, CAW once again spearheaded the strike efforts in the private sector, vowing to extend the strike around Hamilton Harbour to Oakville by shutting down the sprawling Ford Oakville Complex and municipal transit system whose workers were CAW.²⁵ Three CAW locals in Hamilton, 504, 525 and 558, promised a number of plants would be shut down without any negotiated closure, including larger facilities operated by Westinghouse, Camco and Wabco. As Local 525’s president George Irvine put it, “Switching negotiated days off to free up people on Friday is not part of the plan. It is not a strike, but it is also not a day of accommodation for the employer.”²⁶ Irvine’s comment was a barbed critique of the Steelworkers whose Hamilton membership of 16,000 across 90 bargaining units dwarfed the CAW’s local base. At Stelco’s Hilton Works alone, there were 5,200 Steelworkers. However, the Steelworkers’ district director Harry Hynd was quick to point out that a steel mill could not simply be closed for a day. Another Steel rep, Bryan Adamczyk, stated “If we tell our people to stay out, it would violate our collective agreements and we would be up to our necks in litigation.”²⁷

²⁴ Dan Nolan, “Hamilton next target for labor shutdown,” *Hamilton Spectator*, January 18 1996, A1. For an recent accessible early history of the Hamilton workers, see Craig Heron, *Lunch-Bucket Lives: Remaking the Workers’ City* (Toronto: Between the Lines, 2015).

²⁵ Dan Nolan, “Hamilton next target for labor shutdown,” *Hamilton Spectator*, January 18 1996, A1; Lee Prokaska, “Hamilton strikers won’t face penalty,” *Hamilton Spectator*, January 25 1996, A1.

²⁶ Lee Prokaska, “Some production lines will be idle, others will operate,” *Hamilton Spectator*, February 21 1996, B2.

²⁷ Dan Nolan, “Hamilton next target for labor shutdown,” *Hamilton Spectator*, January 18 1996, A1.

The momentum was immense and the Steelworkers eventually agreed to participate. Steelworker rep Ted Jez explained, “We are asking locals to arrange things with their employers and for the most part things have been co-operative. We are not picketing to close down any plants.” The large and powerful Local 1005 directed the membership to honour all picket lines on Friday February 23 and at a large local meeting, members voted overwhelmingly to endorse the Days of Action. Unable to simply shut the mill down for a day, the 1005 leadership negotiated a scheduled contract holiday, Heritage Day, to be moved from Monday February 19 to Friday February 23. An essential services agreement was also hammered out for the Friday to keep the coke ovens, blast furnace and fire watches running. However, a symbolic picket line was rejected. Jez stated, “Our fight is not with the employer at the moment.”²⁸ Later in February, the Steelworkers would also strike a deal with the Sheraton Hotel where the unionized workforce would serve Tory convention delegates at the Hamilton Convention Centre. The workers would be shuttled in with cab slips due to the transit shutdown on the condition unions did not to picket the Convention Centre.²⁹

While unions continued their preparations, the Days of Action organizing team was pulled together. The Ontario Federation of Labour’s Fight Back Campaign director, Paul Forder, handed the reins over to local organizers who formed the Hamilton-Wentworth Coalition for Social Justice at the January 18 Hamilton and District Labour Council. Marston and community activist Andrea Horwath were elected co-chairs.³⁰ The idea of a community co-chair and a labour co-chair reflected the further solidification of the idea and self-conscious representation of the

²⁸ Lee Prokaska, “Local 1005 backs labor protest,” *Hamilton Spectator*, January 24 1996, B; Lee Prokaska, “Hilton Works lets workers join protest,” *Hamilton Spectator*, February 1 1996, A1; Lee Prokaska, “Some production lines will be idle, others will operate,” *Hamilton Spectator*, February 21 1996, B2.; Bryan Palmer, “Showdown in Ontario,” *Canadian Dimension* (May-June 1996), 21.

²⁹ “Labor cut deal for union workers to cook, serve Harris, Tories dinner,” *Hamilton Spectator*, February 26 1996, B3.

³⁰ Lee Prokaska, “Unions urge Mohawk, Mac to strike,” *Hamilton Spectator*, January 19 1996, A1.

extra-parliamentary opposition as a community-labour coalition. The structure would be the model for all subsequent Days of Action.

A willingness to organize beyond its membership and forge a community-labour alliance did not prevent union leaders from asserting a more defensive political framing of protest strategy and tactics than had existed in London. For example, Ron Pellerin, provincial coordinator of the CAW's Fight Back campaign responded to unnamed critics saying "London didn't go well because we didn't close down the city." Pellerin replied that labour "didn't intend to close down the city." Pellerin explained the whole strategy was to "give business a kick in the ass and let them know they have the ability to stop this and get to the Harris government."³¹ In a *Hamilton Spectator* op-ed, Marston wrote how the protests were never about bringing down the government but designed to "galvanize public opinion and get people talking about the cutbacks and their impact."³² This was a far cry from the opinions held by those driving the early protests such as John Clarke who had called for Harris to be driven from office, or even Pellerin's contention that strikes could render the Common Sense Revolution impossible to implement. Marston conceded Harris had the right to govern although he noted "the majority of the public did not vote for him or his policies" and had no mandate "to unilaterally and totally change the social fabric of Ontario." In discussing the upcoming Hamilton protest, OFL president Gord Wilson made a similar concession in declaring: "Harris has a constitutional mandate to govern for four years and our role is to see he doesn't govern after that."³³ Such comments were not about lowering expectations about strike activity, rather the very prospect of the Days of Action stopping the Common Sense Revolution.

³¹ Lee Prokaska, "Hamilton strikers won't face penalty," *Hamilton Spectator*, January 25 1996, A1.

³² Wayne Marston, "Labor's future lies in reaching out," *Hamilton Spectator*, January 10 1996, A9.

³³ Wayne Marston, "Labor's future lies in reaching out," *Hamilton Spectator*, January 10 1996, A9; Dan Nolan, "Hamilton next target for labor shutdown," *Hamilton Spectator*, January 18 1996, A1.

With Steelworker support secured, a mass meeting of five hundred local and provincial labour leaders met in Hamilton on February 4. The meeting involved the public and private sector unions, pensioners and postal workers, as well as teachers. Marston was thrilled by the meeting, exclaiming “We’re getting 100 per cent support,” and “once we’re done, the next city will have to live up to us.” However, Horwath lowered expectations of community support for the Friday strike, emphasizing community involvement would be more significant at the Saturday protest.³⁴ CAW also backed down on its threats to extend the job action to Oakville, narrowing it from a regional action to a Hamilton action. Hargrove explained “All unions have now come to the conclusion that we will exclude Oakville and concentrate our best efforts in ensuring that the protest in Hamilton is a major success.”³⁵

Unlike the London strike where union activists forged ahead with their workplace organizing despite widespread doubts, Hamilton’s organizing was markedly different in the management of strike activity. In London, the CAW had not retreated from regional disruption and no such agreement like that of the Steelworkers at the Convention Centre existed. There were also signs of labour leaders lowering expectations about escalation with Marston and Wilson openly conceding Harris’s right to govern and suggesting economic disruption was not a means to stop the Common Sense Revolution. It remained to be seen if sheer numbers and energy from the base of the movement could sweep union leaders in another direction.

Organizing the strike

Organizing was carried out by a team under the authority of the Coalition’s co-chairs, and began when the union money and resources flooded in. As one organizer put it, “the local coalition

³⁴ Mike Hanley, “Workers ‘under attack’: Union leaders in town to show protest support,” *Hamilton Spectator*, February 5 1996, A1.

³⁵ Tony Van Alphen, “Protest won’t hit Oakville’s Ford plant,” *Toronto Star*, February 5 1996, D3.

didn't even have their own phone numbers. Suddenly they had office space in a down-town building, and a host of other bare necessities most community coalitions...can't afford – a phone number, an answering service, and a fax machine.”³⁶ The main organizing team included local labour leaders familiar with the coordination of cross-picketing and who had proven themselves capable of working collaboratively. The Hamilton organizers also benefited greatly from the experiences brought by a number of organizers involved in London.³⁷

The organizing team included Steelworker rep Bryan Adamczyk, as well as 26-year-old CAW staffer Steve Farkas who had come to the union through the 1992 United Electrical Workers merger with CAW. Gerry McDonnell was also brought onboard for organizing. A seasoned CUPE activist, McDonnell, had built a local reputation for leading innovative campaigns around asbestos in Hamilton-area schools and leading a principled fight for pay equity by CUPE Local's 1344's majority female membership. McDonnell also led the local's school custodians in a difficult but well-fought four-month strike in the fall of 1992.³⁸

Delivering on their commitment to support and build the Hamilton Days of Action, the teachers unions were involved in organizing from the outset. In addition to financial support, the Ontario English Catholic Teachers' Association offered up the services of Ed Chudak, a former teacher and union staffer affectionately dubbed the “bus guru” for his coordination of the nearly 400 buses to the OECTA-sponsored Toronto rally on January 13. This time Chudak's task was even bigger. “I'm planning for 750 buses on the Saturday, which should give me a huge margin of comfort,” though anything more, said Chudak, and “we're flying by the seat of our pants.”

³⁶ Marcella Munro, “Ontario's “Days of Action” and strategic choices for the Left in Canada,” *Studies in Political Economy*, 53 (Summer 1997), 128.

³⁷ Lee Prokaska, “Drawing up the game plan,” *Hamilton Spectator*, February 17 1996, A1.

³⁸ Stan Gray, “The Greatest Canadian Shit-Disturber,” *Canadian Dimension*, (November/December 2004); Pat Fiendel, “Pay equity protects men,” *Kinesis*, February 1988, 6; Christine Cox, “He never starts a fight but never runs either,” *Hamilton Spectator*, October 5 1992, B1; Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2. “Steve Farkas,” *Hamilton Spectator*, December 23 2009.

Chudak worked alongside the equally-skilled Bonnie Armstrong, a Canadian Labour Congress staffer who had coordinated 800 buses for a 100,000-strong Canadian Labour Congress rally in Ottawa the previous May.³⁹

Support for organizing in Hamilton was greater than the London effort, explained Jerry Logan, a veteran CAW Local 444 plant chair at TRW Automotive in Windsor. “In London, I had to phone for porta-johns myself. On this campaign, I’m co-ordinating efforts and other people are doing the nitty-gritty work.” Describing London’s organizing as “a mad dash,” Paul Forder said Hamilton was benefiting from a well-situated downtown campaign headquarters on York Boulevard and “time to create a tighter, more efficient operation.” More money poured into advertising. Almost \$30,000 in radio and billboard ads were created by the OFL Fight Back Campaign, with most of the costs being picked up by Hamilton-area CUPE and CAW locals. Four different ads focused on how the cuts were hurting Hamilton, why protest was fundamental to democracy, myths about the deficit, and the dangers of omnibus Bill 26.⁴⁰ Advertising was still no substitute for the intensive groundwork that needed to be done. Dozens of union, church, community and campus meetings were held, with the coalition growing to 35 core member groups and an additional 200 local organizations engaged through phone banking and meetings. Small armies of volunteers spread out across the city to distribute 120,000 flyers to homes and apartments.⁴¹

On the industrial front, Richard “Buddy” Kitchen, a CAW member at the Navistar assembly line in Chatham and president of the Chatham and District Labour Council, was one of the organizers responsible for cross-picketing. Kitchen had to coordinate with more workplaces

³⁹ Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2.

⁴⁰ Lee Prokaska, “Radio, billboard ads mean \$29,000 for local economy,” *Hamilton Spectator*, February 16 1996, B3; Lee Prokaska, “Drawing up the game plan,” *Hamilton Spectator*, February 17 1996, A1; Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2.

⁴¹ Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2.

demanding pickets than London and more staggered and uneven shift work. Hamilton was not like London with its regimented 8-hour shifts across the auto sector. “We used it really effectively in London,” said Kitchen of cross-picketing. “It’s taking some creativity here.” Some three thousand picketers were being tasked to cover about three hundred picket lines. Picket captains, explained Kitchen, would require “a good grip on security and control of the picket lines” in order to remain non-confrontational and peaceful. Meanwhile, two eight-person flying squads would roam the city in vans to bolster lines where needed.⁴²

Although Marston and Horwath were both open NDP members, the organizing committee they co-chaired decided to exclude all political representatives from the podium, with the exception of the Hamilton Mayor Robert Morrow. Hamilton Centre NDP MPP David Christopherson downplayed the decision saying that party members would attend regardless of who spoke from the platform. Marston, acknowledged the presence of NDP members in the organizing campaign, but insisted that the protest was really about “the grassroots response” to the Common Sense Revolution.⁴³ Liberals, Marston said they were not excluded from the protest, but not encouraged to attend given their commitment during the election campaign to slash 13,000 public sector jobs. “If you look at the last few weeks of the (election) campaign,” he observed, “the Liberals moved dramatically to the right to try and compete with Mike Harris.”⁴⁴

“Let’s go! Let’s go!”

Pickets went up early. In Dundas, two dozen CAW pickets arrived at the El-Mat Parts steel plant to turn back the 7pm shift. Also Thursday evening, Postal workers hit ten postal depots across the

⁴² Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2.

⁴³ Jim Poling, “Politicians not invited to protest as ‘ordinary people,’ hit streets,” *Hamilton Spectator*, February 21 1996, A2.

⁴⁴ Jim Poling, “Politicians not invited to protest as ‘ordinary people,’ hit streets,” *Hamilton Spectator*, February 21 1996, A2.

region, eventually stopping delivery on 325 of 350 postal routes in Hamilton-Wentworth and reducing mail delivery service by an incredible 60 percent across a 140km swath of southern Ontario, from Kitchener and Oakville through to St. Catharines and Niagara Falls. The CAW reported the shutdown of an additional fourteen plants in the area, including Camco, Hendrie Transportation, National Steel Car, and Wabco. An information picket went up at the Hamilton Board of Education building on Main Street West early Thursday afternoon.⁴⁵ Overnight pickets at the Upper James Street and Wentworth Street North bus depots shut down the city's transit system which usually served 40,000 passengers a day. The City of Hamilton and Hamilton-Wentworth Region reported absentee rates among their combined workforce at 40 percent.⁴⁶

By Friday morning, a whole raft of industrial sites were being picketed, as well as provincial and federal government buildings and liquor stores, the Hamilton Psychiatric Hospital, McMaster University, and Mohawk College. Among these was a mass picket of nearly a thousand nurses blockaded St. Peter's Hospital to make a statement against the impending provincial hospital cuts. In contrast to the nearly 100 percent attendance rate in London's Catholic schools on December 11, absenteeism in Hamilton's Catholic schools ran at 40 percent. The public schools had scheduled a PA day so students stayed out of school, but picket lines still went up at three high schools. Like Steelworkers at the Stelco Hilton Works, unionized workers at Westinghouse had also negotiated to move a holiday to Friday but pickets nevertheless violated the agreement by turning back non-union workers at the Westinghouse north plant. "The

⁴⁵ Lee Prokaska, "Protesters pour in as pickets go up," *Hamilton Spectator*, February 23 1996, A1; Shaun N. Herron, "Labor's day: 25,000 march in a peaceful protest," *Hamilton Spectator*, February 24 1996, A1.

⁴⁶ Lee Prokaska, "Protesters pour in as pickets go up," *Hamilton Spectator*, February 23 1996, A1; Carol Goodwin and Philip Jalsevac, "2 peaceful rallies, but hurt business," *Waterloo Record*, March 14 1996, A1.

labor movement will have to defend its actions,” complained a human resources manager. “Our production was completely shut down.”⁴⁷

While the city’s core was described as a “ghost town,” over 20,000 people were milling about at Dundurn Park by Lake Ontario, listening to speeches from community activists and labour leaders. At least another five thousand arrived as 150 buses of protesters arrived from out of town, strongly suggesting a majority of protesters were from Hamilton and surrounding area.⁴⁸ The march from Dundurn Park followed its planned 3.5 kilometre route at noon, proceeding to the downtown core along York and Queen. After circling the Convention Centre on Main Street, with its entrance protected by 40 metres of continuous concrete barriers, the march weaved along James, King and Bay and ended at Copps Coliseum for 1pm.⁴⁹

Inside the packed stadium, the usual suspects were at the microphone, including Gord Wilson, Buzz Hargrove and Sid Ryan. Despite his public opposition to the Days of Action, one of the two opening speakers was Steelworker district director Harry Hynd. The other was Reverend Peter Hoyle of the Mount Hamilton United Church who declared the Common Sense Revolution was “rooted in injustice” and “based on bigotry” against the poor, women and people of colour. After Hynd and Hoyle, OPSEU president Leah Casselman spoke to OPSEU’s legal strike date which was only 72 hours away, and how the union’s struggle was part of a larger, united struggle against the Common Sense Revolution.⁵⁰ Wrapping up the speeches, Marston

⁴⁷ Lee Prokaska, “Protesters pour in as pickets go up,” *Hamilton Spectator*, February 23 1996, A1; Shaun N. Herron, “Labor’s day: 25,000 march in a peaceful protest,” *Hamilton Spectator*, February 24 1996, A1.

⁴⁸ James Rusk, “First day of protest closes steel city,” *Globe and Mail*, February 24 1996, A1; Shaun N. Herron, “Labor’s day: 25,000 march in a peaceful protest,” *Hamilton Spectator*, February 24 1996, A1.

⁴⁹ Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2.

⁵⁰ Denise Davy, “Labor’s ‘Woodstock’ attracting big names,” *Hamilton Spectator*, February 23 1996, C2; James Rusk, “First day of protest closes steel city,” *Globe and Mail*, February 24 1996, A1.

declared the government to be cowards “because only cowards would attack the poor and the sick and put people on the street to die.”⁵¹

The following morning, 1,400 buses rolled in to the city – nearly double what Chudak and Armstrong had expected only a week earlier. Some of the local contingents were enormous. Sixty buses arrived from London, packed with autoworkers, teachers, and many others. Waterloo Region educators mobilized 1,200 members alone for the Saturday action.⁵² The rally was enormous, dwarfing the January education rally in Toronto. Alongside the many men wearing CAW and Steelworkers jackets were thousands of young women teachers. High school and university students were present in their thousands, a number of them proudly sporting “I intimidated the legislature” buttons. As the speeches wore on, the crowd got impatient. “Let’s go! Let’s go!” they chanted, drowning out Gord Wilson at the microphone.

With such huge numbers, the police asked rally organizers to divert the march away from the downtown hotel housing the Tory convention delegates and abandon the planned human chain around the hotel. The organizers agreed, defending the decision as a matter of safety. When a contingent of postal workers tried to break away from the rerouted march and head towards the hotel, a wall of union marshals blocked their way.⁵³ The march winds its way through the city, cutting across Strachan and then along James Street to Main before making it to Bay Street and back to Copps Coliseum for more speeches. By 5pm, the buses were loading up and heading back home across Ontario.⁵⁴

⁵¹ Steve Arnold, “Protest blocks Hamilton; Large crowds denounce ‘selfish’ government,” *Kingston Whig-Standard*, February 24 1996, 2.

⁵² Jim Poling and Lee Prokaska, “Labor’s fight heats up,” *Hamilton Spectator*, February 26 1996, A1; Greg Van Moorsel, “Steeltown protest packs a punch,” *London Free Press*, February 26 1996, A3; Shaun N. Herron, “Labor’s day: 25,000 march in a peaceful protest,” *Hamilton Spectator*, February 24 1996, A1; “Strike call no surprise,” *Waterloo Record*, March 13 1996, A1.

⁵³ Bryan Palmer, “Showdown in Ontario,” *Canadian Dimension* (May-June 1996), 21.

⁵⁴ Lee Prokaska, “How labor gets organized,” *Hamilton Spectator*, February 17 1996, B2; Jason Ziedenberg, “A great day in Hamilton,” *Canadian Dimension* (May-June 1996), 17.

The police claimed the protest was fifty thousand – a number identical to their prediction. Protesters said it was 100,000, as did *London Free Press* reporter Greg Van Moorsel.⁵⁵ Some reports put it at 120,000. Given the previous day’s protest of 25,000 involving roughly a tenth the buses on Saturday, it would be reasonable to assume that 50,000 was a gross underestimation of the crowd gathered at Pier 4 Park and that the crowd was closer to 80,000, making it the largest Ontario labour demonstration in history at the time.

Later that evening, Harris addressed his die-hard supporters, earning massive cheers when speaking of Bill 40’s destruction and the repeal of the “quota law”, and a standing ovation for the “success” of cutting welfare by 21.6 percent. “No special-interest group or lobby will stop us,” declared Harris at the convention – a comment aired on television news and picked up in newspapers across the province.⁵⁶

Consequences

The Friday strike’s economic impact spilled beyond major industrial workplaces to downtown retailers who reported sales declining from 30 to 100 percent. A Hamilton and District Chamber of Commerce survey reported retail revenue losses at over \$1 million, with 53 percent of survey respondents indicating losses due to the protest. “We think there are much better strategies than crippling the economy and affecting an individual’s ability to make a living to make a point with the government,” said the Chamber’s executive director Lee Kirkby.⁵⁷

Yet, it was not the private sector that sought retribution, but municipal politicians.

Policing costs were turned into a weapon against the movement even though Hamilton-

⁵⁵ Greg Van Moorsel, “Steeltown protest packs a punch,” *London Free Press*, February 26 1996, A3.

⁵⁶ Jim Coyle, “Mike Harris talking the language of paranoia,” *Kingston Whig-Standard*, February 29 1996, 7; Jason Ziedenisberg, “A great day in Hamilton,” *Canadian Dimension* (May-June 1996), 17.

⁵⁷ Lisa Marr, “Damage, cleanup cost to city is \$9,600,” *Hamilton Spectator*, March 20 1996, B2; Jim Poling and Lee Prokaska, “Labor’s fight heats up,” *Hamilton Spectator*, February 26 1996, A1.

Wentworth Police did not lay a single charge or report any incidents of violence or vandalism in their largest-ever operation. Hamilton-Wentworth Region's Chairman Terry Cooke claimed the protest permits were issued with conditions that the municipality reserved the right to charge organizers for some of the costs. Marston said this was not true. In addition to spending \$100,000 on extra policing, and \$13,000 in overtime to make up for the shutdown of Friday garbage service, the Region also claimed a loss of \$50,000 in transit revenues and \$12,000 in parking revenues. Despite being the only politician invited to speak at the protest, Mayor Morrow backed Cooke, stating that billing protest groups was not out of the question. On February 26, *The Spectator* ran the sensational headline: "Taxpayers face \$500,000 protest bill," a figure provided by Cooke.⁵⁸ Marston responded by saying it was 500 union marshals that kept order, not the police. "Mike Harris wanted the police protection, not us. As far as I'm concerned, the bill should go to Queen's Park. End of story."⁵⁹ Nevertheless, the Region, City of Hamilton, and Hamilton-Wentworth Police Services Board all voted in favour of billing the unions. "I doubt very much we're going to pay it," said OFL President Gord Wilson.⁶⁰

As the legal reprisals mounted after the Days of Action thousands of OPSEU members were going on strike across the province in a battle against the government's efforts to reduce costs and cut 13,000 Ontario Public Service jobs. The question was raised about the prospects of unions joining OPSEU in an illegal sympathy strike. After Hamilton, Sid Ryan maintained that such strike was possible and should be the next logical step. Gord Wilson denied there was momentum in this direction: "I don't see any groundswell out there demanding a province-wide

⁵⁸ Jim Poling, "Taxpayers face \$500,000 protest bill," *Hamilton Spectator*, February 26 1996, A1; Jim Poling and Lee Prokaska, "Labor's fight heats up," *Hamilton Spectator*, February 26 1996, A1.

⁵⁹ Ken Peters, "\$70,000 sought from labor," *Hamilton Spectator*, March 19 1996, B3; Ken Peters, "Region to bill labor \$163,000," *Hamilton Spectator*, March 26 1996, B3.

⁶⁰ Lisa Marr, "Damage, cleanup cost to city is \$9,600," *Hamilton Spectator*, March 20 1996, B2; Ken Peters, "'Doubt we're paying bill' from region, OFL head says," *Hamilton Spectator*, March 28 1996, C3.

strike.” He concluded with the vaguely, “I think people are coming to terms with the fact that you have to build support, and we’ll get to that.”⁶¹

Beyond rhetorical support at the Hamilton rallies, and later support on the OPSEU picket lines, there had been no effort to bring about an escalation of economic disruption using the Hamilton Days of Action or the OPSEU strike as a launching point. Even as hundreds of Hamilton-area OPSEU members struck illegally on Friday and legally on Monday, there was no effort to link this activity. The OFL’s tactic of the illegal one-day city-wide political strike was certainly a bold act but there was a deep-seated unwillingness among union leaders to expand a legal strike into a province-wide social confrontation with the government. Whereas the government was all too willing to renovate the existing legal architecture of industrial relations to achieve their political and economic ends, the labour leadership viewed such architecture as sacrosanct. Despite the sparks of independent worker militancy at a handful of workplaces in London and Hamilton, the missed opportunity of connecting the two Days of Action and OPSEU strike exposed the dependency of the rank-and-file trade unionist upon the leadership of the unions; a leadership increasingly concerned about perceptions in the media. Such concerns seeped into aspects of the London protest but especially with the Hamilton Days of Action. The negotiated day off work at Westinghouse and other sites, a retreat from striking and later encircling the Convention Centre, and bending politically to placate the fearmongering local media and the malevolent insinuations of inevitable violence by the Hamilton-Wentworth Police Force. Labour leaders did push back against paying for municipal policing and clean-up costs, but the lesson drawn was to adopt a pre-emptive conciliatory stance in a bid to avoid threats rather than challenge them. Even though Hamilton doubled the number of picket lines in

⁶¹ “Too early for province-wide strike,” *Kingston Whig-Standard*, February 24 1996, 2.

London, and had a “small” march of 25,000 and a record-setting march of 80,000, the “new dynamic” described by Ziedenberg in the wake of the London strike was sputtering.

“No Justice, No Peace”

The Monday morning after the Hamilton Days of Action, 25,000 OPSEU members walked off the job. By Wednesday 50,000 were on strike, shutting down nearly all provincial government services. Bargaining between the government and OPSEU, which represented the vast majority of the Ontario Public Service (OPS), had begun earlier under the NDP regime but ground to a halt in May 1995 during the election campaign in which Harris promised 13,000 job cuts. After taking power, the Tories got to work delivering on this promise. While thousands protested the opening the legislature and Throne Speech on September 27, 1,400 layoffs had already been announced with an additional 3,500 by the time Bill 26 was introduced.

The Common Sense Revolution was much more than spending restraints and direct mass layoffs. Its ideological embrace of the private sector’s profit-seeking motive as a panacea for fiscal austerity, ministry restructuring, workplace management, and service delivery, meant OPSEU was also confronting the problems of contracting out and privatization of government. To facilitate such rapid and sweeping changes in the OPS, the government augmented its hard-bargaining stance at the table by using executive and legislative powers to undercut OPSEU’s ability to stall or stop the wider restructuring and austerity agenda. Bill 7’s elimination of successor rights was a glaring example of this tactic. By rolling back 1975 legislation guaranteeing successor rights for unionized government workers, the Harris Tories eliminated the legal requirement of new employers inheriting any existing collective agreement.⁶² When OPSEU demanded successor rights be enshrined in the new collective agreement but the

⁶² Reshef and Rastin, 57.

government refused. Tory MPP and Chair of the Management Board David Johnson explained the position very bluntly: “With the successor rights clause, we feel our hands are tied to a large degree in looking at options such as privatization and contracting out. We feel this would be quite a discouragement at any movement in that direction.”⁶³ Johnson would reiterate this point again shortly before the strike started in late February. “To reinstate it and to shackle the government with (those) provisions would certainly limit the ability of the government to restructure and to downsize. We will not be budging on successor rights.” The government’s counter-offer was a doubling severance pay to two weeks for every year worked.⁶⁴

The government also sought to escape its pension obligations to the same laid off workers. Under Ontario legislation, any mass layoff by a large employer invoked the “rule of 55” in which workers would be entitled to a full pension at age 65 should their years of service plus age equal 55. By exempting themselves from this rule in Bill 26, the government hoped to clawback between \$400 million and \$500 million in pension costs. Laid off workers would still be entitled to their pensions but those covered by the rule could no longer “grow in” to their full pension.⁶⁵ Bill 26 was in fact the second attempt by the government to escape these pension obligations. Only a month after the election, the government passed an Order-in-Council exempting the government, and only the government, from the Rule of 55. OPSEU successfully defeated the Order-in-Council in the courts because the OPS Pensions Act required the union to

⁶³ Richard Brennan, “Civil servants’ union rights must be yanked: chairman,” *Waterloo Record* (October 14 1995), A9.

⁶⁴ Kelly Toughill, “Layoff provision key to standoff,” *Toronto Star*, February 25 1996, A14. For a more detailed discussion of Bill 7’s elimination of successor rights in relation to OPS bargaining, see Joseph B. Rose, “From Softball to Hardball: The Transition in Labour-Management Relations in the Ontario Public Service,” In Gene Swimmer (ed.), *Public-Sector Labour Relations in an Era of Restraint and Restructuring*, (Toronto: Oxford University Press, 2001), 66-95.

⁶⁵ David Rapaport, *No Justice, No Peace: The 1996 OPSEU Strike Against the Harris Government in Ontario* (Montreal: McGill-Queen’s University Press, 1999), 47-48; Kelly Toughill, “Layoff provision key to standoff,” *Toronto Star*, February 25 1996, A14.

agree to any such changes. However, the ruling came down on December 20 1995. Anticipating legal defeat, the government simply changed the law with Bill 26.⁶⁶

Lastly, the government bargained hard to accelerate the job cuts by severely undermining seniority rights. The government's proposal would allow pink-slipped workers two weeks to decide whether or not to "bump" a co-worker below them on the seniority list. This practice already existed but the old collective agreement provided a six-month decision-making period, and seniority-based bumping extended indefinitely to the bottom of the seniority list. The government's proposal would stop bumping at the second person down the seniority list. Coupled with Bill 26's override of the Rule of 55, limited bumping would further limit the government's pension obligations. As John O'Brien, a truck safety inspector and member of the union's bargaining team, put it: "The government wants to hand a pink slip to whomever it wants, regardless of their seniority, and shove them out the door. And it wants to pick their pocket on the way out to the street."⁶⁷

Given these goals and tactics, the Tories expected a strike. After the government tabled its proposals to OPSEU's bargaining team on October 3 no further meetings took place until the government unexpectedly filed for conciliation on November 22, a move that in good-faith bargaining indicated that one side could not move forward without a mediator. However, it was also a way for one side to move towards a strike or lockout position. The OPSEU bargaining team was under no illusion about the government's intention to provoke a strike or lockout, especially when Bill 26 was tabled a week after the government filed for conciliation. Many OPSEU members were already anticipating a confrontation when the press revealed in mid-October that the Management Board, led by David Johnson, was "harmonizing" management

⁶⁶ Joint trusteeship of the OPS pension plan had only been achieved in 1994, three short months after winning the right to strike. See Rapaport, 47.

⁶⁷ Kelly Toughill, "Layoff provision key to standoff," *Toronto Star*, February 25 1996, A14.

techniques to confront illegal strikes in provincial ministries as early as August 1995.⁶⁸ Despite the union dropping 95 demands, conciliation in the new year failed. OPSEU filed a “no board” which compelled the government to produce its best offer within a 48-hour window, and initiated a 16-day countdown to a legal strike or lockout. When the union bargaining committee saw the subsequent government offer, they recommended members reject it.

Preparing the strike

Having only been afforded the right-to-strike in 1994, Ontario Public Service workers had almost no experience of collective struggle on picket lines. Only provincial corrections officers had any history of walkouts, having conducted two province-wide wildcat strikes in 1979 and 1989; the former strike earning OPSEU President Sean O’Flynn a 35-day jail sentence.⁶⁹ In addition to this lack of experience as a union in struggle, there had been significant electoral support for Harris within OPSEU’s ranks. An internal membership survey taken shortly after the election found a plurality of 21.8 percent of voting for the Tories, compared to 21 percent for the NDP and 14.7 percent for the Liberals. Two out of five respondents refused to give an answer or did not vote. Although 52 percent of respondents opposed the Common Sense Revolution, 35.5 percent expressed support. Concerns were allayed as the membership’s views shifted significantly over the summer and autumn as the extra-parliamentary opposition gathered steam and the Common Sense Revolution began to unroll. An internal survey in December 1995 saw opposition to the Common Sense Revolution grow from 52 to 65 percent and support falling four points to 31.

⁶⁸ Tony Van Alphen, “Government bosses get advice on strikes,” *Toronto Star* (October 14 1995), A9.

⁶⁹ Rapaport, 175-177; “McMurtry will seek to imprison leaders of striking guards,” *Globe and Mail* (December 4 1979), 1-2.

Nearly a third of respondents said they were very likely or likely to vote for strike action, and only 33.5 opposed.⁷⁰

Despite early and persistent efforts by rank-and-file militants and some local leaders, official union mobilization against the Common Sense Revolution only began after the government filed for conciliation on November 22. The London Day of Action was critical as a preliminary effort at organizing, mobilizing, and training the membership for collective action. Two thousand OPSEU members struck in London and hundreds picketed provincial government offices. Elaine Ellis, a Londoner and OPS activist, explained the effect:

The day of action showed me what we really could do. The will and strength were there. It change d my mind about where we were heading in bargaining. We were coming to a showdown. We didn't know if we had the support o the membership. Seeing that happen in London made me believe that the OPS could do it as well.⁷¹

Between London and Hamilton, OPSEU leaders, staff and activists were engaged in an extensive mobilization campaign. As Rapaport has argued in his detailed study of the strike, a combination of effective union tactics and political context were crucial to the mobilization's success. The union made effective use of technology, including the membership polls and the government's 3,500 fax machines as a union broadcast system with the publication *OPSEU fax*. The 21 issues of *OPSEU fax* that came out between September 27 1995 and February 26 1996, were decisive, claims Rapaport, in quickly countering government statements and management's maneuvers. It also served to generalize the union membership's understanding of Bill 7, Bill 26, government demands on bumping language, pensions, and other bargaining issues.

Whereas Bill 7 to Bill 26 contributed to widespread anger and fear about pension and job losses, to the London and Hamilton Days of Action transformed the fear into organized, defiant

⁷⁰ Rapaport, 222-224.

⁷¹ Quoted in Rapaport, 92.

self-confidence. As Rapaport put it, “the attitude, determination, and arrogance of the government,” was possibly the “most significant ingredient” in driving a successful mobilization. The public misinformation about pensions, the legislative attacks, and the unwillingness to bargain were all contributing factors. The government miscalculated in believing it could roll over the largely untested public servants and win the public decisively against the union. “Harris helped a lot,” explained OPSEU president Leah Casselman. “He was so barbaric and cutthroat that people realized that if we don’t stand up and fight, they’re going to kill us.”⁷²

When members went to cast their strike ballots between February 15 and 17, they voted 66.5 percent in favour and placed the union in a legal strike position for Monday February 26. The turnout was 80 percent with 36,663 in voting for, and 15,900 against. The vote itself was a massive logistical operation. With 67,400 members at four thousand workplaces, the union organized 238 meetings in a hundred different towns and cities during the three days of voting. The union even paid for flights from workers in remote parts of northern Ontario to get to a ballot box.⁷³ As soon as the union was in a legal strike position on February 26, the strike kicked off with 25,000 walking out on the Monday, February 26. Fifteen thousand joined the strike on Tuesday and the final ten thousand on Wednesday. In all, 50,000 OPSEU members were now on strike. The province’s largest public sector strike to date was now underway.⁷⁴

Essential services

Approximately 12,000 OPSEU members remained on the job because of essential service agreements. Correctional officers, OPP and ambulance dispatchers, some workplace safety and

⁷² Rapaport, 84-85; Martin Mittlestaedt, “OPSEU leader strikes chord,” *Globe and Mail*, March 25 1996, A1. Kozolanka, 133-138.

⁷³ James Rusk, “Workers challenge vote plan,” *Globe and Mail*, February 14 1996, A11; James Rusk, “OPSEU in position to strike,” *Globe and Mail*, February 19 1996, A1.

⁷⁴ James Rusk, “Civil service union quits talks,” *Globe and Mail*, February 5 1996, A1.

public health officials, and nurses in psychiatric hospitals were not allowed to strike. Many of these essential service workers still put in time on the picket lines. The various essential service agreements became an immediate source of contention and the resulting legal disputes lasted for the duration of the strike. Agreements about meatpacking inspections, snowplowing, and corrections were the most contentious. Public safety, violence and jobs were all at stake and became weapons in the struggle between the union and government.

In the first week of the strike, a snow squall hit Highway 401 near Ingersoll, resulting in a thirty-car accident and one death. The government and union agreed it was not the result of the essential services pact between the Ministry of Transportation and the workforce of 1,230, including 460 OPSEU members and nearly 800 private contractors. Designed to ensure safety on 400-series highways and northern roads to remote communities, these public assurances did little to allay public fears now amplified by the media.⁷⁵ A few days later, another snow squall resulted in major highway closures throughout central Ontario. On Highway 400 near Barrie, 38 cars were involved in another massive but non-fatal accident. However, the political outcome was quite different. The Barrie detachment of the Ontario Provincial Police first accused essential service workers of refusing to answer calls to clear the highway where the accident took place, and then accused the workers of an incomplete plowing. OPSEU spokesperson Frank Rooney strongly denied the accusations and said the OPP did not understand the terms of the essential service agreement. Although a Ministry of Transportation manager initially confirmed Rooney's statement, the Minister of Transportation Al Palladini then accused OPSEU of "declaring war" on motorists and assured the public he would seek an injunction against the union to ensure safe roads. Eventually, the OPP's traffic division issued a public statement telling drivers to slow down because plowing, sanding, and salting had no effect in the middle of

⁷⁵ Pat Currie, "Both sides will stick to snow removal pact," *London Free Press*, February 28 1996, A3.

winter storms.⁷⁶ With more storms expected in early March, government officials and union workers clarified their mutual understanding of the essential services agreement.⁷⁷

Snowplow operators denied violating the essential services agreement but some agreements were breached by striking workers. The Wolfe Island ferry service to Kingston was supposed to be maintained but it was closed for the first two days of the strike. Ferry workers claimed they were locked out while management countered that the workers were striking illegally. The dispute was resolved, but it became clear the action was a protest against possible privatization of the ferry. “If the Wolfe Island ferry gets privatized, without successor rights,” said Kevin O’Shea of OPSEU Local 428, “the ferry workers may get downgraded to minimal wage, or whatever the private owner is willing to pay.”⁷⁸

Other essential agreements had a catastrophic effect on specific sectors of the economy. In early March, meatpacking business associations and the government each made separate appeals to the OLRB to have all provincial meat inspectors declared an essential service. Both appeals were rejected. Only 26 of the province’s seventy inspectors were considered essential, but this was deemed insufficient to allow the 290 provincially-inspected smaller abattoirs and slaughterhouses to operate, meaning the inspectors were in fact enforcing this cessation of operations. By mid-March, between three and four thousand people were laid off at these

⁷⁶ James Rusk, “OPSEU strike sets off jail disturbance,” *Globe and Mail*, February 29 1996, A6; “Second major highway pile-up,” *Peterborough Examiner*, March 4 1996, A3; Nicolaas van Rijn, “Whiteouts cause pileup, close roads,” *Toronto Star*, March 4 1996, A1; Nicolaas van Rijn, “Roads to get fast work,” *Toronto Star*, March 5 1996, A1.

⁷⁷ Eva Janssen, “Snow plowing creates resentment among strikers,” *London Free Press*, March 6 1996, A2.

⁷⁸ “Strike Notebook,” *Kingston Whig-Standard*, February 28 1996, 6; William Shields and Boris Nikolovsky, “Ferry service returns to normal,” *Kingston Whig-Standard*, March 1 1996, 1; William Shields, “A cold day on the lines,” *Kingston Whig-Standard*, March 8 1996, 7.

business while industrial meatpacking plants owned by a handful of powerful multinational corporations continued operating under the jurisdiction of federal inspectors in another union.⁷⁹

The most explosive disputes over essential service agreements occurred in corrections. With a third of prison guards deemed essential service workers, facilities operated at half their usual staffing levels. As a consequence, all prisoner programs were cancelled and prisoners were only allowed outside their cells for twenty minutes per day.⁸⁰ In a protest against these rapidly deteriorating conditions, riots, fires and other forms of protest broke out several facilities in the first week of the strike, including the Elgin-Middlesex Detention Centre, Guelph Correctional Centre, Barrie Jail, Millbrook Detention Centre and Bluewater Youth Centre in Goderich. In some of these cases, non-essential service guards had to be called back to work to quell the unrest.⁸¹ The government blamed the union for the inmate uprisings and sought dozens of injunctions claiming essential service agreements were being breached. OPSEU responded that management had antagonized the inmates by falsely promising no privileges would be taken away during a strike, and then blaming deteriorating conditions on the union. These recriminations were nothing new in corrections. Relations between corrections officers and management were notoriously confrontational, sometimes violent. Relations deteriorated further during the strike while inmates endured and continued to protest increasingly awful conditions.⁸²

⁷⁹ Ontario (Management Board of Cabinet) v. Ontario Public Service Employees Union, 1996 CanLII 11204 (ON LRB); Martin Mittelstaedt, "Ontario wants meat inspectors ordered back to work," *Globe and Mail*, March 8 1996, A10; James Rusk, "Ontario civil servants win round," *Globe and Mail*, March 15 1996, A4; Mike Strathdee, "Meat processors angry," *Waterloo Record*, March 15 1996, A1.

⁸⁰ John Allemang, "Ontario civil-service strike escalates," *Globe and Mail*, February 28 1996, A1; Martin Mittelstaedt and Gay Abbate, "Ontario fears unrest in jails," *Globe and Mail*, March 1 1996, A1.

⁸¹ Tony Reinhart and Steve Cannon, "Riot squad quells jail unrest," *Waterloo Record*, February 27 1996, A1; Shelley Lawson, "Teen inmates trash two buildings at jail," *London Free Press*, March 1 1996, A1; Stephanie Walsh, "Prison guards will 'do best' to comply," *Peterborough Examiner*, March 2 1996, A1.

⁸² Joe Ruscitti, "Sides differ on safety at London detention centre," *London Free Press*, March 2 1996, A3; Rob Ferguson, "Union challenged on two fronts," *London Free Press*, February 29 1996, A3; "Jail assaults alleged," *Waterloo Record*, March 4 1996, A1; Carol Goodwin, "Tensions rising for staff, officials in corrections," *Waterloo Record*, March 6 1996, E5; Rapaport, 175-177.

Holding the line

Daily life on the picket line was where many OPSEU members faced their most difficult and harrowing tests. Confrontations, intimidation and incidents of violence were not uncommon. Dozens of pickets were struck by cars, most of them causing only minor injuries. In St. Thomas, a driver was charged after deliberately plowing his car into a crowd of pickets at an OPP detachment. Another St. Thomas picket line was charged three days later. At another OPP station in Kawartha, OPSEU member Bryan Huhtala suffered a bruised hip and ribs when he was hit by a car and dragged a dozen feet before breaking free. In downtown London, a man opposing the strike punched a male picket twice in the face and pushed over a female picket. At the Queen Street Mental Health Centre in Toronto, a man opposing the strike threatened to turn his pitbull loose on a striker. At the Millbrook lines, a truck driver twice barreled through, the first time running over a picket's foot and knocking another picket out of the way, and the second time knocking over a fire barrel and destroying lawn furniture.⁸³

Intimidation was also carried out by local and provincial police, often in the process of escorting managers and scabs through the lines, a role which OPSEU members said was not for the police to do, nor part of any essential services agreement. For example, the OPP threatened charges against picketers in Blenheim who were blocking managers from entering a centre for special needs residents. Picketers explained that management had begun using ministry vehicles to and from work in a deliberate provocation.⁸⁴

⁸³ Stephanie Walsh, "Striker hit by car on OPP station picket line," *Peterborough Examiner*, March 1 1996, A1; Stephanie Walsh, "Waffling OPSEU member straddled the line," *Peterborough Examiner*, March 2 1996, B1; John Gray, "Strikers caught by emotions," *Globe and Mail*, March 9 1996, A1; Jim Poling, "Talks continue under shroud of news blackout," *London Free Press*, March 16 1996, A3; "Former patient charged," *London Free Press*, March 18 1996, A3; Eva Janssen, "Civil servant suffers cuts, loose teeth on picket line," *London Free Press*, March 22 1996, B6.

⁸⁴ "OPP 'quiets' picket line friction," *London Free Press*, March 15 1996, A3.

In Toronto, a major problem was “Scab Alley” at the Queen’s Park subway station. Pedestrian tunnels from the station to government buildings allowed a number of OPSEU members to cross the picket lines without passing by their striking co-workers on the surface. OPSEU demanded the Toronto Transit Commission close the tunnels, but the TTC responded with threats of an injunction against any underground picket line. When a contingent of Toronto-area Steelworkers and other trade unionists joined the fray at Scab Alley, underground picket lines were transformed into noisy blockades. Strikers also began photographing OPSEU members who dared to cross the lines and break union solidarity.⁸⁵

In response to such actions, David Johnson decreed that any picket harassing someone crossing the line would face disciplinary action after the strike, including possible dismissal. “There’s a strike on,” replied Frank Rooney through the media. “People who want to cross a picket line should be able to look their co-workers in the eye. I don’t think we have anything to apologize for.”⁸⁶ On March 14, an Ontario Court judge ruled that OPSEU had the right to picket Toronto’s 65 subway stops with eight pickets each. TTC management described the ruling as “disappointing”. Rooney was happy with the decision despite the limits. “That means we can go in, we can hand out leaflets, we can sing songs, chant chants, we can identify scabs and talk to them, and we can do this in any subway station in the city.”⁸⁷

Another “scab alley” emerged at the government service centre in the Waterloo Town Square mall. Because the mall was considered private property, pickets were forced out on to the city sidewalks. Of the fifty service centre employees, about a dozen were crossing the picket line in a group, often shouting obscenities at the pickets from a safe distance. The pickets also

⁸⁵ Interview, Michelle Robidoux, February 26 2016.

⁸⁶ Peter Edwards, “Close ‘scab alley’ tunnel to Queen’s Park, TTC told,” *Toronto Star*, March 4 1996, A7; Rob Ferguson, “Still no progress as talks continue,” *London Free Press*, March 12 1996, A3; Daniel Girard, “Johnson threatens to seek court limit on pickets,” *Toronto Star*, March 12 1996, A4.

⁸⁷ “Subway can be picketed,” *Peterborough Examiner*, March 15 1996, A6.

reported being hit and clipped by cars entering the mall property and at least one picket reported being physically assaulted by an opponent of the strike. Word spread to local labour networks that morale was waning so a mass picket was organized on March 14 involving CUPE, CAW, Steelworkers, PSAC members and community supporters. Blocking and delaying traffic into the mall, morale rebounded and the verbal abuse from scabs declined.⁸⁸

Other tactics were also used to deal with scabs. Tensions in Woodstock ran high at the Oxford Regional Centre, one of the province's psychiatric hospitals, where nine union members were crossing the lines. A mass picket of nearly two hundred people turned six of them back. Woodstock OPSEU members also posted the names of scabs on the storefront window of the local strike headquarters. Somebody responded by dumping horse manure at the headquarters' front door and slashing car tires belonging to pickets.⁸⁹

In Windsor, OPSEU member Cezanne Charlebois crossed her workplace picket line for the duration of the strike. The 37-year-old mother of three said she had a mortgage and car payments, and opposed striking when government cutbacks were hurting those even less fortunate. Her striking co-workers had little sympathy, describing her as an inconsiderate co-worker before the strike and now an "attention-seeker." Given her husband's employment at Chrysler, the strikers dismissed her claims of financial distress. Strikers scrawled her name on picket signs accompanied by "SCAB" in big letters. When accused of hitting pickets and speeding up as she approached the line in her car, Charlesbois denied the allegations, saying she and her vehicle had instead been surrounded and rocked by pickets.⁹⁰

⁸⁸ Joel Rubinoff, "OPSEU shows strength in Waterloo," *Waterloo Record*, March 7 1996, F4; Carol Goodwin, "Picket snarl mall traffic," *Waterloo Record*, March 15 1996, A1.

⁸⁹ Debora Van Brenk, "Tensions rising at Ridgetown school," *London Free Press*, March 1 1996, A3; "Across the region," *London Free Press*, March 5 1996, A3; Jim Poling, "Talks continue under shroud of news blackout," *London Free Press*, March 16 1996, A3.

⁹⁰ Gary Rennie, "Line-crosser spurs wrath of peers," *Windsor Star*, March 8 1996, A12.

Not all pickets were saints. Over a period of a week in early March, four London police cruisers had their tires flattened by dropped nails. London's police chief Julian Fantino accused OPSEU corrections officers at the Elgin-Middlesex Detention Centre (EMDC) of sabotaging police vehicles while they crossed back and forth into the facility. "I can't be up and down the road watching for nail droppers," explained Don Smythe, president of OPSEU Local 108 whose members picketed the detention centre. "We've had allegations from Mr. Simpson (EMDC superintendent George Simpson) and Fantino that it's coming off the line. I can't deny it. We also have members' windows being smashed at their homes, but I'm not saying it's Fantino's fault." In a similar tire-flattening incident at the Guelph Correctional Centre, sections of fence surrounding the vehicle compound were cut open and someone slashed the tires on a dozen vehicles.⁹¹

Tory MPPs and their riding offices were regular focal points for protest. In Sarnia, MPP Dave Boushy had angered local unions during the Bill 7 readings in the legislature by claiming to be a friend of labour. OPSEU responded by picketing his Sarnia office during his weekly constituency days, often drawing more than a hundred people. In Peterborough, half the city's 500 OPSEU members marched on MPP Gary Stewart's downtown constituency office, which successfully secured a meeting between union representatives and Stewart in which grievances were aired and resolving the strike discussed. At the end of March, two hundred pickets and supporters protested a Tory fundraiser at London's Lamplighter Inn where Tsubouchi and Witmer were speaking to the party faithful. Witmer was also confronted at the Westmount Golf and Country Club in Kitchener by forty pickets, delaying her speech to the local Chamber of Commerce. John Snobelen got a rough welcome when he pulled into Coldstream just west of London for a local riding association meeting. Hidden behind tinted windows in his black sedan,

⁹¹ "Police probe Guelph incidents," *Peterborough Examiner*, March 7 1996, A3.

OPSEU pickets and CAW, OSSTF and OECTA members, surrounded him for twenty minutes while chanting “We want a contract!”⁹²

OPSEU rallies were also a regular feature of the strike. Usually drawing hundreds, and sometimes thousands depending on the region, rallies were coordinated with visits by Leah Casselman who was barnstorming the province. Blending humour and anger to keep spirits high and energies focused, her message to the membership was that solidarity could win a fair contract and strike a blow against the Common Sense Revolution. On this latter point, Casselman told a Sault Ste. Marie rally: “It’s a fight for the public education system; it’s a fight for the public health care system; It’s a fight to try and hold on to what we’ve got so we can boot this clown out of office in four years.”⁹³ The steeling of the union membership during the strike was one matter. Winning the very public political fight was quite another.

As the government refused to bargaining during the first two weeks of the strike, rumours swirled of OPSEU’s imminent collapse. Much of the speculation stemmed from OPSEU’s largely untested membership, and the likelihood of its strike funds being drained in a few weeks. The media was also prone to such speculation. One widely-syndicated story in Southam’s extensive newspaper chain was built almost entirely around an anonymous “Toronto union official” claiming the strike was “falling apart.”⁹⁴ This never proved to be true but some reports of significant scabbing were accurate, which is why battles like “Scab Alley” gained such notoriety. When the government reported in early March that ten percent of the membership was

⁹² “Police probe Guelph incidents,” *Peterborough Examiner*, March 7 1996, A3; John Driscoll, “Strikers plan to get tougher,” *Peterborough Examiner*, March 9 1996, A1; Robb Cribb, “Protesters ‘greet’ education minister,” *London Free Press*, March 21 1996, A3; Robb Cribb, “Pickets welcome Tory ministers,” *London Free Press*, March 28 1996, A3; Carol Goodwin, “Witmer is confronted on labor, women’s issues,” *Waterloo Record*, March 29 1996, A1.

⁹³ “Ont. Premier ‘a clown’: union leader,” *Peterborough Examiner*, March 7 1996, A3; Greg Van Moorsel, “Walkout cuts services at legislature building,” *London Free Press*, March 11 1996, A3.

⁹⁴ “Strike crumbling, leader admits,” *Windsor Star*, March 8 1996, A12.

crossing lines, OPSEU officials only suggested the government's figure was likely inflated.⁹⁵ Another frequent discussion was the possibility of back-to-work legislation. Ernie Eves said there was "the possibility of legislation," although he preferred to reach a negotiated settlement. Back-to-work legislation, said OPSEU spokesperson Katie FitzRandloph, "would be admitting they are incapable of making collective bargaining work." Meanwhile, the Premier gloated how the strike was saving the government \$9 million per day, implying he favoured its continuation.⁹⁶

For the public, the strike was framed through the media's focus on labour leaders and a small group of government officials, notably Harris, Eves and Johnson. The Tories maintained an incredibly well-controlled media strategy drawing upon the techniques used of Margaret Thatcher during the 1984-85 miners strike, such as regularly announcing the number of workers crossing picket lines. Leah Casselman did criticize the Common Sense Revolution but not, according to Kozolanka, with much substance. The government continued with its messaging about the union and its members representing a special interest group standing in the way of necessary cuts.⁹⁷

The Queen's Park Riot

By mid-March both sides had dug in their heels. Union resilience had exceeded the expectations of the government, media, and even the union itself. With the spring session of the legislature scheduled to begin Monday, March 18, OPSEU prepared mass pickets and a large rally to greet the lawmakers returning from their seven-week recess following the passage of Bill 26. By 8am

⁹⁵ Greg Crone, "Strike shows signs of crumbling," *Kingston Whig-Standard*, March 8 1996, 1.

⁹⁶ Rob Ferguson, "OPSEU strike shifts into high gear," *London Free Press*, February 28 1996, A1; Martin Mittlestadt, "Strike could boost Tories if it ends early with a win," *Globe and Mail*, February 28 1996, A7; Jim Poling, "Back-to-work legislation possible by end of month," *London Free Press*, March 6 1996, A1; James Rusk, "Impatience grows as OPSEU strike continues," *Globe and Mail*, March 6 1996, A8; "Union chief slams Harris," *London Free Press*, March 14 1996, A5.

⁹⁷ Kozolanka, 136-137.

on March 18, thousands of placard-carrying OPSEU members were positioned at Queen's Park and surrounding government buildings. Pickets were instructed to delay MPPs and their staff for only fifteen minutes but an attitude of "hold the line" generally prevailed.⁹⁸ Unbeknownst to OPSEU members, a coordinated plan to systematically breach the lines was in place. A number of white vans were parked within view of the strikers. Inside them, government MPPs sat in preparation to cross the picket lines with an escort from the Ontario Provincial Police in riot gear, armed with batons and shields.

The plan began to unfold at the south block of the Frost Building at 9:30am when the OPP "Crowd Management" squad in riot gear escorted Al Palladini and other MPPs into the building. This initial show of police force occurred without incident, but at the nearby Ferguson Block, security guards physically assaulted picketers to clear a space for the Premier to be whisked indoors. Caught in the attack and kicked in the thigh by a guard was David Harris, a grade 4 Scarborough teacher who had brought his six-year-old son along. Seeking to avoid more police violence, the Scarborough teacher and his son walked to a peaceful, ebullient picket line at the Wellesley Street parking ramp of the Whitney Block where the "Rank and File Band" of trade unionists entertained about fifty OPSEU members. The picket seemed symbolic since the building's doors were locked and police had installed a chain to hang across the ramp entrance.

After the band moved on to another picket line, OPP riot police exited a door at the bottom of the narrow parking ramp at 11:20am. Their appearance was brief and uneventful as they quickly returned inside. Ten minutes later they re-emerged, formed a phalanx and began advancing up the ramp while beating their batons against their shields. At the same time a white van pulled off the road to stop at the ramp's chained entrance. When OPP officers reached the top of the ramp they waded into the picket line, a number of whom were caught between the

⁹⁸ "Ontario public service strike violence," *Macleans*, April 1 1996.

police and the chain. Clubs swinging, the OPP officers cleared the ramp but not before some of cornered pickets fell under a series of baton blows. “They smashed people out of the way,” reported Dave Kerr, president of OPSEU Local 115 out of St. Thomas. “They were hitting people with nightclubs, knocking them down.”⁹⁹ Despite the presence of his son, David Harris was also attacked, receiving two baton blows to the knee before collapsing. Another picket instinctively raised his arm to block a blow only to have his hand fractured. Stephen Giles, a probation officer from Brampton, was hit with a shield and smashed over the head with a baton. He collapsed to the ground unconscious, blood flowing from his head. As the OPP beat up the defenseless pickets, Tory MPPs emerged from the van and stumbled through the fray, one of them even tripping over Giles who was protected by Patricia Churchill, a striking computer operator. Jim Rankin, a *Toronto Star* photographer was there to witness the attack and snapped a photo of Giles lying face-down on the sidewalk, surrounded by riot police in formation and commanding officer Jay Hope staring out towards the street with a blank, unapologetic face.¹⁰⁰

News of the OPP attack spread rapidly through the numerous picket lines surrounding Queen’s Park, making their way to the crowds milling about on the south lawn. At 12:30, the Rank and File Band was belting out Tom Petty’s “I Won’t Back Down” before the speeches started. The crowd roared together at the chorus: “We won’t back down!”

At the Frost Building across from Queen’s Park, pickets were startled by a whistle from within the building at about 1:10pm. Fifty OPP riot police burst out the front doors and charged into several hundred pickets using their batons, shields, and pepper spray to clear a path through the line. “They came at us like wild animals. Like wild beasts,” said picket Michael LeStrange. Jeff Hale, a London OPSEU member tried to hold people back because he “knew it was going to

⁹⁹ “What was said about Monday’s incident at Queen’s Park,” *London Free Press*, March 19 1996, A3. Rapaport, 4-5.

¹⁰⁰ Jim Rankin, “Violence at OPSEU strike felt 20 years later,” *Toronto Star*, March 19 2016.

get nasty by the way they (police) came out.” As the police pushed forward, they created a crush of people, leaving many pickets unable to move. Hale and many others, even a CTV cameraman, were clubbed by the OPP as they were squeezed between the larger crowd and police shields. The OPP plowed a path through the pickets from the doors to the street where once again Tory MPPs and staffers emerged from a van to make their way through an OPP escort. Pickets booed and jeered as they passed. Inexplicably, Minister of Municipal Affairs Al Leach temped fate and unwisely “wandered into the crowd of demonstrators” where he was “spat on and pelted with a balled-up paper and a half-eaten doughnut” and reportedly doused with coffee. A Metro Toronto police officer rescued him, asking the cabinet minister “Are you crazy...walking into the middle of this?”¹⁰¹

After the battle at Frost, picket captains and union leaders tried to keep emotions from boiling over again in a general desire to avoid another clash with a police force so generous with its batons. “This is not a ‘get hurt’ mission. It’s a ‘make our point mission,’” exclaimed one picket captain over a megaphone. “We’re not going to be on the front page of the papers tomorrow as abusers, rioters, anarchists.” Despite these efforts, many Tory political staffers and at least three backbench Tory MPPs were turned away as pickets held their lines firm through the afternoon session. One staffer claimed to be repeatedly kneed in the groin by pickets and being wheeled away in a wheelchair. At the east door of the legislature, picket captains and former OPSEU president Fred Upshaw were unable to convince pickets to let anyone through. A popular chant spread quickly: “Hey Mike! Hey Mike! How’d you like a general strike?”¹⁰² Later in the day the government secured an emergency injunction against pickets blocking MPPs, in

¹⁰¹ Philip Mascoll and Jim Rankin, “OPP defends riot squad called ‘animals’ by pickets,” *Toronto Star*, March 19 1996, A1; “Ontario Public Service Strike Violence,” *Macleans*, April 1 1996.

¹⁰² Philip Mascoll and Jim Rankin, “OPP defends riot squad called ‘animals’ by pickets,” *Toronto Star*, March 19 1996, A1.

which the judge stated that the “blockade” by the Whitney Block line “strikes at the very heart of our society and is unacceptable.” In an unmistakable gesture, only NDP MPPs were allowed to cross picket lines. The only other exception was Alvin Curling, the Liberal MPP who conducted the December legislature sit-in against Bill 26.¹⁰³ Despite the government’s ability to breakthrough the picket lines and win an injunction, footage of the Frost Block “riot” was being broadcast on the evening news alongside still photographs of the Whitney Block clash. In the whirlwind of events, the government and the OPP lost control of the messaging.

The following day, Rankin’s photo of Giles on the pavement surrounded by riot police was splashed across the front page of the *Toronto Star*. The newspaper also quoted Paul Walter, president of the Metropolitan Toronto Police Association overhearing OPP officers ordered to “whack’em and stack’em.” Walter said “A lot of them [Metro police] were shaking their heads in disbelief with the approach and attitude of this OPP squad.” Another unnamed “high-ranking Metro police officer”, possibly Walter, was quoted in the press calling the OPP “animals.” A Metro Toronto police Staff Inspector’s hand was slashed – not by pickets, but by a swinging OPP baton aimed at a picket. The OPP categorically rejected Walter’s claims, arguing it “set a tone that clouds the validity of OPSEU allegations and OPP actions,” and demanded unsuccessfully he retract his comments.¹⁰⁴ “Anyone who got hurt brought it on themselves,” stated Jay Hope, the commander of the OPP crowd management unit. “If people did not respect the warnings they were given, we are not to blame for that,” adding that he would do the same again. Gord Wilson shot back in an open letter to Hope:

¹⁰³ Philip Mascoll and Jim Rankin, “OPP defends riot squad called ‘animals’ by pickets,” *Toronto Star*, March 19 1996, A1.

¹⁰⁴ Philip Mascoll and Jim Rankin, “OPP defends riot squad called ‘animals’ by pickets,” *Toronto Star*, March 19 1996, A1; James Rusk, “MPPs demand full inquiry into riot squad’s violence,” *Globe and Mail*, March 20 1996, A5; Brian Adkin, “Apology sought for comments,” *London Free Press*, March 26 1996, B6.

My advice to you is the same. The next time you and your goon squad attack, we will be ready. I can assure you that the next round of `whack 'em and stack 'em' will have a far different result and `kisses will be blown' from a diametrically different direction... On a personal level, I look forward to meeting you in some future similar occasion.¹⁰⁵

Wilson refused to apologize for his comments insisting on a Toronto talk radio station that trade unionists would “beat the hell out of” police if it happened again.¹⁰⁶

In Orillia, OPSEU members responded by organizing a rally at the OPP’s regional headquarters where scabbing was a major problem. The reinforced picket lines and rally went off without a hitch. But the same OPP riot squad at Queen’s Park was dispatched. One of the squad members, who refused to give his name to the press, claimed there were reports that striking correctional officers planned to “storm” two OPP buildings. Two buses with about sixty Millbrook correctional officers had been unable to make the mass picket because of bad weather. A Millbrook guard, Steve Clancy commented: “They don’t have to call the riot squad in every time we have a rally.”¹⁰⁷ On Friday, Harris had a close encounter with fifty OPSEU pickets who surrounded him while he was in a van outside a Toronto radio station. “We surrounded the van and bumped it gently,” explained picket captain Linda Faraday. The van was rocked back and forth as they chanted before Harris got out and was escorted inside through a side door.¹⁰⁸ A week after the riot, about 3,000 people with a visibly large number of union marshals guiding them marched from Queen’s Park to Solicitor General Bob Runciman’s office chanting “Resign! Resign! Resign!” At the front of the march was a hearse carrying a coffin symbolizing, said the protesters, the death of democracy.¹⁰⁹

¹⁰⁵ William Walker, “Ontario gets ugly,” *Toronto Star*, March 23 1996, B1.

¹⁰⁶ William Walker, “Ontario gets ugly,” *Toronto Star*, March 23 1996, B1.

¹⁰⁷ Susan Clairmont, “Orillia rally gets local help,” *Peterborough Examiner*, March 20 1996, B1.

¹⁰⁸ “Angry protesters shake Harris’s van,” *Peterborough Examiner*, March 23 1996, A2.

¹⁰⁹ John Duncanson, “Labor plans big protest at Queen’s Park today,” *Toronto Star*, March 25 1996, A9. Rob Ferguson, “Ontario’s top cop rejects demands for resignation,” *London Free Press*, March 26 1996, A5; Phinjo Gombu, “OPP pass up big protest,” *Toronto Star*, March 26 1996, A6.

Embroided by the scandal, Harris lamented in the legislature, “the whole incident is sad.” As with his explanation for Dudley George’s death at the hands of the OPP, the Premier said the provincial police was “under no orders from the government” and that an investigation would happen if any “inappropriate action” was taken by the OPP. Solicitor General Bob Runciman defended the OPP’s actions and repeated Hope’s claims that OPSEU pickets had “fair warning.” London NDP MPP Marion Boyd pointed out: “The solicitor-general is not supposed to be the chief cheerleader for the Ontario Provincial Police.” After initially refusing demands for an inquiry, the Tories relented and called a “full and open” inquiry on the “Queen’s Park riot.”¹¹⁰ Harris then went on a media offensive, conducting television interviews on Global, TVO and the CBC explaining the necessity of budget cuts, promoting the income tax cut, and calling for better relations with organized labour. When asked, the Premier’s press officer denied there was anything unusual about the timing of Harris’s media appearances.¹¹¹

The government was unable to withstand the crisis generated by the OPP’s violence even as, according to Kozolanka’s newspaper survey, the union was still portrayed negatively in most accounts of the riot.¹¹² Ultimately, Paul Walter’s immediate “whack’em and stack’em” testimony proved crucial in shaping opinions of the conflict. Walter’s observations were also likely instrumental in the government quickly reversing its position on an inquiry. The troubling and unresolved questions surrounding the OPP killing of Dudley George, the September clash with protesters at Queen’s Park, and Hope’s unapologetic arrogance, had significantly undermined the government’s credibility. With officers from another police force claiming the OPP was out of

¹¹⁰ Philip Mascoll and Jim Rankin, “OPP defends riot squad called ‘animals’ by pickets,” *Toronto Star*, March 19 1996, A1; Daniel Girard, “MPPs demand public inquiry into OPP acts,” *Toronto Star*, March 20 1996, A1; Daniel Girard, “Public probe set on strike violence,” *Toronto Star*, March 21 1996, A1; John Duncanson, “Labor plans big protest at Queen’s Park today,” *Toronto Star*, March 25 1996, A9; Rob Ferguson, “Ontario’s top cop rejects demands for resignation,” *London Free Press*, March 26 1996, A5; Phinjo Gombu, “OPP pass up big protest,” *Toronto Star*, March 26 1996, A6.

¹¹¹ John Ibbitson, “Harris takes to air waves to promote government agenda,” *Ottawa Citizen*, March 23 1996, A4.

¹¹² Kozolanka, 138-40.

control, the government had no credible option but to relent to demands for an inquiry.¹¹³

Compounding the government's problems, the police violence backfired with regards to the OPSEU strike. The determination of pickets to strengthen their lines, to march on Runciman's office, and rally in Orillia were all signs that union members had a renewed sense of strength and solidarity, and that the government was now clearly off balance.

The end of the strike

Until mid-March, bargaining was only taking place in the media. When mediators put their foot down mid-March, the parties returned the table. After the events at Queen's Park, the two parties also agreed to a media blackout but distrust prevailed. After both sides announced on March 26 that a deal was imminent, the media blackout unraveled a day later when David Johnson publicly predicted the strike would last another week or two, saying "we seem to have taken many steps backwards and frankly I don't know where we're at." Johnson then claimed the number of members crossing the picket line had grown to six thousand. Casselman was furious, saying if Johnson "just shut his mouth long enough and stop micro-managing it, we could get it done."¹¹⁴

A deal was finally struck and on March 31, OPSEU members voted 95 percent to ratify. The union had not crumbled. Despite ten percent of its members crossing lines in the union's first strike, these numbers did not grow substantially. In Rapaport's exceptionally detailed study of the strike, he determined the figure to be five thousand: above what the union claimed at the outset of the strike, and below what the government claimed at the end of the strike. Five thousand was only a third the number who voted against the strike. As a percentage of the membership, it was half the survey number who admitted voting for Harris in the 1995 election,

¹¹³ Kirsten Kozolanka, "Taming Labour in Neo-Liberal Ontario: Oppositional Political Communication in a Time of "Crisis";" *Canadian Journal of Communication* Vo.31 (2006), 567.

¹¹⁴ Daniel Girard, "Union, government move toward deal," *Toronto Star*, March 28 1996, A1; Rapaport, 197-198.

and a third of those who supported the Common Sense Revolution in the union's December survey. As OPSEU's eastern regional vice-president Mike Oliver observed "Mike Harris made a union out of us."¹¹⁵

Casselmann declared victory, but it was clear that the government did not capitulate either. The union had extracted concessions on pensions and seniority bumping rights, but it was unable to win an exemption on successor rights and its demands on severance packages.¹¹⁶ If anything, the victory was bittersweet. Within two weeks of the strike, ten thousand pink slips were issued to Ontario public service workers. A month later, the new budget presented more restructuring and merging of ministries and an overall \$1.6 billion cut in spending.¹¹⁷

During the strike, public support for both sides was unstable and complex as reflected in widely differing numbers between two major polling firms. In early February, the quarterly provincial poll by Environics found the Progressive Conservatives down to 34 percent support from a high of 50 percent in September. Liberal support had grown from 33 to 43 percent while the NDP had nudged up from 15 to 18 percent. Environics' numbers clashed with those of Angus-Reid that found in mid-February and mid-March that Tory support was in the mid-40s with the Liberals in the mid-30s. Raising some eyebrows, the second Angus-Reid poll placed NDP support at 26 percent, a figure not seen since early 1992 and 11 points above their February poll. The February survey also showed 72 percent accepted the government's claim that job cuts and other "tough measures" were needed because of "financial realities," while 62 percent believed collective agreements in the public sector inhibited government restructuring plans. This led pollster John Wright to claim the union was "doomed" before the strike even began.¹¹⁸

¹¹⁵ John Ibbitson, "Two extra weeks for insults," *Kingston Whig-Standard*, March 29 1996, 8.

¹¹⁶ Tom Blackwell, "Casselmann says major gains won in accord," *London Free Press*, March 30 1996, A3.

¹¹⁷ Camfield, 309.

¹¹⁸ William Walker, "Voters concerned about Tory cuts, poll finds," *Toronto Star*, April 27 1996, A1.

The significant discrepancies between the two polling firms was a question of methodology. Angus Reid asked the question about party support at the beginning of their survey, which they defended as being unbiased. Environics defended their decade-old methodology of asking general issue-based questions before asking about party support. Environics claimed this was a deeper probing of where people stood.¹¹⁹ As for strike support, a Decima poll taken early in the strike found 38 percent thought the union was being most reasonable in the dispute, compared to 36 percent for the government side. A majority questioned or opposed the use of replacement workers, but were split over whether the 13,000 job cuts were too few or too many. This meshed with the opinion of Pradeep Kumar, an industrial relations professor at Queen's University, who believed that whatever the settlement, the strike could be considered a victory if it successfully turned the public against the government's Common Sense Revolution.¹²⁰ What the conflicting data on party support suggests is that the Tories still had significant support but when people were pressed on specific issues, a substantial section of that support proved quite shallow.

Solidarity and radicalization

For five grueling weeks, the OPSEU strike focused the organizing and mobilizing efforts of the unions and the wider extra-parliamentary opposition. With three thousand picket lines across the province, solidarity was critical in keeping spirits high and building stronger local networks between union members and community activists who developed regular picket support routines. Labour councils, flying squads and union locals regularly beefed up picket lines, helped build mass pickets, and "adopted" picket lines.

¹¹⁹ William Walker, "Polling firms defend results," *Toronto Star*, April 30 1996, A8.

¹²⁰ "Ontario Tories remain strong in poll," *Ottawa Citizen*, February 28 1996, A2; Thomas Walkom, "Ontario oddly split over civil service strike," *Toronto Star*, March 5 1996, A13; John Gray, "OPSEU fighting uphill battle for support," *Globe and Mail*, March 15 1996, A1; Agnes Bongers, "Ontario Tories hold popularity lead despite labor strife, poll shows," *Ottawa Citizen*, March 29 1996, D11.

The effect of the strike was to feed into workplace agitation and resistance on other fronts. When hospital budgets were squeezed during the strike and led to hundreds of layoffs across the province, healthcare workers with CUPE threatened an illegal walkout at the Toronto General Hospital. Hospital cuts were a violation of Harris's election promises, yet more were on the horizon.¹²¹ Meanwhile, thousands of teachers and school support staff were being laid off. In the first week of March alone, more than 4,000 were laid off at the Peel, Halton, Simcoe and Hamilton boards. The scale of the layoffs rattled entire communities, such as Hasting County where the public school board issued 528 pink slips to its workforce of 1,750, including 290 teachers. Young teachers and education workers were most affected, leading to concerns that an entire generation of teachers was being lost.¹²² A former education professor at Queen's University, Alan King, suggested the layoffs were a form of intimidation to help extract deep concessions in upcoming rounds of bargaining as school boards sought to cope with the \$400 million reduction in education spending. The President of the Ontario Public School Boards' Association, Donna Cansfield, even called upon teachers to open up their collective agreements for rollbacks in order to save jobs.¹²³ In the college system, OPSEU reported the province's Ontario's 24 community colleges were slashing 1,158 full-time teachers. "Well, so much for the Tory government's promise that funding cuts won't come out of the classroom," said Ron Martin, a member of OPSEU Local 244 at Sheridan College. Martin noted that college enrolment

¹²¹ Philip Mascoll, "Toronto Hospital lays off 128 staff," *Toronto Star*, March 2 1996, A6; Lisa Priest, "Hospital workers threaten strike," *Toronto Star*, March 5 1996, A6; Sue Yanagisawa, "KGH announces mass layoffs," *Kingston Whig-Standard*, March 21 1996, 1. On the 1981 Ontario hospital strike, see Ron Rosenthal's *Where is CUPE going? Lessons of the 1981 Ontario hospital strike* (Toronto: International Socialists, 1983). The pamphlet provides a brief history of the strike as well as a polemical Marxist critique of the CUPE union leadership.

¹²² Frank Calleja, "Community colleges will cut 1,158 teachers, union says," *Toronto Star*, March 11 1996, A7.

¹²³ Frank Calleja, "Peel Board chops 427 teachers, 92 others," *Toronto Star*, March 5 1996, A3; Mike Funston, "School board axes 1,573 jobs," *Toronto Star*, March 6 1996, A3; "Simcoe lays off 810 teachers," *Peterborough Examiner*, March 7 1996, A1; Trish Crawford, "Lost generation of teachers feared," *Toronto Star*, March 10 1996, A1; "Pink slips for 26% at Hastings board," *Peterborough Examiner*, March 26 1996, A1.

had grown 19 percent since 1991 but over the same period the number of full-time college teachers had fallen from 8,765 to 7,469.¹²⁴

The OPSEU strike drove forward the process of politicization and mobilization among teachers that had taken off with the Queen's Park protest in January. Many teachers were pulled into greater union activity through immediate concerns over education cuts and layoffs, but the wider extra-parliamentary opposition and OPSEU strike framed the education crisis within the wider Common Sense Revolution. "There is no question educational workers are also a target," said a Hamilton high school teacher at an OSPEU picket line to a reporter. Referencing Snobelen's desire to create a crisis, the teacher believed the "government's real agenda is to bankrupt the public education system and move to a provincial system where those who can afford it will be able to buy a good education and the rest will not."¹²⁵ Such comments were commonplace among teachers and reflected a growing critique of the Common Sense Revolution in generating inequality through the austere restructuring of social programs. An organizational outcome of this political radicalization and growing collaboration with the wider union movement was the OECTA and OSSTF affiliation to the OFL in mid-March.¹²⁶

"City by city is way too slow"

The strike had forged a defiant and strong union, and deepened the sense of solidarity within extra-parliamentary opposition. OPSEU members, especially the militants opposed to Harris from the outset of his mandate, had already been caught up in the growing opposition movement in late 1995 which had ignited an explosion of militant and widespread protests. Thousands more OPSEU members called pulled into activity with the London and Hamilton strikes. The wider

¹²⁴ Frank Calleja, "Community colleges will cut 1,158 teachers, union says," *Toronto Star*, March 11 1996, A7.

¹²⁵ Lee Prokaska, "Organized labor joining public-service picket lines," *Hamilton Spectator*, March 15 1996, C3.

¹²⁶ Bruce Campion-Smith, "Teacher unions vote to join CLC," *Toronto Star*, March 11 1996, A6.

protest movement buoyed membership confidence and greased the wheels of the internal organizing machine. The tenacity of the strike and the level of confidence and defiance were greatly aided by the wider movement. However, the strike had taken a lot of energy out of the extra-parliamentary opposition and placed even more power in the hands of senior union leaders. Five weeks of strike activity on the heels of the Hamilton Days of Action had, for the first time, raised the prospect of burnout among many committed organizers and activists. Exhaustion comingled with simmering, unresolved questions about strategy and goals within organized labour and an opposition now capable of putting tens of thousands into the streets. The government's agenda had not been derailed even as it was delayed in pushing forward Bill 26, and OPSEU had fended off some of the employer's bargaining goals but not the decimation of its ranks. OPSEU had also failed to regain ground on successor rights as a contractual bulwark against privatization that might be extend into other labour battles with the government.

Thus, calls for a province-wide general strike remained common throughout the OPSEU strike. Two popular chants emerging out of the Hamilton Days of Action and OPSEU strike were "Hey Mike! Hey Mike! How'd you like a general strike?" and "City by city is way too slow, let's shut down Ontario!" The call for a general strike was not a fringe position but something many local union leaders, workplace militants, and community activists still supported. With Tory support now in decline, the public was becoming more supportive of the extra-parliamentary opposition, with one OFL polling survey showing 63 percent supporting the actions of the OFL Fight Back campaign.¹²⁷ This had many activists, including some union leaders renewing calls for a province-wide general strike. "Momentum is building towards a province-wide action as sure as I'm standing before you today," insisted Sid Ryan during the

¹²⁷ Richard Brennan and Gary Rennie, "Strike 3 targets 'invisible minister'," *Windsor Star*, March 13 1996, A1.

OPSEU strike.¹²⁸ Ryan was the highest ranking union leader arguing for this direction and was using CUPE bargaining with the Ontario Hospital Association as a platform to build support for greater strike action. He predicted a repetition of the 1981 hospital strike if further hospital cuts and contract concessions were coming, citing the November 1995 hospital workers wildcat that had successfully beaten back healthcare cuts. “Ralph Klein did exactly the same thing,” observed Ryan, “and he sparked a province-wide illegal strike.”¹²⁹

Elements of the CAW were also still pushing for escalation. When the April 19 Kitchener-Waterloo Day of Action was announced midway through the OPSEU strike, the Windsor and District Labour Council voted to request the OFL make April 19 a province-wide strike. “The OFL should get off the fence and shut the province down,” exclaimed Alex Keeney, the CAW Local 200 president representing Ford Windsor’s assembly workers. Calls for regional or multi-city strikes, as well as the synchronization of illegal strikes around public sector and teacher contract bargaining were concrete proposals put forward from various quarters, but no plan was ever put in place. “It’ll be over then,” complained one OPSEU leader of the date selected for the Kitchener-Waterloo Day of Action, indicating a desire for an earlier Day of Action before the OPSEU strike was over.¹³⁰ Marcello Munro, a community organizer and partisan of the Days of Action commented of the OFL leadership, “to the best of my knowledge, no discussions were held about how, for example, to use the OPSEU walkout to move from the Days of Action strategy into a multi-city strategy of more general strikes and protests.”¹³¹

¹²⁸ Richard Brennan and Greg Crone, “K-W area target for next labor protest day,” *Hamilton Spectator*, March 13 1996, A5.

¹²⁹ Richard Brennan, “Hospital walkouts predicted,” *Waterloo Record*, April 2 1996, A3. See also Allan Chambers, *The Calgary Laundry Workers Strike* (Edmonton: Alberta Labour History Institute, 2012).

¹³⁰ Richard Brennan and Gary Rennie, “Strike 3 targets ‘invisible minister’,” *Windsor Star*, March 13 1996, A1; Bryan Palmer, “Showdown in Ontario,” *Canadian Dimension* (May-June 1996), 21.

¹³¹ Marcella Munro, “Ontario’s “Days of Action” and strategic choices for the Left in Canada,” *Studies in Political Economy*, 53 (1997), 133.

While using the Days of Action to educate, agitate and mobilize memberships for contract fights, union leaders were unwilling to use legal contract fights as a means to expand the Days of Action. For example, OPSEU leaders routinely framed the strike as part of the wider battle against the cuts to public services, but the strike itself was never explicitly tied to the goal of promoting or expanding the Days of Action. Furthermore, the successful internal mobilization and organizing techniques utilized by OPSEU were never used outside of individual unions to mobilize the wider Fight Back campaign. The Fight Back campaign had no effective regular communication with its base of tens of thousands. The development of self-organizing skills and political education were never applied in any systematic way. The result was a highly uneven movement from city to city, and especially union to union. It was a movement ultimately dependent upon the decisions of a labour leadership still incapable of finding any sort of operational consensus, let alone political unity. If anything, there was even less agreement as to strategy. As Kirsten Kozolanka observed, the lack of strategic and political coherence on the part of organized labour allowed the media represent the Days of Action as “isolated and unconnected” from “any larger frame of general opposition”. Distortions or questionable interpretations aside, the fact remained that the political arguments against the cuts formed no coherent counter-narrative against the government’s mutually-reinforcing world view anchoring the Common Sense Revolution’s ideological claims and concrete policies.¹³²

¹³² Kirsten Kozolanka, “Taming Labour in Neo-Liberal Ontario: Oppositional Political Communication in a Time of “Crisis”,” *Canadian Journal of Communication* Vo.31 (2006), 570.

Chapter 5:

De-escalation and Division, April - October 1996

After eight months of escalating protests, decisions were made to restrict the scope of the movement against the Common Sense Revolution. The March 13 Ontario Federation of Labour announcement of the April 19 Kitchener-Waterloo Day of Action signaled the unwillingness of Ontario's labour leaders to target multiple cities, or coordinate actions with the province-wide OPSEU strike. This trajectory continued when labour leaders announced another Day of Action in Peterborough on June 24, a small city of only 70,000 people. The lack of enthusiasm by union leaders to raise the stakes was a consequence not simply of the deep disagreements over the Fight Back strategy which had existed since its inception. There were also mounting concerns over media perceptions of union violence, as well as the legal repercussions following the Days of Action. At the base of the movement, doubts were also growing about the willingness of union leaders to lead an effective confrontation in the streets. Union leaders increasingly appeared more interested in restoring a consultative negotiating relationship with the government as a means to slow the momentum and limit the scope of the Common Sense Revolution.¹

The de-escalation ensured movement debates over strategy remained perilously unresolved, particularly between the two main factions of organized labour. The Pink Paper

¹ Robert McDiarmid and Greg Albo provide the clearest and most concise example of the evolution of this post-war "one-province" social partnership between the provincial state, capital, and labour. It is a particularly useful way of understanding the NDP government of Bob Rae. This period can be best understood not as a radical break from the Tory dynasty of 1943-1985 but merely an extension, with labour simply having a more influential role in the tripartite arrangement so a partnership with the capitalists classes could be arranged to "prevent the processes of competitive austerity from taking hold." As for the Days of Action, McDiarmid and Albo correctly point out that the main cleavage inside labour was over the NDP being such a vehicle after the 1990-95 experience. See McDiarmid and Albo "Divided Province, Growing Protests: Ontario Moves Right," in *The Provincial State in Canada*. Eds. Keith Brownsey and Michael Howlett (Toronto, 2001), 195-198. See also Bryan M. Evans and Charles W. Smith, "The Transformation of Ontario Politics: The Long Ascent of Neoliberalism" In Bryan Evans and Charles W. Smith (eds.), *Transforming Provincial Politics: The Political Economy of Canada's Provinces and Territories in the Neoliberal Era* (Toronto: University of Toronto Press, 2014), 162-191.

unions continued to focus on rebuilding working-class support for the NDP, while some of the union leaders backing the Days of Action protests were retreating from claims about stopping the Common Sense Revolution and placing special emphasis on community-labour coalitions at the expense of industrial action. Deep collaboration between unions and community organizers had indeed emerged through late 1995 and early 1996 when the movement was on the upswing. However, the rhetorical emphasis on community-organizing surrounding the protests in Kitchener-Waterloo and Peterborough was less a genuine enthusiasm for the process than a carefully-managed lowering of expectations. This was not lost on a layer of committed militants. “If our resistance is only about making some noise and letting off some steam,” warned OCAP’s John Clarke in mid-1996, “then we are mobilizing people under false pretenses.”²

The gulf between rhetoric and practice on the question of community-labour alliances was put to the test when CUPE-Ontario began to push an ambitious plan to derail the government’s rollout of its workfare pilot program. The pilot program sought to put thousands of welfare recipients to work in the province’s massive non-profit social agency sector which was increasingly dependent on charitable donations, notably the union-dominated United Way, given government funding cuts. CUPE militants believed they had the necessary leverage and political justification to compel the United Way to block funding of agencies requesting workfare labour. Despite the boycott effort playing an instrumental role in defeating mandatory workfare and deposing David Tsubouchi as Minister of Community and Social Services, CUPE-Ontario’s efforts were opposed and openly attacked by other union leaderships, including the CAW.

This chapter explores the various ways in which the Days of Action were de-escalated by union leaders in the spring of 1996, the manner in which the protests became routinized and

² John Clarke, “Fighting to Win,” *Open for Business/Closed to People*, Eds. Diana Ralph, André Régimbald and Nérée St-Amand (Halifax: Fernwood, 1997), 163.

stale, and how employers adapted to the Days of Action to avoid generating workplace militancy. The chapter concludes with a study of the CUPE-Ontario boycott of the United Way and how the response of the Ontario Federation of Labour affiliates undermined an otherwise successful initiative by labour activists to exert economic power in solidarity with the poor against mandatory workfare.

Witmer's hometown

Midway through the OPSEU strike, OFL President Gord Wilson was still angry at Elizabeth Witmer's refusal to meet with him. "I understand she is the Minister of Labour, although it's very difficult to determine that with the dialogue she's had with the labour movement. The minister says her door is open, but every time I open it, nobody's home." When asked why the OFL selected Kitchener-Waterloo for the next Day of Action, Wilson replied that it was the home of the "invisible minister," Elizabeth Witmer, the Member of Provincial Parliament for Waterloo North.³

Scheduled for Friday April 19, the Day of Action encompassed three cities – Kitchener, Waterloo, and Cambridge – with a combined population of 400,000 people. About a quarter of the workforce was unionized. The region was economically diverse, comprising of two major universities, large healthcare facilities and a significant manufacturing and food processing sector. Plans for the protest did not deviate from strike action, cross-picketing and mass marches. However, labour leaders and organizers made, in the words of Ontario Coalition for Social Justice chair James Turk, "a more concerted effort to match the emphasis on shutting down workplaces with an emphasis on a number of community events that would highlight a variety of

³ Richard Brennan and Greg Crone, "K-W area target for next labor protest day," *Hamilton Spectator*, March 13 1996, A5; Donn Downey, "Kitchener-Waterloo chosen for third protest by labour," *Globe and Mail*, March 13 1996, A5.

issues.” Even the financing of the protest was borne entirely by unions and community groups without the direct OFL funding in London and Hamilton. This may have been due to pressure from Pink Paper unions who did not want their OFL fees redistributed to actions they did not support.⁴ There were also a very visible effort to avoid the fines and legal consequences of the previous Days of Action. CUPE’s national president, Judy Darcy, held a press conference to announce the union’s collaboration with Kitchener City Hall. Mayor Richard Christy’s administration helped establish a joint union-municipality committee to determine the protests’ staging areas, parade routes, and clean-up operations at rally sites including the recycling of picket signs and materials. A dozen members of CUPE Local 68, representing Kitchener’s outside city workers, volunteered to clean up the protest grounds immediately following the major rally. The union local coordinated with the city’s public works department to use street and sidewalk sweepers, a garbage truck and two dumpsters for the cleanup. CUPE Local 68 vice-president Gord Walsh believed the volunteer team would have the city “ship-shape by 5pm” on the Friday protest.⁵

The day after the OPP waded into OPSEU picket lines at Queen’s Park, an emergency meeting was held between local and provincial labour representatives and the mayors and senior managers of Kitchener, Waterloo and Cambridge. Union leaders made sweeping assurances that their marshals would ensure a disciplined, peaceful protest. “It would be an awful travesty if there is violence,” confessed Sid Ryan who attended the meeting. “We believe it would destroy

⁴ James L. Turk, “Days of Action: Challenging the Harris Corporate Agenda,” *Open for Business/Closed to People*, Eds. Diana Ralph, André Régimbald, Nérée St-Amand (Halifax: Fernwood, 1997), 172-3. The significance of the OFL no longer directly funding the Days of Action organizing efforts remains unclear, but given the Pink Paper strategy to bring an end to the Days of Action, it is reasonable to suggest that political pressure may have been applied to end direct OFL funding of the Days of Action. The Days of Action remained adequately funded through direct donations from unions most committed to participating in them, such as CUPE, OPSEU, and CAW, among others.

⁵ Richard Brennan and Greg Crone, “K-W area target for next labor protest day,” *Hamilton Spectator*, March 13 1996, A5; Carol Goodwin, “Protesters promise swift city cleanup,” *Waterloo Record*, April 13 1996, B1.

our message.” The union leaders were able to win over the Kitchener and Cambridge mayors, but Waterloo’s Mayor Brian Turnbull remained concerned that the “escalating violence” in the OPSEU strike might “rub off” on the Day of Action. Turnbull’s position more closely reflected the views of some city administrators who had hoped the events at Queen’s Park could be leveraged against the unions to have the entire April 19 action called off.⁶ Fears were further stoked a couple weeks later when the Waterloo Regional Police prepared the deployment of their newly-formed crowd control squad. Although the unit only came to light through investigative work of the *Waterloo Record*, the police denied it had anything to do with the protests and strikes erupting across the province. “It’s something we’ve wanted to do for a few years and just never got around to,” said Deputy Chief Roger Hollingworth. “If the 19th had never come up, we would still have had it.”⁷

The business community also weighed in on the protest with accusations of special interest groups subverting democracy through illegal activity and damaging Ontario’s economic prospects. “I don’t want this community to be viewed as a South American republic being held hostage at the whim of a special interest group,” said Reg Cressman, general manager of the Kitchener-Waterloo Chamber of Commerce. “To me, it’s not a very constructive demonstration of the democratic process.” Ian Howcroft of the Canadian Manufacturers’ Association warned, “If the protest in April focuses on illegal activity, and that were to continue, that certainly wouldn’t help promote Ontario’s image abroad as a good place to do business.” Investment, Howcroft said, was essential. “What we’re trying to do is get labor stability and a positive environment to attract business and retain investment. Ultimately, that would lead to more job

⁶ Carol Goodwin, “Cities plead for peace,” *Waterloo Record*, March 20 1996, A1; Carol Goodwin, “Labor vows to bring cities to halt,” *Waterloo Record*, March 27 1996, A1.

⁷ Brian Caldwell, “Problem-free protest is goal of police and labor,” *Waterloo Record*, April 11 1996, B1.

creation, which everybody wants.”⁸ Citing concerns about “controversy” and letting in “the wrong type of people,” commercial landlords and real estate agents made a common effort to prevent the Waterloo Regional Labour Council from renting a downtown storefront for their organizing operations.⁹

Despite labour’s planning to clean up after the rally, assurances of non-violence, and peaceful record in Hamilton and London, the media still represented the protest in sensationalist terms, thus mitigating organized labour’s efforts at winning the respectability it sought. For example, when the emergency meeting was called by city officials and union leaders after the Queen’s Park riot on March 18, the *Waterloo Record* reported the meeting under the frontpage headline “Cities plead for peace.” The subheading read: “Violence at Queen’s Park has mayors nervous about planned tri-city protest April 19.” The underlying and unexamined assumption in this media coverage was that OPSEU members, not the police, had incited the violence at Queen’s Park.¹⁰

Organizing

The Day of Action coordinating committee was overseen by its co-chairs Lucy Harrison of the Waterloo Region Coalition for Social Justice, and Waterloo Region Labour Council president Bob Cruickshank. Half the coordinating committee represented non-labour groups, from seniors to women’s organizations, students to welfare recipients, as well as the Interfaith Coalition for Social Justice that had been organizing weekly vigils against the cuts at Kitchener City Hall. NDP representatives were welcomed at the organizing meetings but only as observers.

⁸ Richard Brennan and Greg Crone, “K-W area target for next labor protest day,” *Hamilton Spectator*, March 13 1996, A5.

⁹ Carol Goodwin, “Unions running into roadblocks,” *Hamilton Spectator*, March 19 1996, A2.

¹⁰ Carol Goodwin, “Cities plead for peace,” *Waterloo Record*, March 20 1996, A1.

Organizers were unanimous in their decision to keep official NDP speakers off the microphones for the Day of Action. The reason for this decision was to undercut claims, including those made by Witmer, that the protest was about rebuilding the NDP. By remaining “non-partisan”, the organizers believed this would help them gain and maintain credibility in the media.¹¹

Coordinating the cross-picketing operations was Peter Pellerito, a CAW Local 444 Windsor activist who already had experience building the London Day of Action. A week before the strike, Pellerito told the press at least 32 workplaces would be targeted but this figure would likely double by April 19. After a mass meeting of CUPE activists representing 3,000 local members, CUPE committed to cross-picketing municipal offices, school board sites, and Waterloo and Wilfrid Laurier universities. CUPE members were fired up by Waterloo mayor Brian Turnbull speaking out in favour of disciplining striking workers, and Cambridge’s chief administrators threatening discipline or dismissal. Mark Charbonneau, a CUPE staffer for the Cambridge municipal workers local, called the threats a “bully tactic in the same way the Harris government brought out the OPP at Queen’s Park.” Meanwhile, OPSEU planned to shutdown provincial workplaces with CAW cross-picketing LCBO liquor stores, and PSAC and CUPW cross-picketing federal government offices and Canada Post depots. The OSSTF encouraged teachers to take the day off while the school boards engaged the unions in talks.¹²

With a sizeable regional membership across 35 plants, the absence of Steelworker participation remained a glaring weak spot for the Day of Action. Pellerito told a local reporter on April 11, “there are no requests to shut down the United Steelworkers of America plants.”

¹¹ Carol Goodwin, “Labor vows to bring cities to halt,” *Waterloo Record*, March 27 1996, A1; Carol Goodwin, “Tent city to draw attention to cuts in social housing,” *Waterloo Record*, April 6 1996, B1; Philip Jalsevac, “Broad spectrum involved in latest ‘Day of Protest,’” *London Free Press*, April 17 1996, A7; Oscar Cole-Arnal and R. Kelly, “Waterloo region takes to the street,” *Canadian Dimension* (July-August 1996), 12.

¹² Richard Brennan and Greg Crone, “K-W area target for next labor protest day,” *Hamilton Spectator*, March 13 1996, A5; “Strike call no surprise,” *Waterloo Record*, March 13 1996, A1; Christian Aagaard, “Council softens stand on discipline,” *Waterloo Record*, April 12 1996, B4.

This included the Uniroyal Goodrich plant where the United Rubber Workers had represented the workforce for many years before merging with the Steelworkers in 1995. Another old URW local at the historic downtown Kitchener Kaufman Footwear plant secured a day off work after discussions led to an agreement not to picket the plant. In spite of the Steelworkers' Area Council endorsement of the Day of Action and \$5,000 donation to the organizing work, CAW was the only private sector union requesting cross-picketing. The United Food and Commercial Workers also refused to participate, ensuring the Beer Store, grocery stores and some food processing plants such as Colonial Cookies remained open. The Schneiders meatpacking plant, where workers belong to the country's largest independent union, the Schneiders Employees Association, also chose to stay out of the protest.¹³

The CAW had 6,000 members in the region and was committed to halting production in the area's numerous auto parts plants. CAW Local 4304, which represented 260 Grand River Transit workers in the tri-city area, also aimed to shut down the transit system despite management's threats of disciplinary action. Rudy Grosz, 4304's president, said, "I'm telling my people not to cross the picket line, although it will be an individual decision." Because no CAW members were disciplined after the London and Hamilton strikes, CAW members in the region were instructed to ignore workplace bulletins threatening discipline against those who failed to show up to work.¹⁴

Meanwhile, management took a hardline at Canada Post. Determined to stop another postal strike, four postal workers were fired and 61 others disciplined on the day the Kitchener-

¹³ Carol Goodwin, "Tent city to draw attention to cuts in social housing," *Waterloo Record*, April 6 1996, B1; Carol Goodwin, "Unions hoping for shutdowns," *Waterloo Record*, April 12 1996, B1; "Some unions request pickets at workplaces," *Waterloo Record*, April 17 1996, C4; Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1.

¹⁴ Carol Goodwin, "Labor vows to bring cities to halt," *Waterloo Record*, March 27 1996, A1; Carol Goodwin, "Tent city to draw attention to cuts in social housing," *Waterloo Record*, April 6 1996, B1; "Workplace picketing gets early start," *Waterloo Record*, April 19 1996, A4.

Waterloo action was announced by the OFL. Those singled out had participated in the London and Hamilton Days of Action. According to Cathy Carroll, president of the Windsor CUPW local, Canada Post was the only employer to have disciplined workers for the London and Hamilton walkouts. Management's actions backfired as postal workers across the province and beyond responded with a shopfloor defence campaign, raising funds for those targeted, and conducting regular lunch-hour information pickets. Deb Meridew, a Kitchener-Waterloo postal worker said the local membership was now firmly committed to shutting down service on April 19: "Our members have worked for too many years to make Ontario stronger. The Harris government actions horrify me."¹⁵

The Day of Action

The Day of Action began early at the A.G. Simpson auto parts plant in Cambridge. Anticipating picket lines before the Thursday shift had finished, management brought security guards into the plant. Their presence sparked an immediate walkout, earning CAW Local 1524 the honours of being first on strike. "That blew up in the company's face," exclaimed Alan Pryde, a PSAC communications officer serving as a media liaison for the Day of Action. "Not only did they lose out on today's production, they lost Thursday night's production as well."¹⁶ Later in the evening, picket lines went up at the Lear seating plant, Apex Metals, Ledco Limited, Zettel Manufacturing and MTD Products. By the wee hours of April 19, an estimated 300 picket lines went up to cover seventy workplaces. At least 25 plants were shutdown. The lines were relatively small at the

¹⁵ Richard Brennan and Gary Rennie, "Strike 3 targets 'invisible minister'," *Windsor Star*, March 13 1996, A1; Carol Goodwin, "Labor vows to bring cities to halt," *Waterloo Record*," March 27 1996, A1.

¹⁶ Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1.

outset but grew steadily as sunrise approached. In the meantime, a few vehicles shuttled around between the three cities, carrying flying squads ready to plug holes in picket lines.¹⁷

One of the larger factory picket lines led by CAW was at MTD Products in Kitchener. A hundred pickets lit a bonfire with wooden pallets and blocked the road, and throwing eggs towards non-union workers crossing the line. Picket lines went up at Crowe Foundry at 6am, but some workers crossed line and kept production going but in a very limited way. At Budd Canada, pallets were used to light at bonfire at one factory entrance while pickets blocked every other entrance. Peter Mazza, a CAW Local 1524 member from B and W Heat Treating was on the Budd picket line with his 11-year-old son Alex who selected some Ace of Base dance music to liven things up.¹⁸

At public sector workplaces, picket lines at Wilfrid Laurier University took the form of a rally where professors and students announced Harris's "Dishonourary Doctorate". In the south end of Kitchener, the Canada Post plant was closed down by pickets when postal workers refused to cross. Only a handful of letter carriers went out and their loads were minimal. Other actions included a 9am picket of Witmer's constituency office in Waterloo organized by the local injured workers group.¹⁹ Several thousand people, including many students enjoying a day off school, gathered for the Cambridge rally at Pinebush Road and Conestoga Boulevard around 9:30am before marching on Cambridge MPP Gerry Martiniuk's constituency office and then boarding buses to attend the main parade at the Waterloo Recreation Complex.²⁰

¹⁷ "Workplace picketing gets early start," *Waterloo Record*, April 19 1996, A4; Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1.

¹⁸ "Workplace picketing gets early start," *Waterloo Record*, April 19 1996, A4; Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1.

¹⁹ Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1.

²⁰ "Scenes from the community action day," *Waterloo Record*, April 20 1996, B3.

While people poured into the complex, they were engaged by speeches and entertained by some street theatre, including a couple of protesters playing an OPP officer beating up an OPSEU picket. The big crowd departed shortly after 11am down Erb and then King Street where it rolled up a Steelworker protest at the empty Epton plastics plant which had declared bankruptcy the previous year and wiped out 320 jobs. The main march arrived at Kitchener City Hall at 12:30. Speakers addressing the rally included the usual union leaders alongside Indigenous activist Gordon Peters, OCAP organizer John Clarke, a local high school student, clergyman, and social worker.²¹

Waterloo Regional Police and city officials pegged the march at 15,000, downgraded from an initial police estimate of 20,000. Sid Ryan said 15,000 was far too low, estimating it at between 35,000 and 40,000 and calling it a “real accomplishment” for “Tory blue K-W.” Most organizer estimates said it was over 30,000, once more doubling the police estimate. Leah Casselman simply told the press she was “too tired” to comment on crowd size, but the press still managed to make the numbers game front page news. Gord Wilson, however, conceded “I would have liked a few more people out there.”²²

Aftermath

Labour leaders and local organizers placed an immense emphasis in the media on the scale of non-union community participation, but this proved to be difficult. In one incident, Waterloo Region Labour Council president Bob Cruickshank even refused a local television interview when he insisted they include his organizing committee co-chair Lucy Harrison. There was plenty of community organizing and local events leading up to the protest, but the industrial

²¹ “Scenes from the community action day,” *Waterloo Record*, April 20 1996, B3. Epton Industries workers were members of United Rubber Workers Local 73 before the URW merged with the Steelworkers.

²² Richard Brennan, “Head counters disagree on numbers,” *Waterloo Record*, April 20 1996, A1.

impact did not register as it had in London or Hamilton. Only the Kitchener-Waterloo Chamber of Commerce provided an economic impact estimate, estimating losses in the millions but arguing that only one percent of regional workplaces was idled, although 6,000 striking CAW members alone accounted for 3.5 percent of the region's labour force.²³

The clean-up operations went on as planned, even finishing early. Volunteer unionized cleaners spoke of "our obligation to our community and to the taxpayers," and said that "it shouldn't be the taxpayers who pay for the clean-up."²⁴ The day's only three incidents of violence occurred at Conestoga College and Wilfrid Laurier University where pickets were knocked over or nearly struck by people driving cars through the picket lines. The peaceful character of the protest did not prevent Witmer from saying the protest was led by "outside labour goons".²⁵

Two days later, the *Record* ran an editorial titled "Opponents of Harris should get new tactics". It decried "an unhealthy dose of intimidation by some picketers" and complained that protesters had "violated the rights of some people who wanted to work for the day."²⁶ The editorial's fervent condemnation of the protesters, factually incorrect assertions, condescending prose, and polemical zeal, still raised a criticism that could not be avoided: the Days of Action were not moving the Tories. For example, when Kitchener's Tory MPP Wayne Wettlaufer was asked if the April 19 protest would change the government's course, he simply laughed.²⁷ The Days of Action had hit a limit and after non-participation from significant Steelworker locals in Hamilton and Kitchener-Waterloo, there was no sign of the Pink Paper unions being brought on

²³ Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1; Oscar Cole-Arnal and R. Kelly, "Waterloo region takes to the street," *Canadian Dimension* (July-August 1996), 12.

²⁴ Beth Gallagher, "City union workers pick-up protest," *Waterloo Record*, April 20 1996, A4.

²⁵ Ron DuRuyter, "Pickets set up at 70 workplaces," *Waterloo Record*, April 20 1996, B1; Luisa D'Amato, "Two incidents mar picket line peace," *Waterloo Record*, April 20 1996, B2; Oscar Cole-Arnal and R. Kelly, "Waterloo region takes to the street," *Canadian Dimension* (July-August 1996), 12.

²⁶ "Opponents of Harris should get new tactics," *Waterloo Record*, April 20 1996, A12.

²⁷ Greg Crone, "Tories downplay protest's importance," *Windsor Star*, March 14 1996, A9.

board to intensify the city-wide actions. The UFCW members at London's Cuddy Foods and ATU transit workers in London and Hamilton remained the only example of workers defying their union leadership's wishes.

With a cautiousness now enveloping the various approaches taken by organizers in planning and executing the April 19 Day of Action, the protests were in danger of becoming routinized and familiar to both government and employers. After Hamilton's legal battles for litter in a park, policing costs, and lost transit fares, labour's response was a curious form of triage. While a clean-up of protest zones in Kitchener-Waterloo was a thoughtful part of the protest planning, the contrite amplification of this decision at a press conference was unaccompanied by any equally prescient address of unnecessary policing costs and aggressive municipal lawsuits over lost user fees.

On the question of violence, labour leaders did not connect the OPP actions during the OPSEU strike with the formation of new "crowd management" and "crowd control" squads in Hamilton and Kitchener-Waterloo shortly before their respective Days of Action. Gord Wilson had blasted the OPP for the Queen's Park riot and many inside the extra-parliamentary opposition repeatedly pointed out that the London and Hamilton actions were well-disciplined and non-violent. It was a defensive posture without any advancement of a perspective on the political function of the police during times of crisis, or an effort to highlight the regular violence directed at peaceful picket lines.

As for the ramping up of "community involvement", the context in Kitchener-Waterloo was quite different from a few months earlier. The rising tide of opposition to Bill 26 and the subsequent education protest in January had confirmed that the movement was expanding rapidly. The idea of greater community involvement and the innovation of labour/community co-

chairs reflected the expansion of the movement's base and an acknowledgement by labour leaders that community organizing could not be dictated by unions. By early April it was clear that Kitchener-Waterloo was going to be a decisively smaller affair when calls for a wider multi-city or province-wide strike were simply ignored by senior union leaders. Coupled with the bittersweet outcome of the OPSEU strike and a sense of general fatigue, the union leadership's renewed emphasis on community engagement functioned as a means of lowering expectations around economic disruption and the possibility of escalation. Unlike in late 1995, labour leaders were now playing the game of managing public perceptions through the media, rather than speaking directly and in-depth with the movement's committed base of thousands.²⁸ Under the spotlight and scrutiny of a media either ambivalent or hostile towards organized labour, and contending with the media-savvy Common Sense Revolution, labour leaders fell back to a defensive position of emphasizing the non-partisan, non-violent, and socially-responsible virtues of the Days of Action. In its current form, these protests and strikes appeared to be waning as a means to mount an effective opposition, even as the idea of an province-wide general strike remained popular among the lower ranks of the extra-parliamentary opposition.

The Community Day of Action

At the May 2 OFL meeting of provincial union leaders, the decision by organizers in Kitchener-Waterloo to leave the NDP off the April 19 speakers' platform served as the main grievance of the Pink Paper unions. For several hours debate raged until a decision emerged to hold the next Day of Action in Peterborough on June 24. Out of the meeting, OFL President Gord Wilson told

²⁸ Kozolanka contends that the extra-parliamentary opposition "could have become a powerful counter-hegemonic force" but her analysis overstates the possibility of a coherent politics emerging within the movement through the mainstream media. The fact is the extra-parliamentary opposition had no internal communication system, as OPSEU did during their strike, to unify and deepen political analysis and perspectives. See Kozolanka's arguments 227-236.

the press, “We’re going to continue building political momentum and awareness as to what this province will be like at the end of the Harris term of office if the government is allowed to continue on the course that it’s on.”²⁹ Wilson’s statement masked the now obvious de-escalation of the Days of Action. Having already rebuffed demands to expand the April 19 Day of Action into a regional or province-wide action, union leaders had decided a small city of 70,000 people was the next target. Compared to other places short-listed locations, it was smaller than Windsor and Oshawa and far less symbolic than Harris’s hometown of North Bay.

At the end of May, Gord Wilson finally got his meeting with Labour Minister Elizabeth Witmer. Joining Witmer was the Premier and Finance Minister Ernie Eves as well as Cabinet Secretary Rita Burak and the Premier’s chief of staff David Lindsay. Accompanying Wilson was Leah Casselman, Buzz Hargrove and Sid Ryan, as well as the presidents of Steelworkers, CEP and SEIU. Meeting at the Royal York Hotel in Toronto, Harris set the meeting’s ground rules: no formal proposals would to be put forward. There was an uncontroversial agreement by all that job growth was important, but Ryan was unable to secure a guarantee that workfare would not be used to undermine union jobs. No other points of agreement were publicly expressed other than the Premier reporting a mutual understanding that the two sides should consult one another more. Union leaders emerged from the meeting to declare the Metro Toronto Days of Action for October 25-26. “We didn’t receive any commitments of any changes in direction whatsoever from the government,” said Wilson to the press. Hargrove, Casselman and Ryan all agreed with assessment and the plan for the Toronto action. “I heard nothing tonight that gives me any comfort at all that the government is any more interested than they have been in the last 11

²⁹ “Peterborough to be next site for labor rally,” *Toronto Star*, May 3 1996, A12. For an account of the May 2 meeting, see James L. Turk, “Days of Action: Challenging the Harris Corporate Agenda,” *Open for Business/Closed to People*, Eds. Diana Ralph, André Régimbald, Nérée St-Amand (Halifax, 1997), 173.

months in understanding the problems of working people and recognizing the role of the labor movement in the province,” concluded Hargrove.³⁰

The very decision by union leaders to call the Metro Toronto Days of Action only a few weeks after the Peterborough announcement revealed the degree to which the Days of Action were being used by labour leaders as a means to leverage themselves into negotiations with the government. In an interview with the *Peterborough Examiner*'s editorial board, Wilson made it clear that until the Tories were conducting regular discussions with organized labour, unions would continue “to shut down workplaces for one day, protest and peacefully get our message across.” By inflicting pain on the private sector, he continued, this would punish the business community's alignment with a government “shifting wealth from the poor to the rich.”³¹ The Day of Action tactic was now a means to open up bargaining with the government. Richard Hyman observed this process as the “labour movement's traditional reverence of parliamentarism” and “fervent refusal” to utilize industrial action as a direct method to achieve political goals.³² The Days of Action were not about rendering the province ungovernable through massive economic disruption and political crisis. Conceding the legitimacy of the government yet opposing the Common Sense Revolution were part of this bargaining strategy, as was the talk of employers “paying the price.”³³ Like placing pressure on shareholders to have them pressure an employer to resume negotiations during a strike, the disruption of Ontario employers was about the resumption of bargaining, not routing the government.

³⁰ Richard Brennan, “Harris-labor meeting stirs little enthusiasm,” *Windsor Star*, May 28 1996, A8; William Walker, “Lavish dinner fails to mend labor-Tory rift,” *Toronto Star*, May 28 1996, A10; “Toronto targeted for fall labor rally to protest changes,” *London Free Press*, May 29 1996, A3.

³¹ John Driscoll, “Rally will change city, labor says,” *Peterborough Examiner*, June 4 1996, A1.

³² Richard Hyman, *Marxism and the Sociology of Trade Unionism*, (London: Pluto Press, 1975), 39.

³³ Donn Downey, “Kitchener-Waterloo chosen for third protest by labour,” *Globe and Mail*, March 13 1996, A5.

To make matters worse, the business community was not bending. Now familiar with the pattern of protest, employer associations continued to make public attacks on organized labour. The Greater Peterborough Chamber of Commerce began a campaign in early June arguing the Day of Action would cost the city thousands of dollars. “When you add up the cost of barriers, signs, cleanup and lost revenues from public transit and parking meters, the cost to the community will be \$50,000 to \$100,000,” claimed the chamber’s general manager Don Frise. The local police force, he claimed, had told him their additional costs for the Day of Action would be at least \$20,000.³⁴ Countering Wilson’s framing about business support for the government, Frise insisted the labour movement’s “beef is with the government” and that it made no sense to target “the profits of business that generate jobs.” Anyone disagreeing with the government, he concluded, should “elect the party of their choice,” and find “more responsible ways of doing things than using methods like illegal walkouts.”³⁵ Peterborough’s Tory MPP Gary Stewart took Frise’s \$100,000 figure to the legislature, and delivered a statement against the Day of Action.

There is no doubt that people have the right to demonstrate and protest, but not at the expense of others.

OFL leader Gord Wilson made a statement to the local media saying, "We will shut down the city." His statement is intimidation, it is harassment and it is unacceptable to most of the taxpayers in Peterborough.

As employers are shut down, the only people who lose are the local workers who are forced to forgo a day's pay. It is estimated that the day of protest will cost the city of Peterborough \$100,000. Imagine what \$100,000 could do to assist the poor and the most vulnerable of that city.

Labour believes these rallies will help the underprivileged. They will not. They are wrong. The people of Peterborough want to work. When the buses carry the union bosses into Peterborough to intimidate our community, I hope they don't forget to bring a cheque for \$100,000 made payable to the people of Peterborough.

³⁴ John Driscoll, “Labor rally bad news: C of C manager,” *Peterborough Examiner*, June 7 1996, A1.

³⁵ John Driscoll, “Labor rally bad news: C of C manager,” *Peterborough Examiner*, June 7 1996, A1.

If we believe in democracy – and we do – I can assure you they will not shut down the city of Peterborough.³⁶

Local protest organizers joined the debate. Dave Moss, the Day of Action organizing committee's spokesperson, replied that labour would hand Stewart a \$100,000 cheque if he handed over \$20 million to reverse the cuts to Peterborough's public services.³⁷ Moss's response reflected one of the important political arguments local organizers were using to build support and fend off the counterattack. The organizing committee co-chairs, labour council president Thomas Veitch and community activist Jill Ritchie, wrote an op-ed in the *Peterborough Examiner* pointing out that the cumulative provincial cuts to the City of Peterborough, Peterborough County, Trent University, Fleming College, two hospitals and the separate and public school boards amounted to \$24.3 million in the 1996-97 fiscal year. Furthermore, the Peterborough Food Bank was now feeding more than seven thousand people, or 10 percent of the city's population. "The short-term goal," they wrote of the cuts, "is to ensure that everyone is fully aware of what is being lost."³⁸

With about 400 activists at their disposal, the organizing committee leafleted thousands of homes across the city on the weekend of June 9-10. On June 14, a thousand people gathered in Victoria Park to greet a cross-Canada anti-poverty caravan of thirty women. The "Bread and Roses" caravan, jointly sponsored by the Canadian Labour Congress and National Action Committee on the Status of Women, led a march through the city's downtown. Organizers leafleted for the Day of Action and speakers encouraged all to get involved.³⁹ Such strong

³⁶ R. Gary Stewart, "Labour Protest," In Ontario. Legislative Assembly. Legislative Debates (Hansard). 36th Parl. 1st Sess.(June 19 1996).

³⁷ Phil Tyson, "MPP blasts labor," *Peterborough Examiner*, June 20 1996, A1.

³⁸ Jill Ritchie and Thomas Veitch, "Labor march will be remembered for years to come," *Peterborough Examiner*, June 20 1996, A5.

³⁹ Susan Clairmont, "National poverty protest draws 1,000 to dinner," *Peterborough Examiner*, June 14 1996, B1.

efforts did not limit the relative importance upon shutting down major businesses. Three weeks prior to the action, organizers were still unwilling to go public with how many employers would be targeted, suggesting a serious concern about strike participation. Mirroring the lowering of expectations by senior union leaders through an emphasis of community-labour coalitions over industrial action, organizers called the protest a *Community Day of Action*. It was also an attempt to counter criticisms that it would rely heavily on protesters from the rest of the province.⁴⁰

While worries persisted about the prospects of a private sector shut down, collaboration between unions and employers permeated the public sector. Growing teacher enthusiasm for the protest led the public and separate school boards to make arrangements for exams to be rescheduled and teachers to take a day off without pay or disciplinary reprisals.⁴¹ Anticipating municipal operations to be shut down on June 24, Peterborough Mayor Jack Doris allowed a similar provision for municipal workers, saying they could participate by using their vacation days or taking an unpaid day off. All emergency services, including hospitals, police and fire, would remain in operation but recycling and garbage pick-up, libraries and transit would all be closed for the day.⁴² Like the Kitchener-Waterloo rally, municipal public works crews with CUPE Local 504 agreed to clean up debris left behind, and even established a depot to collect placards and signs at the march's end point at Del Crary Park. Municipal inside workers with CUPE Local 126 also agreed to help out. "I'm very pleased to see it," said the mayor of the union clean-up efforts.⁴³

Cooperation with the city around cleanup and the absence of disciplinary threats on the part of city management did not amount to a municipal endorsement of the Day of Action. Doris

⁴⁰ John Driscoll, "Rally will change city, labor says," *Peterborough Examiner*, June 4 1996, A1.

⁴¹ John Driscoll, "Pave the way," *Peterborough Examiner*, June 14 1996, B1.

⁴² Phil Tyson, "Labor rally may shut down city services," *Peterborough Examiner*, June 16 1996, A1.

⁴³ Phil Tyson, "Labor rally may shut down city services," *Peterborough Examiner*, June 16 1996, A1.

said he would not attend the demonstration and that endorsing the rally was not a decision for City Council to make. “We’ll let people make their own choice as to how they feel on the matter,” he explained. Coalition organizer Floyd Howlett responded in the press by saying the Mayor and City Council had passed up an opportunity to make a statement against provincial cuts to municipalities and stand up for the city’s poor.⁴⁴

As the protest approached, CAW’s shopfloor organizing efforts gained traction in the city’s two iconic factories: Quaker Oats on the edge of the Otonabee River and the sprawling General Electric facility just beyond the downtown core. When CAW announced that each plant would be targeted by cross-picketing, each company chose to shut down for the day, including the NHB furniture factory also organized by CAW. “We were told that all vehicles and people will be blocked from entering or leaving the plant, so to avoid confrontation we decided to close,” explained one of NHB’s vice-presidents. Johnson and Johnson followed suit, its president calling the strike “foolishness” and insisting the dispute was between labour and the government. “We don’t think it’s fair and we don’t appreciate it,” said Wayne Heard, Quaker Oats Canada vice-president of human relations. Following the major private employers in town, LCBO management closed their stores for the day.⁴⁵

On the one hand, the employer decisions to shut down the plants reflected the effectiveness of the CAW. However, previous illegal walkouts were made possible through shopfloor organizing and education, strike votes, and defying management threats. By choosing to shut down their plants, Peterborough’s larger industrial employers undercut these organizing possibilities by refusing to antagonize workers by keeping the plants open and threatening

⁴⁴ Phil Tyson, “Council won’t bless it,” *Peterborough Examiner*, June 18 1996, B1.

⁴⁵ Jack Marchen, “3 local plants to close on labor protest day,” *Peterborough Examiner*, June 18 1996, A1; “Labor to picket liquor stores,” *Peterborough Examiner*, June 19 1996, A1; Phil Tyson, “Protest to cut most city services on Monday,” *Peterborough Examiner*, June 20 1996, B1.

discipline. CAW members at each plant still organized and participated in picketing and marches, but the invaluable process of forging solidarity through shopfloor militancy was gone. The exception to the trend was Canada Post management which announced it would continue operations on June 24. Postal workers had other plans. Dean Shewring, vice-president of CUPW Local 590, said postal workers would be busy cross-picketing at other workplaces while allies shut down local mail facilities.⁴⁶

“Big Labor’s show”

Over Sunday evening and early Monday morning, at least sixty different picket lines went up across the city. Early risers from the “Harrisborough” tent city in Del Cray Park also joined the lines. Early rallies took place at Fleming College and Trent University. Joined by their union president Leah Casselman, OPSEU members held a mass picket of the Ministry of Natural Resources building on Water Street. Thirty local firefighters took the day off to join the protest, protesting Bill 26’s alterations to the Firefighters Act. Schools were not shut down or picketed but the public school board estimated 210 of 1,750 teachers took the day off to protest, and a quarter of students were absent from school.⁴⁷

Unlike most other local manufacturers, auto parts producer Pebra was determined to defy CAW’s strike threats. The general manager had announced nobody would be allowed to take the day off. Workers refused to back down and threats of discipline were ignored as picket lines went up Sunday night at the factory on Neal Drive. Meanwhile, the city’s postal operations were shut down completely by a group of thirty people, including CUPW members from Toronto. All

⁴⁶ Phil Tyson, “Protest to cut most city services on Monday,” *Peterborough Examiner*, June 20 1996, B1.

⁴⁷ Susan Clairmont, “Rally buses rolling,” *Peterborough Examiner*, June 23 1996, A1; “New NDP leader here for rally,” *Peterborough Examiner*, June 24 1996, B1; Susan Clairmont, “Umbrellas needed for the march,” *Peterborough Examiner*, June 25 1996, B4. Paul Irwin, “Some Central pupils stay home,” *Peterborough Examiner*, June 25 1996, B4.

ninety local postal workers scheduled to work dutifully arrived on time but refused to cross picket lines. The corporation announced they would all lose a day's pay but not be disciplined.⁴⁸

In a cool spring rain, thousands gathered in the morning at Victoria Park near City Hall. The march began by pouring out on to Brock Street before heading south down George Street and turning on Charlotte. From Charlotte, the march took Reid Street and Rink Street to Del Crary Park on the edge of the Otonabee River. About 300 marshals guided the rally, prepared to intervene to stop property damage or confrontational behaviour. Not a single incident of vandalism or physical violence was reported. Five trucks outfitted with platforms and sound systems accompanied the marchers. Chants were many, including the popular "Hey Mike, Hey Mike, how'd you like a general strike?"⁴⁹

At Del Crary Park, labour leaders addressed the protest. Earl Manners called for the \$24 million in cuts to be returned to Peterborough. Wilson went after local Tory MPP Gary Stewart saying if he wanted to help the province, he should leave the Tories. Buzz Hargove drew huge cheers to the line "When we're getting screwed, we multiply." Peterborough residents also addressed the crowd, including Ruth Mead who called the government a "fascist regime" with a "rich boys club approach" to politics.⁵⁰ Once again, the NDP was absent from the podium despite Gord Wilson's efforts to convince local organizer's to abandon their "non-political" policy and put party leader Howard Hampton on the platform. "I think that's a mistake, but everybody is entitled to their own opinion," said Wilson.⁵¹

⁴⁸ "Labor to picket liquor stores," *Peterborough Examiner*, June 19 1996, A1; Stephanie Walsh, "'Shame, shame' protesters tell Harris," *Peterborough Examiner*, June 25 1996, B4; "Peterborough – Day of Action," *CONTACT*, July 7 1996.

⁴⁹ Stephanie Walsh, "'Shame, shame' protesters tell Harris," *Peterborough Examiner*, June 25 1996, B4.

⁵⁰ Stephanie Walsh, "'Shame, shame' protesters tell Harris," *Peterborough Examiner*, June 25 1996, B4.

⁵¹ Wendy McCann, "Peterborough show smallest yet," *London Free Press*, June 25 1996, A3.

Once again, the march numbers were hotly disputed. Organizers put the rally between 10,000 and 15,000 with 12,000 regularly cited. This was significantly less than pre-rally expectations of 20,000 to 40,000. The *Examiner* claimed only 6,000 were at Victoria Park but the Canadian Press put the figure at 7,000 and Global News stated ten thousand. The Chamber of Commerce's Don Frise said his five volunteers counted 3,500 at Victoria Park and only 5,000 at Del Crary. Organizer co-chair Thomas Veitch defensively claimed the rally was proportionally the same in size as London, but it was clear that the protest was not as large as hoped. For example, organizers announced in early June that a hundred were already booked from outside Peterborough, but only 73 rolled in to the city on June 24. For all the organizing, the protest was not radically larger than the nearly 4,000 who marched at Queen's Park a few weeks earlier to mark the one-year anniversary of the government's election. The extent to which demoralization and fatigue played a role in lowering turnout was unclear but not to be discounted as a factor.⁵²

The comparatively small affair meant the protest escaped most media attention or was aggressively dismissed. The *Toronto Star*'s report was entitled "Anti-Tory labor rally causes barely a ripple" while the *London Free Press* report was headlined "Peterborough show smallest yet." The front page of the June 25 *Examiner* read in big letters "City didn't 'close down'." Its same-day editorial exclaimed "The bloom is clearly off the days of protest," describing it as "almost a bore." Contrary to the very framing of the protest as a *Community Day of Action*, the editorial claimed previous Days of Action were more rooted in their communities. "Big Labor's

⁵² Caroline Mallan, "Protesters assail Tory rule," *Toronto Star*, June 9 1996, A3; "3,500 protesters mark Harris's first anniversary," *Peterborough Examiner*, June 9 1996, A4; Susan Clairmont, "Rally buses rolling," *Peterborough Examiner*, June 23 1996, A1; "Crowd estimates range from 3,500 to 12,000," *Peterborough Examiner*, June 25 1996, A1; Susan Clairmont, "Umbrellas needed for the march," *Peterborough Examiner*, June 25 1996, B4.

show” in Peterborough had failed and the “bullying” and “intimidation” was merely a “publicity for organized labour.”⁵³

Some leading organizers attempted to rescue the Peterborough action from outright dismissal. Citing their ability to build a protest of at least 10,000 in a city of 70,000, Ontario Coalition for Social Justice chair James Turk believed turnout was “excellent”. Turk nevertheless confessed that outside of local media coverage, the media “paid almost no attention”, a fact also observed by Sam Gindin, assistant to Buzz Hargrove, who had also held up the action as a promising step in long-term organizing against the Common Sense Revolution.⁵⁴ Some tried to shift attention to the Metro Toronto Days of Action scheduled for October. At the main Peterborough rally, Sid Ryan predicted “Every public facility in the city of Toronto will be shut down tight.” Afterwards, Ryan tried to push inside the OFL for Windsor to be the site of a strike before Toronto. Incredibly, Gord Wilson went even further than Ryan, publicly suggesting a multi-day province-wide strike was a possibility in early 1997, an argument also echoed by Windsor and District Labour Council president Gary Parent. Having previously agitated for a province-wide general strike in late 1995, Buzz Hargrove threw cold water on these suggestions by cautioning that unions would have to agree to any province-wide strike.⁵⁵ Hargrove’s caution was in part because the CAW was now more focused on the upcoming round of pattern bargaining with the Big Three auto companies. Anticipating a vicious fight over outsourcing and

⁵³ “Resembling PCs,” *Peterborough Examiner*, June 24 1996, A5; “City didn’t ‘close down’,” *Peterborough Examiner*, June 25 1996, A1; “Protest No. 4,” *Peterborough Examiner*, June 25 1996, A5; Jack Lakey, “Anti-Tory labor rally causes barely a ripple,” *Toronto Star*, June 25 1996, A2; Wendy McCann, “Peterborough show smallest yet,” *London Free Press*, June 25 1996, A3.

⁵⁴ James L. Turk, “Days of Action: Challenging the Harris Corporate Agenda,” *Open for Business/Closed to People*, Eds. Diana Ralph, André Régimbald, Nérée St-Amand (Halifax, 1997), 174; Sam Gindin, “Peterborough and Beyond,” *Contact* July 7 1996.

⁵⁵ Stephanie Walsh, “‘Shame, shame’ protesters tell Harris,” *Peterborough Examiner*, June 25 1996, B4; Gary Rennie, “Multi-day Ontario strike urged,” *Windsor Star*, June 26 1996, A3.

against GM's lobbying of the Harris Tories to increase the working day.⁵⁶ Hargrove followed Casselman in disarticulating union strategy in contract bargaining from the Days of Action strategy against the Common Sense Revolution.

Another source of concern was a June 7 Ontario Labour Relations Board ruling determining the December 11 1995 strike at GM's Electro-Motive Diesel plant in London was an illegal political strike. "It is clear," read the judgement, "that the no-strike obligation is a fundamental pillar of the statutory scheme and at least has the virtue of simplicity: There can be no strikes during the currency of a collective agreement." The ruling, however, did not ban future strikes or attach any penalties. Thus, the ruling had no immediate effect on the Peterborough strike but did put organized labour on notice that the courts had, to date, been quite uninvolved in squelching the strikes. Wilson, at least, forged ahead in the press declaring that Toronto would be shut down in spite of any court decision against it. "Workers," he said, "have always challenged unjust decision [sic] from tribunals and courts."⁵⁷

The Community Day of Action in Peterborough was likely the city's largest ever protest, but in the context of the movement's trajectory since late 1995, it was an immense setback. Not only did it fail to live up to expectations in terms of participation, the immensely conciliatory efforts on the part of labour to placate municipal politicians earned it virtually no credibility or goodwill in the media. The media was in fact mocking the Days of Action for its inability to push the government off its agenda. Private sector employers, municipal governments and school boards had also adapted to the Days of Action to absorb or offset losses, thus countering labour's effort to place pressure on the government via suffering businesses.

⁵⁶ "Bargaining At Big Three Automakers Gets Underway," *Contact*, July 21 1996.

⁵⁷ *General Motors of Canada Limited v National Automobile, Aerospace and Agricultural Implement Workers Union of Canada (CAW-Canada)*, et al, 1996 CanLII 11152 (ON LRB); Stephanie Walsh, "Ruling doesn't worry organizers," *Peterborough Examiner*, June 23 1996, A1; Jonathan Eaton, "Board ruling isn't stopping political strikes," *Toronto Star*, July 8 1996, C1.

Year One

The four month break between the Peterborough and Metro Toronto Days of Action gave many in the movement time to recover from the months of mobilizations, protests and confrontations. Even the government appeared to take a pause. Within the extra-parliamentary opposition, assessments were beginning to be made about the struggle to date.

Sam Gindin was among those who believed the Days of Action strategy was working. Writing in the weekly CAW newsletter *Contact*, Gindin argued the Days of Action were building the “effective counter-movement” necessary to escalate struggle and reverse “demoralization and demobilization” in labour’s ranks. Similarly, CAW member Herman Rosenfeld, previously employed at the GM Scarborough van plant, had recently begun working in the union’s education department and witnessed how the protests had initiated a deep politicization among growing layers of the CAW membership.⁵⁸ However, Gindin’s perspective was tied to a longer-term strategy of rebuilding the left’s political structures. When interviewed in the left-wing magazine *Canadian Dimension* about the failure of the first four Days of Action to throw Harris out of office, Gindin quipped: “No one expected Harris to appear on television after the protests to apologize for his mistakes.”⁵⁹

Gindin’s long-term perspective could not escape the criticism implicit in the question. While forging local community-labour coalitions, the idea of the Days of Action building lasting oppositional infrastructure was a questionable strategy on two counts. First, a full year into the Common Sense Revolution, only four cities had experienced such an intensive period of organizing. Second, as organizer Marcella Munro observed, there was a profound lack of resources for the local community-labour coalitions once the big protest and strike was over,

⁵⁸ Interview, Herman Rosenfeld, January 10 2018.

⁵⁹ Sam Gindin, “Peterborough and Beyond,” *Contact*, July 7 1996; Jonathan Eaton, “Ontario fightback struggle: where do we go from here?” *Briarpatch* (October 1996), 23-26.

such as permanent telephones or fax machines and at least one part-time or full-time organizer capable of handling basic day-to-day communications and coordination. “Along with the gap in organizational resources assigned to community coalitions,” wrote Munro, “there has also been a gap in providing continued leadership in the form of collective campaigns and strategies.” In the absence of any continued campaigns with clear goals and targets that could support a larger goal of actually fending off the Common Sense Revolution, the community coalitions were floundering.⁶⁰ The extra-parliamentary opposition had no province-wide delegated meetings, educational or training programs, or central means of communication. Without some form of infrastructure, the “effective counter-movement” described by Gindin was wholly dependent on the decisions of the province’s union leadership.

The government’s opening gambit of sweeping budget cuts, savaging the safety net, and labour rollbacks, had yet to face any truly effective opposition. Rank-and-file union militants, committed activists, and the feuding factions of the Ontario Federation of Labour were increasingly aware of the crisis in the extra-parliamentary opposition. This did not lead to unity or escalation, but fed back into the same disagreements over extra-parliamentary protest and the electoral strategy to vote the NDP back into office. According to Steelworkers staffer and former NDP advisor David Mackenzie labour needed “a longer-term, multifaceted strategy that focuses on the next election.” Without this, Mackenzie believed the protests would just be “noisy fun on the streets.” The acrimonious split inside the OFL remained.⁶¹

James Turk was well aware of these entrenched divisions but believed the dilemma was that the movement was caught in “the contradiction that we must know where we want to go in order to chart a path, but we make our path by walking it.” However, Turk’s analysis, penned

⁶⁰ Marcella Munro, “Ontario’s “Days of Action” and strategic choices for the Left in Canada,” *Studies in Political Economy*, 53 (Summer 1997), 131-132.

⁶¹ Jonathan Eaton, “Ontario fightback struggle: where do we go from here?” *Briarpatch* (October 1996), 23-26.

sometime in mid-1996 after the Peterborough protest, did not offer any such vision. Instead, he fell back on the necessity of more militancy and greater popular involvement, otherwise “one-day shows of force that lead nowhere but to despair.” Turk’s position was favourably cited by Yonatan Reshef and Sandra Rastin who described the trajectory of the Days of Action as evolving towards “disconnected ceremonial events, disjointed celebrations of collective disapproval that followed a well-scripted course.”⁶²

Yet, if Gindin was guilty of exaggerating the foundations for a long-term struggle being laid by the Days of Action, Mackenzie was guilty of claiming the protests were having no impact on public opinion. By the spring of 1996, Environics surveys were showing declining support for the Harris government and a population split in half over the Common Sense Revolution. Most remarkable was the nearly six in ten identifying with and supporting the protesters. Yet, Angus Reid continued to find the ruling PCs ahead with commanding leads of 15 points and support in the low 50s, a bounce back from earlier in the year perhaps driven by the first installment of the Harris tax cuts on July 1 1996. What the minor media controversy over the conflicting surveys in the spring of 1996 revealed was that when confronted with a series of questions about social policies before being asked about party support, the Harris government was more unpopular than if asked about party support before discussing any issues. The contradiction revealed not only the shallowness of a big segment of Tory support, but also the inability of the opposition parties to galvanize dissent.⁶³

With the movement at an impasse, targeting Toronto was something of a saving grace after Peterborough which contrasted so sharply with the heady days of late 1995 and early 1996.

⁶² James L. Turk, “Days of Action: Challenging the Harris Corporate Agenda,” *Open for Business/Closed to People*, Eds. Diana Ralph, André Régimbald, Nérée St-Amand (Halifax: Fernwood 1997), 176; Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution* (Toronto, 2003), 161-162.

⁶³ Peter Cheney and Phinjo Gombu, “Days of Action,” *Toronto Star*, October 23 1996, A1.

Toronto promised much larger and more disruptive action with months of preparation time. Success would also depend on whether or not unions advocating the Fight Back strategy could hang together in the meantime. The Common Sense Revolution was gathering steam and major planks of the program had yet to be introduced and implemented.

The Workfare Pilot

The deep cuts to social assistance rates and eligibility in October were an obvious sign of the seriousness with which the Common Sense Revolution was being advanced. By early 1996, it had also become abundantly clear that the Tories had far less capacity and understanding of how to deliver on mandatory workfare, not least because they had established little trust with the bureaucrats in the Ministry of Community and Social Services. They knew how to cut budgets and scrap laws, but they were quite hapless when it came to successfully developing and implementing new programs. After months of behind-the-scenes planning, some details of an emerging workfare pilot program were revealed in the press in March. In June, the Ministry of Community Social Services formally announced its plan to involve twenty municipalities and 55,000 participants in the pilot by the end of August. Workfare recipients would be placed in non-profit social agencies to work for 17 hours per week, while small financial rewards from the government would be distributed to placement agencies who could produce “job-ready” recipients.⁶⁴

In taking the first step on delivering this major policy plank – crafted by Harris himself – the Common Sense Revolution’s ideological presentation of workfare had wide appeal in part

⁶⁴ The months of bungled and confusing consultations and planning by cabinet ministers, party operatives, business representatives, and conservative think tanks to produce a presentable pilot program is retold in Ernie S. Lightman, “‘It’s Not a Walk in the Park’: Workfare in Ontario,” *Workfare: Ideology for a New Under-Class*, ed. Eric Shragge (Toronto, 1997), 95-102.

due to its imprecise nature.⁶⁵ As one researcher has argued, Harris's framing of workfare was best summed up in his oft-cited phrase "a hand-up rather than a hand-out" which was both "positive, nurturing and supportive to those of liberal inclination, but at the same time, forceful and assertive to those of a more authoritarian bent." Workfare also meshed well with the government's talk of the "average taxpayer" who would see their taxes supporting people getting "job experience", even teaching workfare recipients a much-elegized work ethic.⁶⁶

Workfare might have captured more support from "those of liberal inclination" had it not been for Tsubouchi's "welfare diet" and Harris's "bologna sandwich" remarks which were widely seen as insensitive, dishonest and cruel. Even a month after their election, Wayne Roberts, a well-known member of the NDP's left-wing, was arguing in *Now Magazine* that the left had to do more than organize "knee jerk" protests against workfare and instead use the opportunity to develop a new program that could wipe away the stigma associated with the existing welfare regime and wield workfare as a means to achieve a full-employment economy. Roberts' argument was qualified by a strong critique of the ill-defined Harris plans, but his invective was reserved for a left-aligned with the NDP and the welfare state more generally.⁶⁷ Roberts mistake was to assume, like many union leaders, the Tories were ready to negotiate and consult with their political opponents.

Arguments against workfare were quite coherent among anti-poverty and labour activists who described it as an attack on the poor, a cheap labour program for employers, and the overturning of the "principle that desperate people should not be forced to take a job in order to get the support they need." Many were quick to point out that workfare implied welfare

⁶⁵ Christina Blizzard, *Right Turn: How the Tories Took Ontario* (Toronto: Dundurn Press, 1995), 45.

⁶⁶ Ernie S. Lightman, "'It's Not a Walk in the Park': Workfare in Ontario," *Workfare: Ideology for a New Under-Class*, ed. Eric Shragge (Toronto: Garamond Press, 1997), 85.

⁶⁷ Wayne Roberts, "Welfare's Fraud," *Now Magazine*, July 13 1995, 12-13, 18.

recipients were responsible for unemployment.⁶⁸ As anti-poverty activist Lynn Toupin wrote in early 1996, taxpayers “effectively put more money in the pockets of private companies” while not having to hire people at full wages. Citing the existing example of workfare in New Brunswick, Toupin also observed that workfare recipients were exempted from labour standards, including the right to join unions, take holidays, get a minimum wage, or even be protected from injuries on the job.⁶⁹ Workfare was understandably denounced for being a form of coerced labour. OFL president Gord Wilson said it was “as much a vocational dead end as an Alabama-style chain gang.”⁷⁰

Women on social assistance, especially single mothers, were especially hard hit by workfare which only offered exemptions for single mothers with children under the age of three. This failed to address childcare needs for those not exempted at a time when the childcare system was under immense stress and pressure from budget cuts. The Tories also slashed the 1987 amendments to the “spouse-in-the-house” rule, which allowed someone to collect social assistance while another member of the household was still employed.⁷¹

As Toupin and others also pointed out, there was ample evidence to suggest that workfare simply did not work. The New Brunswick workfare pilot, NB Works, selected 3,000 participants who had been assessed as the most likely to complete the program. After thirty months, fully two-thirds had dropped out of the program with only 39 stating in an exit study that they were

⁶⁸ Allan Moscovitch, “Social Assistance in Ontario,” in Diana Ralph, André Régimbald and Nérée St-Amand (eds.) *Open for Business/Closed to People* (Halifax: Fernwood, 1997), 90; Sherri Torjman, *Workfare: A Poor Law* (Ottawa: Caledon Institute of Social Policy, 1996), 4-9; Bryan D. Palmer and Gaétan Héroux, *Toronto’s Poor: A Rebellious History* (Toronto: Between the Lines, 2017), 325-327.

⁶⁹ Lynn Toupin, “Workfare: no cure for the jobless blues,” *Canadian Dimension* (February-March 1996), 26.

⁷⁰ Lee Prokaska, “Heartstrings versus purse strings,” *Hamilton Spectator*, September 3 1996, B2.

⁷¹ A useful discussion of the social assistance reforms and their impact on women can be found in Tonya J. Lailey, “The ideology of a hot breakfast,” (MA Diss. Queen’s University, 1998), 39-49.

ready for a job search.⁷² One immense shortcoming of NB Works was the double-digit unemployment in the province. Canadian Labour Congress president Bob White said much the same. “The problem with the economy is that we don't have enough jobs,” observed White at a Windsor banquet for CAW Local 444 retirees. He added that jobs were possible but offshore tax havens had allowed tens of billions to be transferred outside Canada since the onset of the recession in 1991.⁷³

With the government not ruling out the undermining of union jobs through workfare, many public sector unions feared competition with low-wage non-union workfare recipients. CUPE Local 5 president Sid Gratton, whose members were outside municipal workers in Hamilton, worried about workfare recipients taking their jobs. “The nature of our jobs is that they are labour intensive,” explained Gratton. “It's one of the areas that become part of the experiment in plans like workfare, which can come under many names. We have a strong concern about the impact on our members.”⁷⁴

The pilot project's emphasis, however, was placing workfare recipients into non-profit social agencies. Rather than challenging union jobs, the focus would be work placements in non-profit agencies which comprised a major component of the province's social safety net. This immediately raised concerns with labour's deep relationship with the United Way (UW), the province's single largest charity funding social agencies. In Ontario alone, 1,700 agencies were funded through 44 local or regional UW campaigns. Millions of dollars were raised from union members through automatic paycheque deductions during fund drives and campaigns were largely driven and organized by union members, often in partnership with local labour

⁷² Robert Mullaly, “The Politics of Workfare: NB Works,” *Workfare: Ideology for a New Under-Class*. Ed. Eric Shagge (Toronto, 2000): 42-45

⁷³ Gary Rennie, “White lauds city; blasts workfare,” *Windsor Star*, June 13 1996, A3.

⁷⁴ Lee Prokaska, “Heartstrings versus purse strings,” *Hamilton Spectator*, September 3 1996, B2.

councils.⁷⁵ A conflict was inevitable if any union placed demands on the United Way to block funding agencies using workfare recipients.

Boycott Blues

A month after the Kitchener-Waterloo Day of Action, a motion was brought forward to the Waterloo Region Labour Council by Lucy Harrison, a CUPE member and one of the co-chairs of the Day of Action organizing committee. Delegates voted unanimously for labour council to send a letter to the Kitchener-Waterloo and Cambridge United Way campaigns urging them to reject any collaboration with workfare and cut funding to agencies requesting and using workfare recipients. Delegates at the Windsor and District Labour Council followed suit, broaching the issue in discussion but not yet putting forward a motion. Windsor's unions provided the organizational backbone of the Windsor United Way which had the highest donation per capita of any Canadian city for 26 consecutive years. The council's vice-president Nick LaPosta said that he wanted Windsor to be a workfare-free city, but also stated that boycotting the United Way was "not personally something that I would want to see."⁷⁶ If other unions and labour councils followed Waterloo's lead, a labour boycott of the United Way would result in a catastrophic collapse in fundraising and decimation of its volunteer base. For example, if the Waterloo Regional Labour Council carried out an effective boycott, it would halve the combined \$5.7 million raised by the Kitchener-Waterloo and Cambridge United Way campaigns.

The Waterloo decision caused an immediate controversy, placing the OFL once more in the middle of a divisive debate. Committed to maintaining the relationship with the UW, the OFL had warned the charity shortly before the Waterloo motion that labour council boycotts

⁷⁵ For a brief overview of labour's relationship to the United Way see Janice Manchee, "Unions and the United Way: From Charity to Change," *Our Times* (April/May 2006), 27-35.

⁷⁶ Blair Crawford and David Morelli, "Charity threatened in workfare war," *Windsor Star*, May 16 1996, A1.

would be a “worst-case scenario” while allowing the selective directing donations to non-workfare agencies would likely avert a crippling and divisive boycott. Meanwhile, the United Way protested that it was an apolitical organization caught between the government and organized labour. “Our philosophy has always been, we don't want to be in something that jeopardizes the ability of the community to raise money to invest back into the community,” said Rob Way, president of the Kitchener-Waterloo United Way.⁷⁷

Once the United Way had rejected the call from labour to take an anti-workfare position, the Tories saw a political opening and intervened. “It's kind of unbelievable that they would think about penalizing the United Way,” explained Tsubouchi who said workfare would happen regardless of a boycott.

The United Way is an organization that does so much good across the province. What does this mean? They're going to stop supporting women's shelters or the Victorian Order of Nurses and all the other good organizations that the United Way funds? I'm actually quite shocked.⁷⁸

Kitchener-Wilmot's Tory MPP Gary Leadston called the proposed boycott it a “miscarriage of justice” and “a very regressive step.” Opposition parties were more supportive. Liberal social services critic Dominic Agostino lauded the Waterloo Regional Labour Council's initiative, stating: “I would personally urge social service agencies to reject any opportunity whatsoever to be involved in the workfare program.” NDP social services critic Dave Cooke also approved. “Workfare is a destructive program that will hurt human beings. Social service agencies are supposed to be in the business of helping people. So I think it would be inappropriate for social service agencies to be taking part in workfare.”⁷⁹

⁷⁷ Carol Goodwin, “CUPE may seek boycott of United Way,” *Waterloo Record*, May 21 1996, A1.

⁷⁸ Greg Crone, “Threat to hold back cash a shock, says Tsubouchi,” *Hamilton Spectator*, May 16 1996, A8.

⁷⁹ Greg Crone, “Threat to hold back cash a shock, says Tsubouchi,” *Hamilton Spectator*, May 16 1996, A8.

With Waterloo Regional Labour Council at the centre of the controversy, its president Bob Cruickshank said a full boycott was not the goal, but rather union members canvassing for the United Way would encourage donations for agencies not using workfare. Having been in Vancouver at the Canadian Labour Congress convention during the labour council boycott vote, Cruickshank met with local United Way officials where concerns were exchanged. With no mandate from labour council delegates, Cruickshank emerged from the meeting to declare Waterloo Regional Labour Council would not be boycotting or withdrawing from the United Way campaign. Cruickshank also reassured the United Way that the labour council position would ultimately be resolved through an OFL-sponsored summit on June 9 between provincial labour leaders and United Way officials. “We don't want willing participants of workfare saying the big unions are stopping them from going to work,” said Cruickshank to the press. “It's a tricky situation. We will be saying we are not in favor of workfare. But if there is workfare, the people must be paid, if not union wages, then a fair wage.”⁸⁰

The threat of a boycott spreading to Windsor was nixed when Windsor City Council voted May 21 to reject participating in workfare while over a hundred people protested outside City Hall with placards reading “Real jobs for decent wages!” Local labour council president Gary Parent, and Ken Lewenza, president of the influential CAW Local 444 and co-chair of the local United Way campaign, explained to city councillors that inviting workfare into the city would deeply divide the city and place labour in political opposition to the city government.⁸¹ However, not every city was like Windsor and organized labour, were it to push the boycott, would run into stiff opposition.

⁸⁰ Carol Goodwin, “CUPE may seek boycott of United Way,” *Waterloo Record*, May 21 1996, A1; Carol Goodwin, “Labor council backs United Way for now,” *Waterloo Record*, May 22 1996, B2.

⁸¹ Ellen Van Wageningen, “Workfare pilot plan nixed by council,” *Windsor Star*, May 22 1996, A1.

As other labour councils and unions mulled over the motion, Sid Ryan told reporters a few days later that the boycott would come up at the CUPE-Ontario convention in Niagara. “I don't buy into the notion that we could just ask employees to channel their donations where workfare doesn't exist. That means there'll still be support for the organizational structure of the United Way, which would be making it possible for the government to carry out the workfare program.” Ryan rejected the United Way’s positioning, arguing the charity “is not apolitical if they are going to help the government implement its most heinous program. They are clearly taking a side here, in my opinion.”⁸²

In late May, delegates at the CUPE-Ontario convention in Niagara voted 95 percent in favour of a total boycott of the United Way should the charity be unable to develop new anti-workfare rules for its dependent agencies by June 16. Lucy Harrison, who attended the convention, believed labour had to make a statement on workfare. “The feeling that came out of the CUPE convention, and from talking to a lot of other people, is that if labor takes a strong approach now, it would give the non-profit agencies the leverage to say to the province, we won't participate,” said Harrison. “We have to take the initiative. If we wait, it will be too late.”⁸³

The June 9 OFL-United Way summit preceded the next Waterloo Regional Labour Council meeting by only a few short days. At the summit, the United Way offered a compromise along the lines of those proposed by Cruickshank. “We would offer donor options where people could give to the United Way and say on their pledge card, No Workfare,” said David Armour, United Way president. “The individual donations could then go to specific agencies not involved in workfare.” The proposal was generally well-received by those present at the meeting, although Ryan intervened with a proposal that the United Way make a public statement opposing

⁸² Carol Goodwin, “CUPE may seek boycott of United Way,” *Waterloo Record*, May 21 1996, A1.

⁸³ Carol Goodwin, “United Way awaits workfare verdict,” *Waterloo Record*, June 11 1996, B3.

workfare and seek to cancel funding for agencies using workfare. The outcome of the meeting was a reprieve for the United Way. It would have to develop a plan acceptable to the OFL as of July 31. Ryan agreed to extend his union's June 16 deadline to July 31 as well.⁸⁴

In the wake of the summit, the following Waterloo Regional Labour Council meeting descended into chaos while under the glare of the media spotlight. Cruickshank sought to postpone the issue of Workfare until the next Labour Council meeting September, arguing that time was needed for a coherent plan. Harrison opposed the move causing Cruickshank to become "visibly furious" according to reporter Carol Goodwin, and tried to interrupt her on several occasions. "I feel compelled to speak against the deferral to September. Waterloo Region has been chosen as a workfare site. We have an opportunity to be pro-active. If we postpone it till September, it won't give United Way agencies time to react." Goodwin was then asked to leave the meeting where a heated debate took place. The vote for deferral won 16-14. Goodwin, waiting outside the closed doors, witnessed Harrison and two others leave the room visibly upset. Harrison told Goodwin she would continue working to fight workfare despite the split, describing the differences as a question of tactics, not principle.⁸⁵

"I would say that's a split," said CAW Local 1451 member Jim Walter of the vote. Cruickshank, still angry after the meeting, maintained his position but did not mince words: "I think it's disgusting that the region is bringing workfare here. But I support the United Way, and I don't believe if someone has a gun put to their head by the provincial government over workfare, that we should go in and cut their legs off. And I think anyone in the labor movement who thinks that way should not be in the labor movement."⁸⁶

⁸⁴ Carol Goodwin, "United Way awaits workfare verdict," *Waterloo Record*, June 11 1996, B3; Carol Goodwin, "Targeting donations could ease UniWay quandary," *London Free Press*, June 20 1996, B7.

⁸⁵ Carol Goodwin, "Labor council split over response to workfare," *Waterloo Record*, June 12 1996, A2.

⁸⁶ Carol Goodwin, "Labor council split over response to workfare," *Waterloo Record*, June 12 1996, A2.

Not all shared Cruickshank's position. "I don't know why labor is involved in the United Way in the first place," explained CAW Local 1451 member Jim Walter. "I don't support the United Way. I know I'm quoting someone, but I think the United Way is the corporate face of charity." CAW Local 1986 member and local United Way board member Don McFarlane called the whole affair confusing: "If we are opposed to workfare, how can we support agencies enacting it?" Labour Council vice-president Kirk Oulds described the government "using a charitable organization to divide us" and having "us at each other's throats." The two co-chairs of the Kitchener-Waterloo Day of Action coordinating committee were certainly now at odds.⁸⁷

As local union activists in Waterloo were at each other's throats, so too were senior labour leaders. When Ryan declared the United Way boycott on after they failed to produce a statement against workfare, Steelworker and OFL executive vice-president Ken Signoretti said Ryan "should have looked into the ramifications a little more," concluding, "Sid jumped the gun on the whole thing." Criticism was not limited to Pink Paper union leaders. CAW Local 444 president Ken Lewenza also said Ryan's opposition was premature because unions leaders had not adequately discussed the issue.⁸⁸ Ryan stood by CUPE-Ontario's decision, saying: "It's time to take a look at relationships and call in the markers. We have now run up against a real right-wing agenda that is attacking us on all sides. It is time to knock people off the fence. If the United Way doesn't want to be our ally, the United Way should get out of the way."⁸⁹

⁸⁷ Carol Goodwin, "Labor council split over response to workfare," *Waterloo Record*, June 12 1996, A2.

⁸⁸ Gary Rennie, "Charity a political football in labor debate," *Windsor Star*, June 15 1996, A1; Lee Prokaska, "Heartstrings versus purse strings," *Hamilton Spectator*, September 3 1996, B2.

⁸⁹ Lee Prokaska, "Heartstrings versus purse strings," *Hamilton Spectator*, September 3 1996, B2.

Phantom Victory

As the boycott debate inside raged inside labour ranks, the workfare pilot became bogged down by an array of administrative and political problems. Workfare proponent Maeve Quaid also alleges that the pilot faltered because of “a bureaucracy that was not sympathetic to the cause,” although no evidence is provided.⁹⁰ The municipalities were finding it impossible to implement the program by the end of summer or even the end of 1996 because of insufficient instruction from the province. Opposition to workfare also divided municipal governments and slowed down any prospective implementation as city council and committee meetings became the focal point of anti-poverty activists and others lobbying for municipal non-participation. The government had aimed to enroll 55,000 people in the pilot program across 20 municipalities by September, but there had been nearly no participation. In mid-August, the widely unpopular Tsubouchi was shuffled to a less controversial cabinet position of Minister of Consumer and Commercial Relations. Janet Ecker, a long-time party insider, replaced Tsubouchi.

Under Ecker, the pilot program remained plagued by difficulties. By November, only nine small municipalities had joined, creating at most a couple hundred workfare positions. Ecker made one last ditch effort to keep the mandatory nature of the program alive by arguing within cabinet for the province to assume total control of welfare spending and removing municipalities altogether from social assistance management and delivery. The request was rebuked, and by mid-November, Ecker stated in a speech: “No single choice within Ontario Works is mandatory, but over-all participation (in Ontario Works) is a requirement for each

⁹⁰ Maeve Quaid, *Workfare: Why Good Social Policy Ideas Go Bad* (Toronto: University of Toronto Press, 2002), 181.

recipient.”⁹¹ Mandatory workfare was dead but Ecker refused to admit defeat. Visiting Brockville in late November, she promoted Brockville as a workfare success even though the city only had eight workfare volunteers. Ecker also singled out CUPE-Ontario’s boycott of the United Way. “That kind of blackmail is, I think, quite despicable,” she told the press. “If critics want to fight workfare they can do that without holding vulnerable people hostage.”⁹²

As mandatory workfare approached its death in October, the United Way had incorporated a “donor choice” card into their fundraising efforts, allowing people to direct money away from agencies using workfare. The United Way’s supporters in organized labour promoted this innovation while saying nothing of the United Way’s ongoing silence about workfare. Numerous labour leaders encouraged donations to non-workfare social agencies and made a big push for another successful annual United Way campaign. There was no mention made that after months of boycott threats, only six of 1,700 social agencies funded by United Way donations had applied to participate in the workfare pilot program.⁹³

Mandatory workfare was defeated, but the pilot continued through 1997 and was enshrined in the Ontario Works Act passed in late 1997. Workfare would become one of three options pursued by social assistance recipients, the other two options being education and training. As critics predicted, workfare recipients were denied coverage under basic minimum employment standards and the right to form a union and bargain collectively. An amendment to

⁹¹ Phinjo Gombu, “Mandatory workfare rule now uncertain,” *Toronto Star*, November 20 1996, A14; Katherine A. Graham and Susan D. Phillips, ““Who Does What” in Ontario: The process of provincial-municipal disentanglement,” *Canadian Public Administration* Vol.4, No.2 (1998), 187.

⁹² “Minister accuses union of blackmail,” *Kingston Whig-Standard*, November 23 1996, 3.

⁹³ “CAW members urged to make United Way campaign successful,” *Contact*, Vol.26 No.29; Lee Prokaska, “Heartstrings versus purse strings,” *Hamilton Spectator*, September 3 1996, B2; Lee Prokaska, “Labour workfare threat,” *Hamilton Spectator* September 20 1996, B3; Lee Prokaska, “Charity’s workfare choice difficult for payroll,” *Hamilton Spectator*, October 5 1996, A11

the Ontario Works Act, the Prevention of Unionization Act with Respect to Community Placements Act, became law in 1998.⁹⁴

A strong proponent of workfare, business administration professor Maeve Quaid's study of six North American workfare programs in the 1990s identified the CUPE-Ontario boycott as a "critical tactic" in rendering the Tory workfare plan almost entirely meaningless by threatening the "financial ruin" of the United Way and forcing the government in turn to retreat from its mandatory nature. Quaid argues that the final version of workfare introduced in the Ontario Works Act did not "make any new demands on most welfare recipients." Quaid describes it as nothing more than "business as usual" and quotes with approval John Ibbitson's description of Ontario workfare as a "phantom program".⁹⁵

As the Days of Action were wound down with Peterborough and the movement's expectations lowered, there was a clear retreat by labour leaders from the strategic logic of escalating economic disruption to generate a crisis capable of derailing or defeating the Common Sense Revolution. John Clarke warned that without confidence to actually win through extra-parliamentary activity, then the protests would be nothing more than "some kind of mass therapy session" to cope with the trauma of austerity and restructuring.⁹⁶ As Marcella Munro argued, victories required actual concrete campaigns to fight specific aspects of the Common Sense Revolution. Other than CUPE-Ontario's boycott of the United Way, the province's labour leaders had nothing of the sort to offer after the OPSEU strike.

⁹⁴ For context, see John Hollingsworth, "'Hard Times' in the 'New Times': The Institutional Contradictions of an Emergent Local Workfare State (*Ontario Works* in Ottawa, Ontario, Canada)," (Diss. MA. Carleton University, 2000), 141-142.

⁹⁵ Maeve Quaid, *Workfare: Why Good Social Policy Ideas Go Bad* (Toronto, 2002), 188-190; John Ibbitson, "Is Workfare Working?" *Sudbury Star*, August 10 1998.

⁹⁶ Clarke, "Fighting to Win," *Open for Business/Closed to People*, 157.

The boycott effectively leveraged labour's economic power over the United Way and social agencies and forced the government to retreat from mandatory workfare. The UW was given an incredible amount of leeway by most union leaders in its decision to remain silent on workfare. Facing the determination of CUPE members to carry through the boycott, other union leaders mounted a rearguard action to buy the United Way time in a bid to contain the boycott and maintain the charitable partnership. CUPE-Ontario forged ahead eventually forcing the United Way to make a compromise and sending social agencies a clear message. The effort proved remarkably successful in rendering the workfare pilot program a failure, defeating mandatory workfare, and contributing to the fall of David Tsubouchi.

Ontario's feuding unions found common ground in defending the United Way against the CUPE-Ontario boycott. When the boycott proved successful, organized labour remained totally silent, robbing the entire movement of a significant victory and the confidence and lessons it might have instilled. The effort to stop the boycott curtailed member-driven decision-making in labour councils and exposed how many union leaders were unwilling to exert economic pressure to stop one of the most controversial planks of the Common Sense Revolution. The signal it sent to numerous union and community activists was that labour's strategic partnership with the UW was more important than honouring commitments to defending the province's most vulnerable and building a genuine community-labour coalition. Having rendered one of the Common Sense Revolution's main policy planks a dead-letter, the opposition movement looked towards Toronto believing it had yet to score a single victory against the government.⁹⁷

⁹⁷ In all the literature, popular and academic, which deals the first term of the Harris government, there is not one single mention of the CUPE-Ontario boycott of the United Way, let alone any analysis of what happened to the workfare pilot program unrolled in 1996. Most literature, if it mentions workfare's implementation at all, mentions the June 1996 announcement of the workfare program, and proceeds to the fully-formed policy found in the Ontario Works Act of late 1997. Quaid's work appears to be the only exception.

Chapter 6:

Retreat and Resistance, October 1996 - July 1997

It was called the biggest demonstration in Canadian history. Claims were made that a quarter million flooded the streets surrounding Queen's Park, the seat of the Ontario government. With Indigenous drummers leading, the head of the labour march up University Avenue arrived at Queen's Park before the tail left Coronation Park over four kilometres away. Along Front Street, it passed by the Metro Convention Centre with white curtains drawn in every window, the doors locked, and a police cordon to protect the Ontario PC Party convention inside. Spanning the forty metre width of University Avenue, the march took two hours to pass any one point. Nearby, the community rally packed the expansive Nathan Phillips Square to capacity before departing to join the larger march. When the marches arrived at Queen's Park, Bruce Cockburn belted out his hit song, "Lovers in a Dangerous Time". Those on the stage were amazed at the sight of University Avenue packed as far as the eye could see. Billy Bragg followed up with Bob Dylan's "The Times They Are A Changin'," announcing he was reclaiming the song from its use in a recent Bank of Montreal television commercial. A day before, Toronto was described as a ghost town. A million people stayed home from work, the highways and roads were empty, and five hundred picket lines dotted the city. A giant Bay Street billboard paid for by the Ontarians for Responsible Government read "Memo to big union bosses: You won't shut down our city." Protesters marching by mocked it with chants of "Oh yes, we did!"¹

¹ Bill Howes, "Taking Back Our Town: An Insider's View of the Metro Days of Action," *Our Times* (February 1997), 29-33; Jason Ziedenberg, "The Metro Days of Action: The Hogtown Shutdown," *Canadian Dimension* (January-February 1997), 8-10; Interview, Pam Frache, November 11 2015.

Months in the making, the Metro Days of Action was an exceptional display of popular opposition to the Harris government and organized labour's ability to disrupt the economy. Yet, almost as soon as it was over, the existing conflict within the labour movement exploded, threatening to split the Ontario Federation of Labour in half. After the Pink Paper union leaders openly declared their opposition to the strikes, those ostensibly favouring extra-parliamentary protest controversially selected Steelworker-dominated Sudbury and distant Thunder Bay for the next Days of Action. Despite succeeding in terms of mass participation, the two days of protests and strikes in Toronto were unable to stop the Harris government. "Harris was not a smart man but he did have a certain animal cunning about him," says OCAP's John Clarke reminiscing about the Metro Days of Action.

He very, very perceptively described it as a "good show" and I think he absolutely nailed exactly what the intentions of the bulk of the trade union leadership were. Those who didn't want to do it at all, of course, Steelworkers and others didn't want to do anything...Up until the Toronto action there was a significant section of them that had some notion of taking it to a higher level but that high level but that high level was reached with Toronto. That's as high as they were prepared to go...²

The irony of the labour movement's debilitating infighting in late 1996 and early 1997 was the eruption of new protests and civil disobedience among ranks of society not aligned or commonly identified with organized labour. Battles over hospital closures, the "Megacity" amalgamation of Toronto, and the working conditions and government regulation of doctors, all brought out segments of society that had participated in the Days of Action to varying degrees but had not themselves led their own struggle.³ There is little doubt that the Days of Action had generalized

² Interview with John Clarke, July 2 2016.

³ Reporters at the time as well as researchers Martin Horak, Julie-Anne Boudreau, Roger Keil and Douglas Young are all in agreement that the leadership and much of the membership of the movement against Metro Toronto's amalgamation was "middle class," by which they mean predominantly white middle-aged, home-owners with secure above-average incomes, largely professionals. The definition can easily include doctors, firefighters, and many people involved in the campaigns to save urban and rural hospitals. Students were and still are widely regarded as "middle class" because of their aspirations for employment in various professions, although the "middle class"

and normalized protest as a means to express grievances against the Common Sense Revolution. However, the new campaigns operating independently of the union leadership were narrow in their goals and never assumed a wider leadership role in opposing the entirety of the Common Sense Revolution. Harris and his team had only to wait for these new forms of resistance to recede until legislative and budgetary measures were passed in the spring of 1997.

This chapter examines the Metro Days of Action and the major protest campaigns that followed the renewal of open civil war between the two main leadership factions in the Ontario Federation of Labour. Special attention is paid to these narrower independent campaigns emerging after the Metro Days of Action, and how they were organized, who participated, and why they drove down the popularity of the government and even damaged the Common Sense Revolution's restructuring plans. At the same time, we trace the retreat of organized labour from the forefront of the extra-parliamentary opposition.

Shutting down Toronto

The strike began as the sun set on October 24. What may have been the first picket line to go up may have also been the smallest. Part-time library worker Sue Chater started picketing alone at the Toronto Hydro service yard on Huron Street at 6pm. To a reporter she commented, "I guess I'm supposed to be like that lone guy standing in front of the tank at Tiananmen Square, or

features of income security and home ownership do not apply. A more nuanced but generous definition of students might be a "middle class in formation." However, without disputing the use of "middle class" in the research of Horak, Boudreau, Keil and Young to define the leadership of the anti-Megacity campaign, this "middle class" definition is entirely too vague to be applied beyond specific contexts and specific groups. The definition inevitably includes large sections of organized labour. The term will be used sparingly in this study. See Martin Horak, *Power of Local Identity: C4LD and the anti-amalgamation mobilization in Toronto* (Toronto: Centre for Urban and Community Studies, 1998); Julie-Anne Boudreau, Roger Keil and Douglas Young, *Changing Toronto: Governing Urban Neoliberalism* (Toronto: University of Toronto Press, 2009).

something.”⁴ Shortly afterwards, two hundred pickets descended on the enormous South Central Canada Post facility on Eastern Avenue and helped shut down Canada Post operations across the entire region. “All 8,000 of our members will be out, there’ll be no movement of mail anywhere in Metro,” said one confident postal worker.⁵ Like earlier Days of Action strikes, flying squads roamed the city to bolster lines, although Toronto also had a mobile group of nearly a hundred cyclists roaming the downtown, blocking intersections until the police arrived at which point they made their way to another.⁶

Despite the injunctions and threats of legal action to keep the Toronto Transit Commission operating, pickets went up as early as 2:30am, defying an Ontario Labour Relations Board ruling saying they could not be up before 6:30am. OLRB orders to allow “picket-free corridors” were also ignored. Cross-picketing at the Greenwood and Malvern yards successfully closed the subway. At the Wilson Complex, 150 people locked arms to prevent TTC drivers from crossing. At the Bathurst bus garages, at least one TTC employee had to be turned away three times by the 100-strong line chanting “Nobody in! Nobody out!” A Metro Toronto Police official confirmed with one reporter that they were prepared to escort TTC workers through the picket lines, but noted, “We were never asked.”⁷

Also the subject of much legal wrangling and threats, the only pickets going up at Pearson International Airport were at a cargo facility where trucks were neither blocked nor seriously delayed. Some flights, however, were cancelled due to insufficient passengers.

⁴ William Walker and Nicolas van Rijn, “Don’t be intimidated by protesters: Harris,” *Toronto Star*, October 25 1996, A1.

⁵ William Walker and Nicolas van Rijn, “Don’t be intimidated by protesters: Harris,” *Toronto Star*, October 25 1996, A1, A29.

⁶ Nicolas van Rijn, “Day of disruption,” *Toronto Star*, October 26 1996, A18.

⁷ Peter Cheney and Gail Swainson, “TTC plans to sue protesters,” *Toronto Star*, October 26 1996, A25; Cal Millar, “TTC workers didn’t ask for help: Police,” *Toronto Star*, October 26 1996, A27.

Meanwhile, GO Transit faced no disruptions but reported passenger loads down by 75 percent.⁸ Numerous factories and warehouses were also shut down. Picket lines at the Ontario Food Terminal, a crown corporation, held from 4:30am to noon. Normally selling \$2 million in produce each day, the Food Terminal's general manager described the day as "a major economic loss." Meanwhile, the unionized auto parts maker A.G. Simpson had stockpiled materials through \$100,000 in overtime wages and then laid off its workforce for the day. In response, pickets shut down one of the company's industrial operations in Scarborough. De Havilland's Downsview workforce of 5,600 was also idled for the day as well as 600 workers at suppliers. De Havilland lost upwards of \$3 million in production.⁹ At Toronto City Hall, 150 members of the Power Workers' Union established picket lines. A protester wearing a gorilla mask blocked Mayor Barbara Hall from entering for 90 minutes while Power Workers' Union president John Murphy spoke to her about the city's month-long parking attendants strike.¹⁰

Toronto's garbage collection, recreation centres, and numerous other services were also closed. Three quarters of civic employees were off work, including a 90 percent book-off rate among sanitation workers. Surrounding municipalities faced a different situation, with East York reporting all services open and 75 percent staffing rates and Scarborough reporting 60 percent staffing rates and "business as usual." Metro Toronto reported between 70 and 80 percent attendance, with at least 200 workers sleeping overnight in cots at their workplaces at Metro Hall. A soft picket line with leafleting went up at Metro Hall at 6am but when a courier barreled through the lines, the pickets sealed the entrance tight. The wounds of the OPSEU strike still

⁸ Frank Calleja, "Airport travellers flying high," *Toronto Star*, October 26 1996, A25; Peter Cheney and Gail Swainson, "TTC plans to sue protesters," *Toronto Star*, October 26 1996, A25.

⁹ James Daw, "Employers cope with disruption," *Toronto Star*, October 26 1996, E1/E8; Nicolaas van Rijn and Dale Anne Freed, "Labor bodies face over \$3 million in damage claims," *Toronto Star*, October 29 1996, A4.

¹⁰ Nicolas van Rijn, "Day of disruption," *Toronto Star*, October 26 1996, A18; Nick Pron, "Masked man slow Sid Ryan Express," *Toronto Star*, October 26 1996, A25; Paul Moloney, "Shut out: Pickets block mayor from city hall," *Toronto Star*, October 26 1996, A26.

festering amidst layoffs and seniority bumping, absentee rates ranged from a 25 to 50 percent by ministry. About 90 percent of federal public service workers in Toronto took the day off.¹¹

The Metro separate school board had tried to avoid disruption by scheduling a professional activity day at all but fifteen high schools and six elementary schools. It reported only 12 percent of its 15,575 high school students in attendance. The *Toronto Star* reported examples of elementary schools with 20 out of 450 students or 37 out of 500 students in classes. School boards generally reported 30 to 40 percent of staff taking the day off, although this was as low as five percent among Scarborough's public elementary teachers. At the University of Toronto, demonstrations and pickets were sparse, but at York University, the campus's eight road entrances were sealed tight by picket lines.¹²

A number of rallies doubled as mass pickets. The Workers' Compensation Board on Front Street and at the Ministry of Health on Grosvenor were targeted, as well as the Metro Toronto welfare office at 605 Rogers Road, and TTC Headquarters at 1900 Yonge Street. At at Bay and King, several thousand people converged on the Stock Exchange at noon where triumphant radical speeches were delivered by labour leaders. Some people tried unsuccessfully to break through the doors but were stopped by police. The significant presence of Steelworkers had one participant reporting the rally "saw union rivalries submerge for a glorious moment."¹³ Rallies were held across the city and even in the suburbs, including the East York Civic Centre and Scarborough Civic Centre. In North York, some two thousand people rallied, joined by a march that began at Hendon Park just north of Finch and Yonge. The latter march was among the

¹¹ William Walker and Nicolas van Rijn, "Don't be intimidated by protesters: Harris," *Toronto Star*, October 25 1996, A29; Gail Swainson, "Tonks hails Metro staff: Most went to work," *Toronto Star*, October 26 1996, A26; Paul Moloney, "Shut out: Pickets block mayor from city hall," *Toronto Star*, October 26 1996, A26.

¹² Nicolas van Rijn, "Day of disruption," *Toronto Star*, October 26 1996, A1; Peter Small, "Classes quiet as many students stay home," *Toronto Star*, October 26 1996, A27.

¹³ Jack Lakey and Moira Welsh, "Bay St. at centre of Metro rallies," *Toronto Star*, October 26 1996, A26; Ziedenisberg, "The Metro Days of Action," 8.

largest of the demonstrations on the day, drawing together about two thousand people under the “North York Fights Back” community-labour coalition umbrella. In addition to many participants coming from the impoverished and racialized Jane-Finch community, the rally included a large contingent of building trades workers.¹⁴ Thousands at the Ministry of the Environment conducted a mock trial finding Harris guilty of environmental destruction and sentencing him to jail. The largest rally of the day was at 1pm at the Ministry of Education on Bay and Wellesley where teachers and parents gathered in numbers far exceeding five thousand and pushing ten thousand according to one observer.¹⁵

The awesome scale of strike activity left Toronto a “ghost town” with participant and researcher Paul Kellogg claiming a million people staying away from work.¹⁶

Impositions and injunctions

Unlike the previous Days of Action, legislative and legal efforts were pursued by all levels of government and employers to stop the October 25 strikes. Ontario Federation of Labour president Gord Wilson and protest organizers were determined to “shut down” the country’s biggest city, and this meant targeting the public mass transit systems upon which the city’s economy was profoundly dependent. Through September, threats to shut down Transit Commission, GO Transit, and Pearson International Airport escalated. Wilson’s speeches were increasingly radical. On one occasion he declared “Toronto is where the boss lives,” and “on October 25, we’re going to throw him (Harris) out of work.” Continuing, Wilson said:

Toronto is different. Toronto is the Mecca of the business community. It’s the symbol of capitalism. The bank towers. We’re going to shut down all those Mercedes and Porsches

¹⁴ Brian Dexter, “3,000 expected at protest,” *Toronto Star*, October 24 1996, NY6.

¹⁵ Ziedenberg, “The Metro Days of Action.”

¹⁶ Paul Kellogg, “Workers Versus Austerity: The Origins of Ontario’s 1995-1998 ‘Days of Action’,” *Socialist Studies* 7 (Spring/Fall 2011), 119.

going to Bay St. To hell with them. The damage these people are causing with their friends in power at Queen's Park and Ottawa to a lot of responsible, hard-working citizens is just too painful.¹⁷

The militant rhetoric and efforts to organize the shutdown were complicated by Wilson himself when, in early June, he agreed organized labour would not disrupt the October 25 Breeders' Cup at the unionized Woodbine Racetrack, or target the hotels and services associated with the event, including the Breeders' Cup headquarters at the Royal York. The Royal York, however, was located across the street from Union Station linking GO Transit and the subway system. Made only weeks after the Metro Days of Action were announced, the agreement suggested there was little initial confidence in the likelihood of extensive industrial disruption at the protest.

However, once momentum for strikes had gathered, Harris accused Wilson of breaking the agreement by threatening disruption at the TTC, GO and Pearson.¹⁸ Such threats also led to two separate injunctions filed by Pearson airport terminal operators, and a third injunction sought by the federal government on behalf of the entire airport. A week before the strike, Terminal 3 operators served protest organizers a \$100 million lawsuit threat over potential lost revenues to picketing on October 18. Those named in the lawsuit included Gord Wilson, Paul Forder, Sid Ryan, Leah Casselman, Buzz Hargrove, Metro Toronto Labour Council president Linda Torney, organizing committee co-chair Margaret Hancock, and Art Patrick, president of ATU Local 113.¹⁹ "Does this worry us? You bet it does," said a union official to the *Toronto Star* on the condition of anonymity. "They can come at us with a second action, to freeze the assets, currently, and in the future, of all the unions and individuals named. They would shut us down

¹⁷ Caroline Mallan, "Labor set for showdown with Tories," *Toronto Star*, September 3 1996, A3; David Lewis Stein, "Will it be tired slogans – or a new start?" *Toronto Star*, September 3 1996, A3.

¹⁸ William Walker, "Government claims labor broke its word," *Toronto Star*, October 8 1996, A11; Nicolaas van Rijn and Henry Stancu, "Labor vows to spare hospitals in big protest," *Toronto Star*, October 18 1996, A6; Jack Lakey, "Injunction day: Panels hear anti-picket bids," *Toronto Star*, October 22 1996, A1.

¹⁹ Jack Lakey, "Injunction day: Panels hear anti-picket bids," *Toronto Star*, October 22 1996, A1.

and shut us up. Mike Harris ' fingerprints are all over this.'”²⁰ On October 23, the judge issued an injunction allowing demonstrations at the airport so long they did not interfere with any aspect of airport operations deemed necessary for public safety. Both sides claimed victory. Among the pieces of evidence submitted for the injunction was the September speech by Wilson identifying Toronto as a “symbol of capitalism.” The judge dismissed it declaring: “A full reading of the speech shows much hyperbole, including a reference to Christ as a picketer if He were here today.”²¹

The prospects of a TTC shutdown were much more realistic because of ATU participation in the Days of Action in London, Hamilton and Peterborough. However, Wilson’s actions once more complicated efforts on this front when he predicted a TTC shutdown long before any commitment was made by Toronto transit workers. Wilson said the local’s leadership was not keen on preventing a “single mother from trying to get to work,” but would ensure that businessmen would not be able to “hop on a plane to visit Paul Martin in Ottawa.”²² Local 113’s leadership eventually decided to encourage members not to show up for work on October 25 against the wishes of the ATU’s international leadership. The TTC’s general manager David Gunn quickly announced the transit commission would take legal action to recoup lost revenues, which he estimated at \$1.5 million.²³ The TTC filed for an injunction on October 22, but Art Patrick said TTC workers would not cross picket lines. Any injunction, argued Patrick, would “just increase the animosity, and I am recommending to our members that for their own safety

²⁰ Jack Lakey, “Injunction day: Panels hear anti-picket bids,” *Toronto Star*, October 22 1996, A1.

²¹ Theresa Boyle, “Both sides claim win on airport injunction,” *Toronto Star*, October 24 1996, A6. *Canada (AG) v Hendy*, [1996] OJ No. 5446, 1996 CarswellOnt 5599 at para. 30.

²² Dan Smith, “Labor vows to shutdown Toronto,” *Toronto Star*, September 23 1996, A6.

²³ Jack Lakey, “Metro vows to sue if protest shuts TTC,” *Toronto Star*, October 11 1996, A4.

they should not cross the picket lines.”²⁴ The effectiveness of the injunctions depended greatly on the nature of the workplace. Although a sprawling complex, Pearson was a far more centralized and controlled space than the permeable nature of the expansive TTC subway, streetcar and bus system. Even the Metro Toronto Police had advised the municipalities that an injunction to keep TTC facilities open would be impossible to enforce.²⁵

Municipal efforts to curb walkouts were highly uneven, and sometimes favoured the protesters. The first clear victory for the extra-parliamentary opposition was a Toronto City Council vote 11-6 in favour of supporting those participating in the Metro Days of Action and allowing non-essential civic workers to take October 25 off as either unpaid leave or vacation. A few days later the Toronto City Council executive committee also voted 5-3 against supporting a TTC injunction on the advice of the Metro Police that it was simply be unenforceable. Mayor Barbara Hall defended these decisions because of provincial downloading to the municipalities and the long-term consequences regarding quality of life, investment, and employment. Hall’s opponents on council said Toronto would lose credibility with the province, but her rejoinder was that Harris was already ignoring them. Hall’s comments signaled the depth of opposition to the Common Sense Revolution in Toronto proper and provided legitimacy, claimed Torney, for the protest.²⁶

The provincial response to the city’s stance was unambiguous. “To permit employees to take the day off without discipline is, I think, wrong,” said David Johnson of the Toronto City council vote. A former mayor of East York, Johnson believed it “would essentially promote civil

²⁴ Theresa Boyle, Bruce DeMara and Paul Moloney, “Injunction lawyers battle it out,” *Toronto Star*, October 23 1996, A23; Jack Lakey and Bruce DeMara, “Picket case won but TTC may lack staff,” *Toronto Star*, October 25 1996, A6.

²⁵ Paul Moloney “City won’t seek court injunction,” *Toronto Star*, October 17 1996, A7; William Walker, “Open & shut city,” *Toronto Star*, October 19 1996, E1.

²⁶ Jack Lakey, “Take day off to protest, council tells city workers,” *Toronto Star*, October 8 1996, A6; Paul Moloney “City won’t seek court injunction,” *Toronto Star*, October 17 1996, A7.

disobedience and would condone the absence of services that taxpayers have paid for.” He declared provincial government workers would face discipline if they could not produce a doctor’s note for being absent October 25. A TTC shutdown, he warned, would not excuse any absence. Johnson also made the ominous threat that the OPP would intervene at picket lines blocking government workers from crossing.²⁷

In the immediate wake of the Toronto City Council motion, Metro Toronto Council took a very different position. After two days of debate, it voted 21-6 to oppose the protests and “hold the organizers accountable for any damages or loss of revenue incurred by Metro or its agencies, boards and commissions.” Right-wing councilors such as Case Ootes, a close friend of David Johnson, described the protesters as “Nazis” and “fascist brown shirts” trampling democracy. Lining up with Ootes in the vote were the erstwhile defenders of the right to protest, such as Dennis Fontinos, who believed the motion would give Metro and the TTC the leverage to negotiate a compromise with the protesters and allow the continuation of some transit services.²⁸ “What’s to negotiate?” asked Gord Wilson of Metro’s motion. “When an employer lays off workers, do those workers have the right to go back and negotiate to get their jobs back? I wish.” Torney criticized Metro Council for failing to recognize “who the real enemy of public services is – the Harris government.”²⁹

Several thousand volunteer organizers understood that the TTC shutdown was necessary for the Metro Days of Action to be a success. Economically, it would rob employers of their workers and expose the city’s incredible dependency on a financially-starved public service. A TTC shutdown would also undermine those who would argue a functioning TTC was proof of

²⁷ William Walker and Bruce DeMara, “Civil servants warned to stay out of protest,” *Toronto Star*, October 9 1996, A1.

²⁸ Jack Lakey, “Metro vows to sue if protest shuts TTC,” *Toronto Star*, October 11 1996, A4.

²⁹ Paul Moloney, “City won’t seek court injunction,” *Toronto Star*, October 17 1996, A7; Jack Lakey, “Metro vows to sue if protest shuts TTC,” *Toronto Star*, October 11 1996, A4.

weak and waning support for the Days of Action. By further containing Tory criticisms to matters of “law and order”, such as those expressed by Johnson and Ootes, it meant such views were only resonating with the Tory base. Another common line of attack was expressed by Harris who said, “I don't think if your goal is to win public support or sympathy, that taking services away from people is the way to win support.”³⁰ Partisans of the extra-parliamentary opposition routinely replied that the Common Sense Revolution, not a two-day protest, was destroying critical public services.

Organizing the shut down

The general pattern of earlier Days of Action was maintained. Linda Torney, president of Metro Toronto Labour Council, and Margaret Hancock of the Metro Network for Social Justice were selected as co-chairs of the organizing committee. Also exercising top-level authority in the organizing committee was the OFL's Paul Forder and Bill Howse, a long-serving Metro Labour Council executive assistant. Eliciting some disappointment and criticism from activists, an organizing headquarters was established on the seventh floor of a North York office building, not a welcoming storefront office like previous Days of Action. There was also little doubt senior union leaders were running the show, and this caused further problems at the first organizing meeting of 400 people in July. According to activist Jason Ziedenberg, when union leaders at the front of the room said campaign work would be put off until September “because people are on vacation,” the audience “erupted in anger.”³¹ Steelworker and NDP loyalist Michael Lewis also explained that unless the NDP was on the speakers' platform, the Steelworkers would not help fund the organizing. The threat was ignored but ensured the door was closed to Pink Paper union

³⁰ William Walker and Bruce DeMara, “Civil servants warned to stay out of protest,” *Toronto Star*, October 9 1996, A1.

³¹ Ziedenberg, “The Metro Days of Action.”

participation.³² Despite these problems, over 200 unions and community organizations joined the organizing committee. At least seventy union staff and members on book-off were dedicated to the effort, and many were assigned to help community groups in their outreach efforts.

Protests were a daily occurrence in the week before October 25-26. At noon on October 22, a thousand people occupied the downtown intersection of Wellesley and Bay to decry healthcare cuts. On the same day, over a hundred people established a tent city on the north lawn of Queen's Park which they christened Harrisville. The following day, two hundred people took part in a symbolic "plant-in", tilling the soil and planting seeds below Harris's office window at Queen's Park. Police arrested and charged ten with public mischief.³³ On the south lawn, a crowd of mostly Indigenous people gathered to demand justice for Dudley George. Leah Casselman, whose union members had also faced OPP violence during the strike, joined their call for a public inquiry:

While it took them only a few days to announce an inquiry into the March 18 incident here at Queen's Park, the Sept. 6 (1995) shooting at Ipperwash escapes any such probe. We can only conclude that the Ontario government practises two kinds of justice - one for those of us whose numbers give us a strong position to fight back...and another kind of justice for the native community, which the government thinks is powerless and isolated.³⁴

A few days before the Metro Days of Action, Harris finally made a statement on the George shooting that did not categorically reject an inquiry: "We all want to get to the bottom of this, to get the facts out. A criminal case may, in fact, do a lot of that...Our goal is to avoid a repeat of

³² Ziedenberg, "The Metro Days of Action."

³³ Donna Jean MacKinnon, "Activist 'gardeners' arrested," *Toronto Star*, October 24 1996, A7.

³⁴ Nick Pron, "3 boisterous rallies are called a sign of what's to come," *Toronto Star*, October 23 1996, A6; Harold Levy and William Walker, "Union calls for Ipperwash inquiry," *Toronto Star*, October 23 1996, A10.

what happened at Ipperwash at any time in the future and, if we feel an inquiry will assist and there are still more facts to get out, then we'll look at it at that time.”³⁵

Organizers had the daunting task of coordinating cross-picketing and directing protesters to over five hundred picket lines. Calls were made to target numerous plants and facilities, including but not limited to Air Canada, Canadian Airlines, Bombardier-De Havilland, Nestle, Chrysler, Laidlaw Transit, Loomis Courier Service, the Ontario Food Terminal, Molson's, Honeywell Ltd., AT&T Canada, and A.G. Simpson. Even the CN Tower restaurant was a target. Public sector workplaces facing pickets included VIA Rail, Go Transit, TTC, Ontario Hydro, Metro Toronto Reference Library, the LCBO and Art Gallery of Ontario, Canada Post, and provincial and federal government buildings. Unions promised to keep pickets away from hospitals, ambulance and fire services, long-term care facilities, police stations and courts. Metro Toronto's social services commissioner predicted 44 of its 54 childcare centres would operate at normal staffing levels.³⁶

Sid Ryan expected full participation from all 55,000 CUPE members in Metro Toronto. Libraries, garbage service, school boards, universities and municipal buildings would be targeted for shutdown, while hospitals, ambulances and water treatment services would be reduced to minimal essential staffing levels. Hundreds of operations, including major surgeries, were cancelled as part of a contingency plan by hospitals to reduce the number of beds in use in preparation for low staffing levels.³⁷

³⁵ Nick Pron, “3 boisterous rallies are called a sign of what’s to come,” *Toronto Star*, October 23 1996, A6; Harold Levy and William Walker, “Union calls for Ipperwash inquiry,” *Toronto Star*, October 23 1996, A10.

³⁶ Desmond Bill, “No mail, trash but beer’s on,” *Toronto Star*, October 25 1996, A1.

³⁷ Farrell Crook, “CAW joins 2-day Metro protest,” *Toronto Star*, September 16 1996, A9; Tanya Talaga and Jack Lakey, “Labor bids ‘to shut down Metro tight’,” *Toronto Star*, October 4 1996, A6; Nicolaas van Rijn and Henry Stancu, “Labor vows to spare hospitals in big protest,” *Toronto Star*, October 18 1996, A6; Jack Lakey and Kelly Toughill, “And the hit list grows,” *Toronto Star*, October 23 1996, A1.

The Canadian Autoworkers organized at seventy workplaces but leading up to the Metro Days of Action, much of the CAW's energy was immersed in a 20-day strike by GM workers. Hargrove was confident of strong CAW participation observing of earlier Days of Action, saying that "after a lot of discussion and debate, people voted overwhelmingly to close the plants. I expect the same to happen here."³⁸ The GM strike ended October 23 and was wholly disconnected from the Metro Days of Action.

Ontario Teachers' Federation President Bill Martin said there was no plan by the teachers to shut down the schools, although many would be closed because school boards had scheduled October 25 as a professional development day. "We're not about to tell our members to shut down schools on the Friday at all," said Martin. "It will be up to individual teachers whether they wish to participate." He did, however, expect teachers to join the Saturday rally.³⁹

The scale of the operation, threats against the TTC, Pearson and swirling rumours of a 401 blockade by truck drivers had many opponents of the protest in a state of apoplectic panic. Some downtown firms even bringing in cots for employees to sleep overnight. The Retail Council of Canada said transit workers would be taking "hostages" by shutting down the TTC, and that retailers were afraid to speak out because of fear of retaliation. Paul Nykanen, speaking on behalf of the Alliance of Manufacturers and Exporters, delivered a statement declaring that in "a democratic society we cannot pick and choose which laws or contracts we will abide by and which we will ignore or flout."⁴⁰ *Toronto Star* columnist Jonathan Ferguson confided in the readers that "privately, several seething Toronto business people told *The Star* they wouldn't object if the pickets were greeted by water pumpers, tear gas and riot police waving billy clubs."

³⁸ Dan Smith, "Labor vows to shutdown Toronto," *Toronto Star*, September 23 1996, A6.

³⁹ Caroline Mallan, "Labor set for showdown with Tories," *Toronto Star*, September 3 1996, A3; David Lewis Stein, "Will it be tired slogans – or a new start?" *Toronto Star*, September 3 1996, A3.

⁴⁰ John Deverell, "Prospect of mass strike 'outrages' city retailers," *Toronto Star*, October 23 1996, B2.

Ferguson concluded that it was the unions playing “dirty pool” and predicted they would fail in shutting down Toronto.⁴¹ Others, such as the *Toronto Sun*, boldly predicted the protest would be a flop. Even on October 25, Rogers Communications vice-chairman George Flerheller said “the thing is a complete fizzle.” Such views were a small minority.⁴²

When it came to the October 25 strike, there were no major incidents of violence at picket lines, although police reported ten arrests. Five of the arrests happened at the federal building on Front and Yonge when police moved in to break up a hard picket line setup by protesters. Police also pulled over a van on Dundas Street near University Avenue and arrested four members of CEP Local 333 – a composite local spanning the GTA – after police reported finding slingshots, ball bearings, marbles, fish weights, knives, pepper spray, twisted nails and firecrackers in the vehicle. After this initial news report, there was no further media coverage of these arrests or the allegations.⁴³

Split

“I heard they were going to shut the city down,” said Harris defiantly at the party convention after the first day of strike action. “They haven’t.” After the massive demonstration on Saturday, Harris told delegates at the convention centre that protest was merely 35,000-strong. “If you took away all the government employees, the other four or five had a point to make,” said Harris, inciting five hundred Tory delegates to laughter. A few days later, Harris commended the protest

⁴¹ Jonathan Ferguson, “Friday protest will show why we’re Number One,” *Toronto Star*, October 23 1996, B2.

⁴² John McHutchion, “Day of Disruption,” *Toronto Star*, October 24 1996, C8; Jade Hemeon, “Bay St. bundles,” *Toronto Star*, October 25 1996, D1; James Daw, “Employers cope with disruption,” *Toronto Star*, October 26 1996, E1/E8.

⁴³ Cal Millar, “TTC workers didn’t ask for help: Police,” *Toronto Star*, October 26 1996, A27.

saying it was a “good show, good parade, good numbers,” adding that he was willing to meet with the province’s labour leaders.⁴⁴

The usual disagreements over the size of the protest reached absurd heights. Organizers, including Ryan and Torney, put the numbers close to 200,000, while Billy Bragg claimed a quarter million. Yet, the *Toronto Star* claimed 52,800 based on academic research estimates ranging from 25,000 to 60,000. Yet, one University of Toronto professor calculated 180,000 people on University Avenue *after* the community march from Nathan Philips Square had joined the labour march. The Metro Toronto Police first claimed 40,000 then 108,000 based on aerial photography, and finally 75,000 based on a “sophisticated grid counting scheme.”⁴⁵ In every previous protest, the media estimate fell about halfway between the police estimate and protester estimates. Had this remained the case with the Metro Days of Action, one might have expected a media estimate somewhere around 130,000 and 160,000.

While Harris dismissed the protests, Sam Gindin took an optimistic view. He believed the Metro Days of Action were “magic” and had “turned a coalition into a movement.” Gindin’s position was that the protest was a key step in a long-term project of politicizing and democratizing the province, something “the cynics didn’t get it.”⁴⁶ Many people involved in the extra-parliamentary opposition shared Gindin’s perspective and witnessed first-hand the power and further potential of the Metro Days of Action. There was no question the protest was incredibly intoxicating and seemed to open up immense possibilities for taking on the government. “I didn’t want things to go back to normal on Monday because it was such an

⁴⁴ John Ibbitson, “Harris joked at passing protest parade,” *Toronto Star*, October 28 1996, A1; Kelly Toughill, “Harris now calls protest ‘a good show’,” *Toronto Star*, October 29 1996, A4.

⁴⁵ Phinjo Gombu and Nicolaas van Rijn, “Thousands march to protest Harris,” *Toronto Star*, October 27 1996, A1; Nicolaas van Rijn and Theresa Boyle, “Police say ‘simple math’ confirms 75,000 at rally,” *Toronto Star*, October 28 1996, A6; Nicolaas van Rijn, “Down for the count over rally numbers,” *Toronto Star*, October 29 1996, A1/A4; Walter Podilchak, “Counting real people, not images, puts rally total at about 180,000,” *Toronto Star*, November 2 1996, B3; Vicki Hargreaves, “Here’s another estimate that says 180,000,” *Toronto Star*, November 2 1996, B3

⁴⁶ Sam Gindin, “Lessons from Toronto: Days of Action, Days of Hope,” *Briarpatch* (December 1996), 9-10.

amazing thing,” recalled Pam Frache, a committed young organizer at the time. “All the organizing that’s happening, all the camaraderie, all the intensity... That Sunday we watched *Spartacus* and *In The Name of the Father*, trying to literally come down, as though you’re coming down off drugs. Seriously, I didn’t want to go back to work [on Monday].”⁴⁷

Within days, this confidence and momentum generated inside the extra-parliamentary opposition was destroyed and the entire Fight Back campaign was near death. In a desperate bid to paralyze the OFL as part of its longer-term strategy of regaining control, the Pink Paper unions intervened aggressively at an OFL meeting of fifty provincial union leaders in early November. A debate over protest strategy turned into a bitter shouting match and representatives from eleven unions walked out and held an impromptu press conference announcing their opposition to the Days of Action. Steelworkers leader Harry Hynd called the protests “counter-productive”, a “mistake” and even “suicide” for organized labour. Without a focus on electing the NDP, the Steelworkers would not participate in protests or political strikes. John Murphy, president of the Power Workers’ Union called the Days of Action “blanket attacks on communities” which were “working against the goals we’re trying to achieve.” The alternative, explained Murphy, was electoral: “We want to rebuild a political alternative to the Harris government. The alternative for us, as working class people, is the New Democratic Party.” When asked about Ryan’s support for the Days of Action, Murphy shot back “Sid’s approach tends to be what’s good for Sid Ryan and what makes Sid Ryan look good.”⁴⁸ Meanwhile, the

⁴⁷ Interview with Pam Frache, November 11 2015.

⁴⁸ Greg Crone, “Protest laves labor divided,” *Windsor Star*, November 8 1996, A1; Dale Anne Freed, “Unions buck bid to shut cities,” *Toronto Star*, November 8 1996, A8.

ATU's Canadian Director sent a letter to the OFL saying "the Days of Action campaign is increasing divisions within the labour movement, not building unity."⁴⁹

The fallout from the protest continued with Paul Forder being demoted from coordinating the OFL Fight Back campaign for allegedly criticizing Gord Wilson's attendance at an NDP fundraiser in Sudbury instead of the October 26 rally in Toronto. The OFL's Fight Back campaign was further undermined by unions such as CUPE which never delivered on their promised contributions because, as agreed upon in the 1995 OFL convention, a portion of that money was going into NDP political education programs. CUPE chose instead to fund the Days of Action organizing committees directly instead of seeing some of their contribution going towards the Pink Paper NDP programs.⁵⁰

In a bewilderingly provocative and self-defeating response to the Pink Paper unions, the OFL Fight Back campaign declared Sudbury the next Day of Action on February 28. Sudbury's local labour movement was dominated by the Steelworkers, notably Local 6500 representing workers at the storied Inco nickel mine. Furthermore, the decision, taken at a meeting a week after the Pink Paper walkout, was made without consulting any Sudbury trade unionists. Wayne Fraser, president of the Local 6500, wrote to Sid Ryan "As far as we are concerned they are a waste of time, money and energy and are counter-productive in establishing anti-Harris support."

⁵¹ At the subsequent Sudbury and District Labour Council meeting, the Steelworkers and their Pink Paper allies joined forces to have the council reject endorsing the Day of Action by a single vote. "Our view is that February is a non-starter because of the weather, and because the

⁴⁹ Jason Ziedenberg, "The Metro Days of Action: the Hogtown Shutdown," *Canadian Dimension* (January-February 1997), 8. Jason Ziedenberg, "Days of Division: the civil war in the Ontario labour movement," *Briarpatch* (February 1997), 8-9.

⁵⁰ Jason Ziedenberg, "The Metro Days of Action: The Hogtown Shutdown," *Canadian Dimension* (January-February 1997), 8; Jason Ziedenberg, "Days of Division: the civil war in the Ontario labour movement," *Briarpatch* (February 1997), 8-9.

⁵¹ "Labor groups oppose Sudbury protest plan," *Toronto Star*, November 30 1996, A6.

Steelworkers are not crazy about a day of protest in Sudbury,” explained Sudbury and District Labour Council president John Filo. “I don’t think it can go.”⁵² When renewed efforts were made to involve Local 6500, its new president responded that when Local 6500 joined the Canadian Labour Congress’s one-day general strike against Prime Minister Trudeau’s Wage and Price Controls in 1976, 55 workers were fired and Inco filed a \$3.5 million lawsuit against the local. “We walked and everybody in Sudbury went to work,” he lamented. “We were the only place that totally shut down in the city.”⁵³ Before the community activists and organizations in the Sudbury Coalition for Social Justice could even pull together a meeting to discuss the planned protest, local labour participation already promised to be quite low. Morale was dealt a further blow when Sid Ryan said the Sudbury Day of Action should be cancelled and moved to a southern Ontario city where there would be more labour support.⁵⁴

The next OFL meeting on December 10 was another unproductive mess. An exasperated Gord Wilson warned the federation would fall apart if there was no meaningful progress, adding that he might not even serve out the rest of his term ending in November 1997. The prospects of the OFL splitting in two were real. Before the December 10 meeting, David Mackenzie, a Steelworker staffer and strategist, wrote a memo to the Pink Paper unions proposing a split from the Ontario Federation of Labour. Canadian Director of the Steelworkers Tom Collins told the

⁵² “Labor groups oppose Sudbury protest plan,” *Toronto Star*, November 30 1996, A6; Bob Vaillancourt, “Day of protest still in the works,” *Sudbury Star*, January 6 1997, A3.

⁵³ Harold Carmichael, “Days of Action set for March,” *Sudbury Star*, January 11 1997, A6; Harold Carmichael, “Local 6500 won’t walk to back Days of Protest,” *Sudbury Star*, January 14 1997, A3. For more on the 1976 CLC strike against wage and price controls, see Craig Heron, *The Canadian Labour Movement: A Short History* (Toronto: James Lorimer, 1989), 120-125; Bryan D. Palmer, *Working-class Experience: The Rise and Reconstitution of Canadian Labour, 1800-1980* (Toronto: Butterworth, 1983), 190-191.

⁵⁴ “Labor groups oppose Sudbury protest plan,” *Toronto Star*, November 30 1996, A6

press “If the Federation of Labour isn’t going to perform its function any more, let’s get rid of it. Maybe it would be better if we had two movements of the world, two kinds of federation.”⁵⁵

There were now plans for the Sudbury Day of Action, as well as actions in Thunder Bay on April 28, Windsor June 20-21, and North Bay on September 26, but the entire Days of Action campaign remained in serious peril. Even after Sudbury organizers decided to reschedule the Sudbury Day of Action to March 22, local labour council and Steelworker leaders refused to participate. The CAW-affiliated Mine-Mill Local 598 at the Falconbridge mine also showed no indication of striking on March 22.⁵⁶ The Metro Days of Action had briefly revived the entire extra-parliamentary opposition but within weeks it was being wound down by union leaders with the selection of Sudbury. As the OFL teetered on the brink of collapse, the energies and lessons generated by the Metro Days of Action helped feed into other segments of society taking their first significant steps towards open conflict with the Common Sense Revolution.

The Doctors’ Revolt

In late 1996, the Tories were preparing for the second phase of the Common Sense Revolution. Having implemented its first series of budget cuts and legislative changes, the time had come for significant restructuring. The “Megaweek” of January 13-17 came to symbolize this process. During this week, the Harris Tories brought forward several pieces of sweeping legislation, including the forced amalgamation of Metro Toronto into a single-tier “Megacity,” the radical reduction in the number of school boards, and the aggressive downloading of social service costs on to municipalities. After Megaweek, the Health Services Restructuring Commission, originally

⁵⁵ John Ibbitson, “Bickering threatening labour, OFL head wars,” *Hamilton Spectator*, December 11 1996, A13; Jason Ziedenberg, “Days of Division: the civil war in the Ontario labour movement,” *Briarpatch* (February 1997), 8-9.

⁵⁶ Harold Carmichael, “Days of Action set for March,” *Sudbury Star*, January 11 1997, A6; Harold Carmichael, “Local 6500 won’t walk to back Days of Protest,” *Sudbury Star*, January 14 1997, A3.

formed in March 1996, began releasing its directives to close over forty public, private or psychiatric hospitals through outright closure or administrative merger. Aided by the powers afforded to cabinet in Bill 26, this new phase of the Common Sense Revolution proved immensely unpopular and marked a steady decline in government support through 1997.

Opposition spilled beyond the ranks of organized labour and activist community groups, and into traditionally more affluent sections of society – the so-called “middle class” of professionals and the socio-political networks of urban-dwellers on the margins of the labour movement whose financial stability had insulated them from the first wave of cuts and restructuring in late 1995.

Whatever the state of the Days of Action campaign, the labour-led extra-parliamentary opposition had set in motion a much larger transformation in the province’s political culture. As 1996 came to a close, this process had also moved far beyond the legislative trappings of dissenting voices within legislative structures, such as Alvin Curling’s sit-in at Queen’s Park or the raucous interventions at the Bill 26 hearings. The most sustained and damaging of these new revolts to the government was in healthcare.

When Ontario’s physicians began refusing new patients and curtailing clinic hours in early November 1996, it was not the first time doctors took job action against the provincial government. In June 1986, the NDP-backed Liberal government brought forward a legislative ban on extra-billing which sparked a 25-day provincial doctors’ strike in June 1986. The strike was very unpopular as healthcare services, clinics and even hospital emergency rooms were closed. In an echo of the famous Saskatchewan doctors’ strike against the introduction of medicare in 1961, organized labour and the NDP spearheaded public opposition to the strike and mobilized a mass rally at Queen’s Park under the banner of the union-backed Ontario Health Coalition. At the podium on the steps of Queen’s Park, then CAW-president Bob White

declared: “The health care system of this province does not belong to the doctors. It belongs to the people of this province who pay for it with their taxes and premiums.”⁵⁷

When Harris promised not to implement cuts in healthcare, the Tories won a degree of favour among a number of doctors. Anticipating a better deal, the OMA’s leadership voted to suspend negotiations with the Rae government in January 1995 because of a dispute over the capping the soaring annual billings to OHIP. The OMA’s hopes of a better deal with the Harris government were dashed by Bill 26 which allowed sweeping cabinet powers over healthcare decisions. “Nobody would ever think that any government, NDP, Liberal or Conservative, would take this amount of control over the provision of medical-care services,” said Dr. Ian Warrack, president of the Ontario Medical Association. “Particularly this government, who one would think would be the least likely to do it.”⁵⁸

In its original form, Bill 26 included a deeply-buried provision stripping the Ontario Medical Association of its role as chief negotiator for the province’s 23,000 physicians, and nullifying the January 1991 agreement with the province which was still in force during negotiations. Physicians and public healthcare advocates also argued Bill 26 opened the door to for-profit medical clinics, the deregulation of drug prices, and cabinet powers to order doctors where to practice in the province, and inspect and disclose confidential medical records of anyone using the Ontario Health Insurance Plan. With talk of job action as early as December 1995, the OMA organized a fax blitz of government MPs, and a public media campaign in January 1996 arguing Bill 26 was a threat to healthcare. When obstetricians and gynaecologists began limiting clinic hours, refusing patients, and threatening to cancel deliveries, the

⁵⁷ Quoted in Malcom G. Taylor, *Health insurance and Canadian public policy: The Seven Decisions that Created the Canadian Health Insurance system and Their Outcomes* (Montreal: McGill-Queen’s University Press, 2009), 453.

⁵⁸ Martin Mittelstaedt, “Tory plan to take control leaves MDs feeling betrayed,” *Globe & Mail*, December 9 1995, A8.

government buckled and promised raises. By late January 1996, the government was in full retreat with Harris conceding there were “serious errors” in their management of health care.⁵⁹ Despite the concessions, the government took another hard stance against the doctors when negotiations resumed with the OMA. Health Minister Jim Wilson presided over demands for a ten percent reduction in salaries, and threatened to cut off access to OHIP billing by doctors who refused to move their practices out of the lucrative southern Ontario market and into the under-served northern parts of the province. Defying the OMA Board of Directors recommendation to ratify, the OMA membership voted the agreement down by 76 percent.⁶⁰

On November 7, the doctors’ job actions began. The main pressure tactic was a refusal to take new patients. By mid-month, clinics across the province were cutting hours and entire days of service. When Wilson requested the Ontario College of Physicians and Surgeons punish doctors refusing new patients, he was sternly rebuffed. “I think it smells of Big Brother,” said one of the College’s Sudbury members, Rene Fortin. “It has to cease.”⁶¹

With the dispute dragging into early December, efforts by Wilson’s top aide to publicly discredit a Peterborough cardiologist backfired. Shortly after the Specialists Coalition of Ontario held a press conference calling for a December 13 province-wide shut down of specialists clinics, Wilson’s top aide Brett James leaked the confidential OHIP billing information of Peterborough doctor William Hughes to *Globe & Mail* reporter Jane Coutts. Hughes, James

⁵⁹ Martin Mittelstaedt, “Bill would open medical files,” *Globe & Mail*, December 6 1996, A1; Lisa Priest, “Angry MDs consider job action to protest ‘extreme, harmful’ bill,” *Toronto Star*, December 8 1995, A14; William Walker, “From x-rays to abortions, Ontario opens door wide for American for-profit medical clinics,” *Toronto Star*, December 9 1995, B1; Jane Coutts, “MDs told to flood ministry with faxes,” *Globe & Mail*, December 14 1995, A1; “MDs’ fax blitz to Tories ‘a bust’,” *Toronto Star*, December 21 1995, A11; Ellie Tesher, “How Bill 26 meeting was cancelled,” *Toronto Star*, January 26 1996, A2.

⁶⁰ Leslie Papp, “Doctors kill deal but make new offer,” *Toronto Star*, November 1 1996, A1/A4; Leslie Papp, “How doctors beat OMA to create a better offer,” *Toronto Star*, November 2 1996, A29; Leslie Papp, “Doctors prepare to take job action to back demands,” *Toronto Star*, November 7 1996, A13.

⁶¹ Thomas Walkom, “Minister’s bid to curb MDs’ strike backfires,” *Toronto Star*, November 14 1996, A39; Jane Armstrong, “Wilson loses round in MDs’ battle,” *Toronto Star*, November 14 1996, A1/A40.

claimed, was the number one OHIP biller in the province – and also vice-chair of the Specialists Coalition of Ontario. Brett was promptly fired and in less than a week Wilson resigned although he denied any involvement.⁶²

The medical community was outraged. Gerry Rowland, president of the OMA, believed that the province needed a “full inquiry so that the people of Ontario can be assured that their confidential information is not being misused for political purposes.” Harris rejected the demand – which was also being repeated by the opposition parties – and turned the matter over to the Information and Privacy Commissioner.⁶³ Within a week of Wilson’s resignation and amidst a coordinated shutdown of hundreds of doctor’s offices and clinics, a new agreement was reached between the OMA and the government. The province’s efforts to lower OHIP billing were blunted, and reductions in OHIP billing caps were imposed on overserviced urban centres in southern Ontario. Meanwhile, a new multi-million dollar fund was established to attract doctors to the underserviced north.⁶⁴

Two months later, the Information and Privacy Commissioner Tom Wright reported finding no any evidence of Wilson or James accessing confidential information. James, however, had breached the Freedom of Information and Protection of Privacy Act by leaking Hughes’ data. The commissioner also concluded that “James disclosed Hughes’ personal information on his own initiative without the knowledge of, or at the request of, Wilson, other Minister’s Office or Ministry staff.” Satisfied with the report, Harris had Wilson sworn back in as Minister of

⁶² Jane Coutts, “Minister’s aide out of a job after using OHIP billing data,” *Globe & Mail*, December 7 1996, A1; James Rusk, “Ontario health minister resigns,” *Globe & Mail*, December 10 1996, A1.

⁶³ Jane Coutts, “Minister’s move seen as ploy in OMA talks,” *Globe & Mail*, December 10 1996, A6; Robert Sheppard, “Mr. Wilson’s Penalty Box,” *Globe & Mail*, December 10 1996, A23; Martin Mitteldstaedt, *Globe & Mail*, December 11 1996, A6.

⁶⁴ Michael Grange, “MDs, Ontario reach agreement,” *Globe & Mail*, December 16 1996, A1.

Health once more on February 21 1997. The opposition was furious, but OMA president Gerry Rowland accepted the findings.⁶⁵

Before Wilson's reinstatement, the government was once again in crisis in healthcare as the story of 82-year-old Ed "Gunner" Whitehill became public. In early February, Whitehill went to Peterborough's Civic Hospital because he was having difficulty breathing. He was hooked up to an intravenous drip and placed on a stretcher in the hallway because of lack of beds. Overnight, Whitehill died of a bloodclot in his lung. The following morning, his body was discovered by his daughter and granddaughter. "Of course I blame the government," said Susan Keller, Whitehill's daughter. "I don't think the cutbacks should have been allowed to touch hospitals, certainly not the sick and dying. Nobody should have to lie in the hall and die the way my dad did." Overseeing the Ministry of Health during Wilson's absence, David Johnson downplayed Whitehill's death as a statistical outlier. "There are always individual circumstances that don't get the proper treatment. I think they're relatively few in number. But they're important."⁶⁶

Hospitals SOS

With the widely-publicized death of Whitehill and other "hospital nightmares" alerting the public to a brewing crisis in healthcare, the reinstated Minister of Health was also contending with directives to cut 43 hospitals through administrative merger or outright closure. The directives were released to the public between February 24 and March 6 by the Health Services Restructuring Commission (HSRC) which the government had established in April 1996 as an

⁶⁵ James Rusk, "Harris reinstates health minister," *Globe & Mail*, February 21 1997, A1; Tom Wright, "A Special report to the Legislative Assembly of Ontario on the disclosure of personal information at the Ministry of Health," Information and Privacy Commissioner/Ontario, February 20 1997, <http://www.ontla.on.ca/library/repository/mon/6000/10264710.pdf>

⁶⁶ Wendy McCann, "Hospital nightmares haunt Ontario government," *Ottawa Citizen*, February 21 1997, D5.

arms-length body. The overarching goal of the HSRC was the elimination of \$1.3 billion in hospital spending so the burden of care could be shifted outside of hospitals to different facilities and programs, such as homecare and long-term care. This non-hospital system would fall under the auspices of Community Care Access Centres which would coordinate the regional delivery of non-hospital care.

“I don’t think we’ll have a firestorm,” was Wilson’s bewildering prediction. As public anger exploded, even some party backbenchers helped pass a non-binding Liberal resolution calling for a moratorium on hospital cuts and disbanding of the HSRC.⁶⁷ Wilson forged ahead, arguing the cuts to hospitals were about restructuring towards non-hospital long-term care systems, not eliminating the system’s capacity for delivering quality care. As he put it, the hospital cuts were “in the best interests of serving the patient, not the buildings.” Wilson regularly noted how ten thousand acute-care hospital beds had been closed since the late 1980s under both Liberal and NDP governments. The restructuring was part of an ongoing trend away from healthcare taking place only in hospitals towards more flexible long-term delivery and home care. What the government did not disclose was that the planned closure of a further 4,800 acute-care hospital beds would place Ontario last among the provinces in its bed-to-population ratio.⁶⁸

The furious eruption of popular opposition to the HSRC directives spanned urban and rural, and ridings of every political persuasion. The overriding character of the opposition was to defend community and regional hospitals, as well as the specific character and services of those hospitals. The non-denominational Pembroke Civic Hospital sued the province for being ordered to merge under the Pembroke General where physicians did not conduct abortions allegedly out

⁶⁷ Martin Mittelstaedt, “Tories help Liberals win vote against health cuts,” *Globe & Mail*, February 28 1997, A9.

⁶⁸ Martin Mittelstaedt, “Tories expected to weather the fallout,” *Globe & Mail*, March 7 1997, A7.

of fear of the Catholic-run hospital administration. The Jewish community in Toronto spearheaded a campaign to save North York Branson which served a large population of seniors whom they said would be underserved by long-term care facilities.⁶⁹ Thousands rallied and organized the ferocious “Staying Alive” campaign to save Wellesley in downtown Toronto, with the gay community and anti-poverty advocates rallying to protect its preeminent HIV/AIDS primary care facility and outreach programs in the poverty-ridden neighbourhoods of St. James and Regent Park. There was additional disgust and anger in the gay community because Wellesley was being ordered to merge under the St. Michael’s Catholic hospital administration.⁷⁰ The Women’s College Hospital in Toronto was ordered to merge under Sunnybrook, which many people took as further proof of the government’s attack on women’s rights given the hospital’s pathbreaking achievements.⁷¹

The Tories were not safe in rural ridings either. On a cold February night, six thousand people rallied in Grimsby to save the West Lincoln Memorial Hospital in the riding of Frank Sheehan, a neoconservative backbencher. In Meaford, a small town of 4,400 on the Georgian Bay, the hospital was adorned with blue “save the hospital” ribbons and hosted a protest rally of 2,000. “This vital Tory area can kiss any Tory votes goodbye if hospital closings go ahead,” predicted Ian Fife, a retired school principal attending the rally. In neighbouring Walkerton and Chesley, thousands protested by forming human chains around the hospitals. At the Meaford

⁶⁹ Leslie Ferenc, “Group fights for Branson,” *Toronto Star*, May 1 1997, NY1; Vinay Menon, “Groups join forces to fight closing of North York hospital,” *Toronto Star*, May 30 1997, A6; Jennifer Quinn, “Hospital closing no violation of rights, panel told,” *Toronto Star*, July 23 1997, A11.

⁷⁰ Rita Daly, “Anti-gay image dogs St. Mike’s,” *Toronto Star*, April 14 1997, A13; Bob Mitchell, “2,000 join ‘life and death’ battle to save Wellesley,” *Toronto Star*, April 27 1997, A16. For a detailed and extensive account of the Wellesley Staying Alive campaign, see Dean M. Behrens and Jeff Denis, “Fighting the Fight: The Birth of the Wellesley Central Hospital’s Staying Alive Campaign, 1997,” *Survival Strategies: The Life, Death, and Renaissance of a Canadian Teaching Hospital*, David Goyette, Dennis William Magill, Jeff Denis, eds. (Toronto: Canadian Scholars’ Press, 2006), 195-270.

⁷¹ Michele Landsberg lists many of the hospital’s innovations in her column “Restructuring autocrats ignore women’s health,” *Toronto Star*, April 19 1997, L1.

rally, Tory MPP Bill Murdoch for Grey-Owen Sound declared his support for the hospitals staying open and committed to voting against his party on the issue. Murdoch's counterpart and fellow Tory for Bruce, Barb Fisher, did not agree with all the recommendations either. Even Wilson confessed in a television interview that he thought the HSRC "would deal mainly with the urban centres."⁷²

The most powerful community mobilization was at the Montfort Hospital, Ontario's only French-language hospital located in Vanier, Ottawa's historic working-class francophone quarter. Adding insult to injury, the HSRC recommendations for Montfort's closure were only published in English despite the hospital serving forty percent of the province's francophones, including the rural francophone communities in Russell, Prescott and Glengarry counties. One of the hospital's nurses, Colette Proulx-Mayer called the decision a "kick in the face for us", meaning francophones.⁷³

A grassroots campaign "SOS Montfort" was quickly established by Vanier residents and people across eastern Ontario. Municipal and provincial politicians, business leaders, educators and community groups quickly joined and the story made the front page news in Montreal's *Le Devoir* and *Gazette*. Even as Quebec's separatist Premier Lucien Bouchard weighed in publicly against the closure, English language rights groups rallied to Montfort's defence. A week after the HSRC announcement, even Prime Minister Jean Chretien made his displeasure known.⁷⁴

Initially, the HSRC refused to back down. One of its nine members George Lund described the opposition as "bordering on pure politics and positioning." But within days the

⁷² Roberta Avery, "Rural revolt," *Toronto Star*, March 15 1997, B1, B4; Kate Barlow, "Hospital gears up for fight of its life," *Hamilton Spectator*, April 3 1997, A12.

⁷³ Carrie Buchanan, "Montfort backers say 'non' to closing," *Ottawa Citizen*, February 25 1997, A1.

⁷⁴ Carrie Buchanan, "Francophones fight for Montfort," *Ottawa Citizen*, February 26 1997, B1; Carrie Buchanan, "Montfort backers prepare for 'war'," *Ottawa Citizen*, February 27 1997, B3; Elizabeth Thompson, "Quebec joins save-Montfort campaign," *Ottawa Citizen*, February 28 1997, D3; LuAnn LaSalle, "Bouchard leaps into fray over closing of Montfort hospital," *Ottawa Citizen*, March 1 1997, A4; Sherri Davis-Barron, "PM wants Harris to save Montfort," *Ottawa Citizen*, March 2 1997, A1, A2.

commission had brought in a francophone consultant and then declared that if the Montfort community could develop a “compelling” plan with new data, the commission might reconsider.”⁷⁵ While the HRSC began to budge, the government refused to intervene insisting it was an arms-length body. When SOS Montfort’s leadership team, helmed by former Vanier mayor Gisèle Lalonde, met with Harris’s Francophone Affairs Minister Noble Villeneuve, no concessions were made.⁷⁶

SOS Montfort reached its apex on March 22 when ten thousand people filled the Ottawa Civic Centre and chanted “Montfort fermé – jamais!” in between speeches, musical acts, and singing of the national anthem. “Montfort has become a fortress,” thundered Lalonde from the podium to roars of support. The *Ottawa Citizen* declared it the strongest and most united display of Franco-Ontarians since the 1912 law banning French-language education in Ontario’s schools. On that same day, only three thousand people marched in the Sudbury Day of Action.⁷⁷ After SOS Montfort delivered a petition with 126,000 signatures to Queen’s Park in early April, the government cracked. Wilson sent a letter to the HSRC recommending Montfort stay open with its French-language services. On May 30, the HSRC put the Montfort decision on hold and in mid-August announced the hospital would remain open with its own independent administration.⁷⁸ The linguistic and cultural solidarity of the Franco-Ontarian population was an immense advantage for SOS Montfort. Campaigns at Wellesley and the Women’s College Hospital also achieved some concessions, such as extensions for their appeals to the

⁷⁵ Ron Eade and Sharon Kirkey, “Premier won’t save Montfort,” *Ottawa Citizen*, March 3 1997, D1; Carrie Buchanan, “Hospital commission hires francophone,” *Ottawa Citizen*, March 4 1997, B1; Sharon Kirkey, “Montfort gets one more chance,” *Ottawa Citizen*, March 6 1997, A1.

⁷⁶ Nathalie Trépanier, “Francophone Affairs minister noncommittal after Montfort visit,” *Ottawa Citizen*, March 22 1997, A3.

⁷⁷ Tom Spears, “10,000 rally for Montfort,” *Ottawa Citizen*, March 23 1997, A1, A2; Nahlah Ayed, “Hospital fight unites francophones,” *Ottawa Citizen*, March 24 1997, D1, D2; “The politics of Montfort,” *Ottawa Citizen*, March 26 1997, B4.

⁷⁸ William Walker, “Tories plan to keep French-language hospital intact,” *Toronto Star*, April 9 1997, A3; Sharon Kirkey, “Ontario seeks Montfort settlement,” *Ottawa Citizen*, April 10 1997, B1.

commission.⁷⁹ When it was later revealed the extensions were granted because of a private letter to the HSRC from Minister of Municipal Affairs Al Leach, the letter became the subject of an investigation by the Ontario Integrity Commissioner. The Minister was found guilty of violating the Members' Integrity Act, but Harris rebuffed calls for Leach's resignation the public after learning both Solicitor-General Bob Runciman and Intergovernmental Affairs Minister Dianne Cunningham had also written letters to the HSRC about hospital closures, although these were not reported to the Ontario Integrity Commissioner.⁸⁰ Needless to say, within weeks of the HSRC's directives being released even cabinet members were attempting to influence the commission in a bid to mitigate the political fallout.

Organized labour did not lead SOS Montfort or most other hospital campaigns. The disunity and disarray between unions meant the labour-affiliated Ontario Health Coalition, active during the 1986 doctors' strike, played no role in linking up local hospital defence campaigns across the province. Nevertheless, healthcare workers were deeply involved and some unions did play an important role. For example, CUPE organized a mass meeting of 750 members at an Ottawa high school auditorium where a strategy of escalating protest activity was endorsed. This included a five-minute hospital walkout at 10am on March 5, a letter and fax blitz of MPPs, and a city-wide community door-knocking campaign based on SOS Montfort's model. Setting it apart from most of the campaigns to save hospitals, CUPE activists also took aim at the large salaries of hospital management.⁸¹

Under the slogan "It doesn't make common sense," hundreds of hospital workers walked out as planned on March 6, including a hundred workers at Montfort. The Ottawa walkout was

⁷⁹ Rita Daly, "2 hospitals given more appeal time," *Toronto Star*, April 18 1997, A30

⁸⁰ William Walker, "Integrity authority to probe Al Leach," *Toronto Star*, May 24 1997, A3. William Walker, "Leach stays despite 'error'," *Toronto Star*, June 26 1997, A1.

⁸¹ Richard Starnes, "Workers hatch plan to save jobs," *Ottawa Citizen*, March 4 1997, B3.

followed by another brief walkout of sixty workers at Toronto's Western Hospital on March 13. A growing campaign of weekly walkouts was announced, involving more hospitals each week, and culminating in walkouts and rallies in fifteen cities on April 10. Centres like Toronto, Ottawa, Kingston, Sudbury and North Bay as well as smaller towns like Brockville, Lindsay and Cornwall were targeted. Those leading the walkouts were non-essential hospital workers, including food services, custodial, housekeeping, laundry, lab technicians, and administrative staff. Sid Ryan called on CUPE members in the education system, who were in a state of heightened agitation because of education cuts, to take part in the actions. "If it [the government] tries to override our collective agreements, we'd be taking strike votes from across the province," warned Ryan.⁸²

Other unions in the hospitals, such as the Ontario Nurses Association, did not join or encourage the CUPE-led walkouts. OPSEU did mount protests where it represented workers at the province's ten psychiatric hospitals, but did not coordinate with CUPE. Even so, OPSEU scored a victory when it launched a legal challenge claiming only the Minister of Health, not the HSRC, had the authority to close psychiatric hospitals. Before the court case was over, the commission conceded that it had no such powers and that it had "misworded" its "notices of intent to direct" six psychiatric hospital closures.⁸³

The absence of a province-wide campaign against hospital closers was a weakness that might have been overcome had the OFL or related healthcare affiliate unions helped forge, perhaps through the Ontario Health Coalition which was originally conceived a community-

⁸² "Area hospital workers stage protest," *Ottawa Citizen*, March 6 1997, B3; Jane Coutts, "Hospital workers hold mini-walkout," *Globe & Mail*, March 14 1997, A3; Rita Daly, "Hospital workers in 15 cities plan brief rotating walkouts," *Toronto Star*, March 18 1997, A4; Wendy McCann, "Hospital workers to escalate protests," *Globe & Mail*, March 18 1997, A3.

⁸³ Theresa Boyle and Donovan Vincent, "Commission admits only minister can close psychiatric hospitals," *Toronto Star*, April 12 1997, A5.

labour coalition. Even where the Tories were losing support, unions seemed incapable of seizing the moment and developing a coordinated strategic response. The unions not only had the resources and numbers to build these campaigns, but also had the weapon of job action. There was of course a real possibility that the public could turn against the unions if strikes happened in the hospitals. However, Alberta's hospital worker wildcat strikes in late 1995 had galvanized public opposition to healthcare cuts and forced Premier Klein to back down.⁸⁴ With only a few thousand people marching in the Sudbury and Thunder Bay Days of Action, labour's willingness to organize or strike together against the Common Sense revolution had all but evaporated.

Ambiguous Retreat

Through the spring and summer, the popular uproar and mobilizations contributed to the collapse of party discipline among the Tories. As Tory backbenchers began to speak out against hospital closures and cabinet ministers discreetly petitioned the HSRC to reconsider various directives, the Liberals launched an effective television ad resurrecting Harris's campaign pledge stating "I can guarantee you that it is not my plan to close hospitals." The government scrambled and responded with a \$685,000 public relations campaign to defend the restructuring as "putting the patient first," but the damage was done.⁸⁵ Wilson further shredded the government's credibility in mid-May when he ordered the reopening of a 19-bed hospital in Burk's Falls located in Ernie Eves' riding, reversing a deeply unpopular NDP decision to close it in 1992. Wilson's decision was made independently of the HSRC adding to perceptions that the hospital's reopening was a clear case of political patronage.⁸⁶

⁸⁴ See Allan Chambers, *The Calgary Laundry Workers Strike* (Edmonton: Alberta Labour History Institute, 2012).

⁸⁵ Carolyn Abraham, "Premier broke hospitals vow, Liberals say," *Ottawa Citizen*, February 27 1997, A1, A2; Jane Coutts, "Health care gets \$83 million," *Globe & Mail*, March 11 1997, A1.

⁸⁶ "Ernie's own hospital," *Toronto Star*, May 15 1997, A32.

The overwhelming political pressure succeeded in forcing the government to make several unprecedented concessions. In the May budget, Eves postponed the next \$500 million budget cut to hospitals while announcing a further \$100 million for nursing homes.⁸⁷ An even larger retreat was made in June when the Tories declared the province's 66 rural and northern hospitals would remain open regardless of HSRC directives.⁸⁸ The government's earlier tactic of asserting the HSRC independence was now widely discredited, even mocked in the press. The commission itself relented in its final report, slowing the pace of hospital bed closures in psychiatric hospitals, and, as mentioned, reversing the Montfort closure.⁸⁹

Ultimately, the HSRC reduced 39 hospitals at 46 sites down to 24 hospitals on 35 sites with an overall reduction of 3,700 hospital beds.⁹⁰ Two severe structural problems would plague the transition from care in hospitals to the non-hospital facilities and programs managed by the Community Care Access Centres. As one study of the HSRC put it, "while increasing the capacity of home care was, in principle, straightforward – it required only a transfer of resources from hospitals to Community Care Access Centres (CCACs) – the creation of more long-term beds was not so simple." A transition period of three to four years was required for the financing of new non-hospital infrastructure and the maintenance of existing hospital capacities in the meantime – "at a time when the government was preoccupied with delivering on its campaign

⁸⁷ Jane Armstrong, "Hospital cut delay pleases officials," *Toronto Star*, May 7 1997, A9; William Walker, "\$100 million for seniors' care," *Toronto Star*, June 30 1997, A1. The postponement of the \$500 million cut was effectively a cancellation as it never came forward again. See Raisa Deber, "Rethinking and Re-balancing: The Changing Role of Hospitals in the Canadian Health Care System," in *Survival Strategies: The Life, Death, and Renaissance of a Canadian Teaching Hospital*, David Goyette, Dennis William Magill, Jeff Denis, eds. (Toronto: Canadian Scholars' Press, 2006), 28.

⁸⁸ Jane Armstrong, "City hospitals urge equality after rural care centres spared," *Toronto Star*, June 28 1997, A8.

⁸⁹ Theresa Boyle and Donovan Vincent, "Psychiatric bed closings eased," *Toronto Star*, July 24 1997, A10; "Welcome news on Women's Hospital," *Toronto Star*, August 30 1997, B2. The Women's College Hospital was still merged with Sunnybrook Hospital in 1998 but de-amalgamated in 2006 and restored its name.

⁹⁰ Jeff Denis, "Conspiracy Theories: Why Was The Wellesley Central Hospital Really Closed?" *Survival Strategies: The Life, Death, and Renaissance of a Canadian Teaching Hospital*, David Goyette, Dennis William Magill, Jeff Denis, eds. (Toronto: Canadian Scholars' Press, 2006), 384.

promise to reduce the provincial debt.”⁹¹ The other major structural problem was the HSRC’s estimated savings achieved by hospital restructuring. The HSRC derived its numbers from hospital budgets prior to 1995-96, which meant the HSRC did not take into consideration the respective hospital cuts of 5 and 6 percent in the 1996-97 and 1997-98 budgets. Furthermore, the HSRC failed to adjust year-over-year hospital costs based on inflation. One study sympathetic to the HSRC’s goals said the consequence of the flawed methodology would be hospital funding cuts “more than the commission had intended or than was justified by restructuring.”⁹²

The battle over hospital closures and mergers was immensely damaging to the government’s popularity and the Common Sense Revolution. Even so, the Tories managed an orderly retreat by limiting hospital closures to urban centres and declaring the 66 rural hospital off limits to the HSRC. The decision was a wise one because restructuring battles elsewhere were driving down Tory support in the cities.

Fighting the Megacity

When Al Leach introduced the Bill 103 “megacity” amalgamation of Toronto to the legislature on December 17 1996, the government sideswiped their own panel designed to handle the issue. The “Who Does What” panel chaired by former Toronto mayor David Crombie had been appointed by the province in May 1996, and instructed to develop a feasible process of municipal-provincial disentanglement with regards to services and taxation. It was a problem that had bedeviled the previous NDP and Liberal governments. Despite agreement everywhere else, the panel was unable to reach a conclusion on Toronto amalgamation until December 6,

⁹¹ Duncan Sinclair, Mark Rochon and Peggy Leatt, *Riding the Third Rail: The Story of Ontario’s Health Services Restructuring Commission, 1996-2000* (Montreal: McGill-Queen’s University Press, 2005), 115.

⁹² *Ibid*, 218.

shortly before Bill 103 was announced. The panel also urged an amalgamation of Metro Toronto's core cities, but not the entire GTA as outlined in Bill 103.⁹³

As they had with Bill 26, the Tories bypassed public consultations, centralized power in the hands of the province, and provided scant detail on what the Bill 103 restructuring would actually produce. The legislation outlined the number and method of councilors to be elected in the new city, and established a Board of Trustees and Transition Team which would be outside the scope of legal review. The former was given veto power over municipal spending during the amalgamation transition while the Transition Team was given responsibility for creating the new municipal structure. To the public, the Harris Tories presented the amalgamation as a means of cutting bureaucracy and introducing efficiencies. Based on a government-commissioned report by management consultants KPMG, Leach and other cabinet minister claimed \$363 million would be saved with amalgamation. The figure was soon proven to be inflated by at least 200 percent and based on faulty data.⁹⁴

Journalist John Ibbitson and researcher Martin Horak have made a convincing case that the driving force behind amalgamation was the establishment of a single municipal government capable of transforming Toronto into a globally-competitive urban centre through major redevelopment.⁹⁵ Another motive advanced by Horak, as opposed to Ibbitson, was the deliberate conservatizing of Toronto's urban governance. "Amalgamation would," according to Horak, "presumably temper the downtown voice with the more "conservative" bent of the in-Metro suburbs, removing a locus of protest against the provincial government." Attached to this were

⁹³ The clearest and most detailed account of this process can be found in Katherine A. Graham and Susan D. Phillips, "'Who Does What' in Ontario: The process of provincial-municipal disentanglement," *Canadian Public Administration/Administration Publique du Canada* 41 (Summer 1998), 181-188.

⁹⁴ Julie-Anne Boudreau, *The MegaCity Saga* (Montreal: Black Rose Books, 2000), 9. Martin Horak, *The Power of Local Identity: C4LD and the Anti-Amalgamation Mobilization in Toronto* (Toronto: Centre for Urban and Community Studies, 1998), 16.

⁹⁵ Horak, 15-18; John Ibbitson, *Promised Land: Inside the Mike Harris Revolution* (Prentice-Hall: Scarborough, 1997), 241-248.

perceptions of the small-town anti-urban politics of the Tory cabinet which drew its strength from a rural base and was waging a war against largely urban social forces.⁹⁶ With all these considerations at play, Megacity researcher Julie-Anne Boudreau summarizes the amalgamation as “the most seductive solution to the fiscal crisis looming over Toronto after downloading”.⁹⁷

Like Bill 26, Bill 103’s unexpected introduction quickly galvanized an opposition, especially as the government restated its unwillingness to negotiate or retreat from the goal of amalgamation. Anticipating its introduction, former Toronto mayor John Sewell called a meeting of 200 people at Toronto City Hall only a day before the legislation went public on December 17. The meeting launched Citizens for Local Democracy (C4LD) which built upon a long lineage of politically-active inner-city middle-class political activists, including veterans of the campaign against the Spadina Expressway.⁹⁸ Opposition was also led by the municipal government’s now confronting their dissolution. Their demands for a binding referendum on amalgamation were rejected immediately by the province. Despite concerns over costs, six municipalities joined forces to hold their own referendum, even as Metro Toronto voted in favour 19-12 for a megacity but with major caveats and conditions. Influential mayors Mel Lastman of North York and Barbara Hall of Toronto came out against the amalgamation and advocated strongly for the referendum.⁹⁹

Led by Sewell, C4LD quickly established itself as the leading organization against amalgamation, and moved to build a movement capable of pressuring the government through various means, including protests, into a more consultative and public policy-making process.

⁹⁶ Horak, 17; Julie-Anne Boudreau, Roger Keil, and Douglas Young, *Changing Toronto: Governing Urban Neoliberalism* (Toronto: University of Toronto Press, 2009), 60.

⁹⁷ Boudreau, Keil and Young, 73.

⁹⁸ Horak, 19.

⁹⁹ Leslie Ferenc, “Citizens cry out against one big city,” *Toronto Star*, February 13 1997, NY4; John Spears, “Metro votes for megacity – with strings,” *Toronto Star*, February 14 1997, A1, A11.

The general approach was identical to what many union leaders had sought to do with the Days of Action, only Sewell was clear and upfront about this approach. The major dilemma confronting C4LD was how to bridge the political, economic and cultural divides inside Toronto and ally with anti-amalgamation forces in the surrounding suburbs. The group's messaging and basis of unity became opposition to amalgamation as a "threat to local democracy". It did not take a position on policy alternatives to amalgamation, and did not address the issue of downloading in spite of an emerging popular understanding that amalgamation was being driven by the province's desire to download social services costs to municipal governments.¹⁰⁰

As Martin Horak has argued, the emphasis on local democracy over matters such as downloading, service cuts, and the fear of rising property taxes, prevented C4LD from branching out from the geographic and socio-economic isolation of its middle-class membership. Such issues were the driving force behind other smaller suburban anti-amalgamation groups. Furthermore, Sewell's leadership in C4LD alienated a lot of suburban activists who disliked Sewell's fights against suburban influence over the upper-tier Metro Toronto government during his 1978-1980 mayoralty.¹⁰¹

While gaining support from individual union members and those who took to the streets during the Metro Days of Action, C4LD never developed any organizational ties with organized labour. As one Days of Action organizer put it,

Unlike C4LD we were not against amalgamation *per se*, but against this version and the neo-liberal agenda that was behind it. We harboured no romantic notions about the inherently progressive nature of local government...John Sewell in particular had this imagery of the progressive, cultured downtown against the barbarian suburbs, and this was parochial and politically counterproductive.¹⁰²

¹⁰⁰ Horak, 19-20.

¹⁰¹ Horak, 26-28.

¹⁰² Cited in Horak, 28.

Even so, it was quite clear that C4LD had absorbed many of the tactics that had been used in the wave of protests that rocked the province in late 1995. Buoyed by the public outrage and confusion over “Megaweek,” C4LD activists stood in the gallery of the legislature wearing shirts spelling out “BINDING REFERENDUM”. The government relented under pressure and called two weeks of hearings on Bill 103. One-third of the 600 hearing presentations were made by C4LD members who also ensured the hearings were jammed with hundreds of people.¹⁰³ By early February, local meetings and groups were being organized across Metro Toronto to fight the amalgamation. C4LD’s weekly Monday meetings were swelling to over a thousand people, and had evolved into dynamic democratic spaces with a call-and-response developing between speakers and the crowd, with local musicians performing, and participation and speeches from politicians and public figures such as Jane Jacobs, John Ralston Saul and Barbara Hall.¹⁰⁴ Refusing offers of money and resources from municipalities, C4LD maintained its political independence and waged its war on numerous fronts using a number of organizational tools: Letter and op-ed writing, effective use of articulate spokespeople, three e-mail lists, a comprehensive website, a 325-strong “rapid response” team, intensive canvassing, and a bi-weekly newsletter with a print run of 50,000 distributed at subway stations.¹⁰⁵

The extra-parliamentary strategy of the campaign culminated on February 15 with a “Democracy Parade” of nine thousand people down Yonge Street. Drawing on the imagery and language of 1837 Rebellion, the action was billed the “Rebellion of ‘97” and “in the spirit of William Lyon Mackenzie.” The protest was built around three slogans:

¹⁰³ Horak, 31; Kirsten Kozolanka, *The Power of Persuasion: The Politics of the New Right in Ontario* (Montreal: Black Rose Books, 2007), 162-163.

¹⁰⁴ Horak, 33-34.

¹⁰⁵ Donna Jean MacKinnon, “Megacity foes go door-to-door,” *Toronto Star*, February 10 1997, A6.

1. Support local democracy
2. Save our cities and local school boards
3. Save our social programs – stop the downloading on to property taxes

The ranks of the protest were bolstered by organized labour and social justice groups which had been kept out of the C4LD steering committee.¹⁰⁶

Meanwhile, voting in the Megacity referendum began on February 10 and results were released on March 3. Opposition was 76 percent but turnout only thirty percent. The provincial government curiously rejected the vote as mere opposition to downloading, not amalgamation itself. “The silent majority are very supportive,” claimed Harris.¹⁰⁷ Bill 103 reached its final reading on April 2. The opposition parties filed 12,000 amendments, forcing Queen’s Park to remain open around the clock for ten consecutive days so every amendment could be read. The government waited out the filibuster and on April 21, the City of Toronto Act became law.¹⁰⁸

Toronto was not the only amalgamation fight; it was simply the largest and most politically contentious. Many municipalities were facing amalgamation and as with Bill 26 and other reforms, municipalities responded in very different ways. Three Harris-era amalgamation case studies by Thomas R. Hollick and David Siegel found the Kingston amalgamation to be very smooth with surrounding townships voluntarily agreeing to merge with the city. The rural Municipality of Central Elgin also emerged out of a voluntary effort of two rural townships and two villages, while the Chatham-Kent amalgamation faced organized opposition and was carried out by a commissioner’s orders after a voluntary effort by local governments failed.¹⁰⁹

¹⁰⁶ Boudreau, Keil and Young, 75-76; Horak, 31.

¹⁰⁷ Desmond Bill, “Megacity vote: Ballots in mail,” *Toronto Star*, February 10 1997, A1; Nicolaas van Rijn, “Today’s megaday to vote on future,” *Toronto Star*, March 3 1997, A1.

¹⁰⁸ Kozolanka, 163.

¹⁰⁹ Thomas R. Hollick and David Siegel, “Evolution, Revolution, Amalgamation: Restructuring in Three Ontario Municipalities. See

An incidental effect of opposition to the Megacity was the blunting of Bill 106's downloading plans of social service costs to municipalities, which would have increased municipal share of social assistance costs from 20 to 50 percent. After a meeting of 600 representatives from 450 small towns, villages and townships, the Rural Ontario Municipal Association agreed in principle to reforming provincial-municipal cost-sharing but now opposed the Bill 106 reforms because they were not revenue-neutral as the government originally promised. The Tories had said municipalities would collectively save \$45 million after restructuring, but the actual figure was an astonishing \$866 million download. Anne Evans, the Assistant Deputy Finance Minister, blew a hole in the government's claims by pointing out that their calculations left out responsibilities such as downloaded road and water treatment maintenance, and underestimated newly-downloaded social housing costs. This caused the government to retreat and significantly alter the formulas in Bill 106¹¹⁰

As the amalgamation wars came to a close, C4LD's campaign ended. Unacknowledged in the contemporary and later critiques of C4LD's "middle-class urbanism" was that organized labour, as in the hospital battles had abandoned its leadership of the extra-parliamentary opposition. By retreating from the field of battle, labour ceded a large swathe of political terrain to C4LD which assumed the leadership role against the Megacity. Its class composition, its political analysis, and its goals may have not meshed well with the labour movement, but its cohesive, disciplined and clearly-stated strategy stood in stark contrast to the sorry state of the Days of Action in early 1997.

¹¹⁰ Martin Mittelstaedt, "Municipalities face added costs," *Globe & Mail*, February 12 1997, A1; Phinjo Gombu, "Tory plan upsets rural Ontario," *Toronto Star*, February 13 1997, A1, A9.

Sudbury's Celebration

Left to organize the Sudbury Day of Action without the local labour council or the powerful Steelworkers Local 6500, the Sudbury Coalition for Social Justice pulled together an emergency meeting of forty people on December 2 1996 at St. Andrew's Church. The group agreed to go ahead with the protest but moved the date back to March 21-22. By mid-January, the organizers announced the new date of what was now called the "Celebration of Resistance." There would be no strikes in Sudbury on either day.¹¹¹

The protest was endorsed by Mine Mill Local 598 which provided a paid organizer for the two weeks and a cash donation. CUPE representatives committed to organizing and agitating among municipal and transit workers and secured office space. OPSEU provided a staff member while PSAC and teacher unions committed to supporting the rally. By the time March 21 arrived, unions had provided \$50,000 in funding. Laurentian University's two main student unions, the Students General Association and the Association des étudiantes et étudiants française, backed the protest with the Laurentian University Faculty Association and the Laurentian University Support Staff Association.¹¹²

With job action off the table, labour council president John Filo and Steelworkers Local 6500 president Dave Campbell now expressed interest in participating. A motion to endorse the Celebration of Resistance was back on the table at the Sudbury & District Labour Council. However, at the January 23 labour council meeting, more than a dozen Steelworker delegates led a successful effort to defeat the motion by a mere three votes. "In Toronto and the other places,

¹¹¹ Bob Vaillancourt, "Day of protest still in the works," *Sudbury Star*, January 6 1997, A3; Harold Carmichael, "Days of Action set for March," *Sudbury Star*, January 11 1997, A6; Joan Kuyek, "A celebration of resistance in Sudbury," *Canadian Dimension*, Vol.31 Issue 3, May-June 1997, 46.

¹¹² Harold Carmichael, "Days of Action set for March," *Sudbury Star*, January 11 1997, A6; Harold Carmichael, "Local 6500 won't walk to back Days of Protest," *Sudbury Star*, January 14 1997, A3; Harold Carmichael, "Students to join protest," *Sudbury Star*, February 13 1997, A3; Joan Kuyek, "A celebration of resistance in Sudbury," *Canadian Dimension*, Vol.31 Issue 3, May-June 1997, 46.

they were very good demonstrations,” said Local 6500’s financial secretary Barry Tooley. “But a day after, what did it do? What did it resolve?” Meanwhile, the Sault Ste. Marie and North Bay labour councils voted to endorse.¹¹³

Despite the setback, organizers were able to win unanimous support of Sudbury’s City Council on February 25. A hundred people packed the galleries as the protest co-chair Bobbie Cascanette called upon the city to put the least among them first and send a message to the Harris government: “The spectre of social conflict looms over this community as those who cannot afford tax increases are pitted against those who need help, and as council members you will have to choose between fixing roads and providing public housing, between plowing snow and delivering home care for a disabled senior.”¹¹⁴ The victory was an easy one. The city and regional municipality were facing an estimated \$105 million in downloaded cuts, effecting everything from firefighting to daycare, social housing to welfare, long-term care and policing. According to one study, these costs would amount to \$1,600 per Sudbury household, which was said to be double the next highest household burden in the province. The region’s hospitals and school boards were also undergoing painful restructuring, sparking off local campaigns to save Capreol’s secondary school, the Catholic school board’s adult high school, and halt the merger of the region’s three hospitals.¹¹⁵ The local impact of Megaweek and the HSRC became the key issues for organizers building the protest.

¹¹³ Harold Carmichael, “Local 6500 won’t walk to back Days of Protest,” *Sudbury Star*, January 14 1997, A3; Harold Carmichael, “Big labour rejects plans for protest,” *Sudbury Star*, January 30 1997, A3.

¹¹⁴ Terry Pender, “City supports Days of Action,” *Sudbury Star*, February 26 1997, A1.

¹¹⁵ Harold Carmichael, “‘Megaweek’ announcements could close day cares, advocate says,” *Sudbury Star*, February 1 1997, A7; Lisa Gervais, “‘Megaweek’ hits here the hardest,” *Sudbury Star*, February 3 1997, A3; Terry Pender, “Proposal to close school for adults shocks students,” *Sudbury Star*, February 14 1997, A1; Bob Vaillancourt, “Parents rally to save school,” *Sudbury Star*, February 17 1997, A1; Lisa Gervais, “Capreol school’s closing put on hold,” *Sudbury Star*, February 25 1997, A3; Lisa Gervais, “Protest seeks municipal support,” *Sudbury Star*, February 25 1997, A5; Terry Pender, “Social housing advocates sound alarm,” *Sudbury Star*, February 27 1997, A1.

From the general organizing meeting, a steering committee was elected with Rene Fortin, a CUPE staffer, and Bobbie Cascanette of the Group Action Against Poverty, elected co-chairs. A labour caucus was eventually formed as union involvement increased and a CUPE-funded organizing headquarters was established at Unit 5, 764 Notre Dame Avenue, north of the downtown core. By early February, the coalition was able to hire a full-time coordinator, Mike Lowe. In addition to the Mine-Mill and OPSEU staffers, the Canadian Federation of Students and Ontario Coalition of Social Justice also provided full-time staff for the last two weeks of organizing. An OPSEU Local 668 steward, Jo-Anne Marshall, was put in charge of the parade marshals. The Sudbury Regional Police were informed of activities but told the press they were not concerned about any property damage or dangerous behaviour.¹¹⁶ Alongside the full-time organizers, two hundred volunteers phoned through contact lists, leafleted homes, and posterred. A group of several dozen high school students developed a leaflet reading “If you hate school now, wait till Mike Harris is done with it.” Several local campaigns to save schools, hospitals, co-op housing, and oppose workfare and welfare cuts were approached. With varying degrees of success, the campaigns were brought on board for the protest. Leading up to March 21-22, a program of public educational was meetings hosted by unions and community groups to address various aspects of the Common Sense Revolution.¹¹⁷

When the day did arrive, the Friday protest was marked by the noticeable absence of industrial action. School boards made a bid to stay open, so organizers built the Friday actions towards a 4pm after-school education rally at Civic Square.¹¹⁸ There were symbolic picket lines at several workplaces, including Falconbridge, but none of them were disruptive. The exception

¹¹⁶ Lisa Gervais, “Days of Action like ‘chipping at a rock’,” *Sudbury Star*, March 20 1997, A3; Bob Vaillancourt, “Sudburians take to the streets,” *Sudbury Star*, March 22 1997, A1; Joan Kuyek, “A celebration of resistance in Sudbury,” *Canadian Dimension*, Vol.31 Issue 3, May-June 1997, 46.

¹¹⁷ Joan Kuyek, “A celebration of resistance in Sudbury,” *Canadian Dimension*, Vol.31 Issue 3, May-June 1997, 46

¹¹⁸ Bob Vaillancourt, “Sudburians take to the streets,” *Sudbury Star*, March 22 1997, A1.

was the Laurentian University picket line populated by students and CUPE members. Tensions ran high after three pickets were struck by cars in two separate incidents.¹¹⁹ At noon, injured workers groups rallied at the constituency office of Sudbury MP Diane Marleau and the Workers' Compensation Board offices against the Bill 99 rollback of WCB benefits, the weakening of rights to refuse unsafe work, and the loss of hundreds of WCB vocational rehabilitation jobs.¹²⁰ Later in the day, buses of students from Guelph, Toronto and North Bay arrived to strengthen a protest of about two hundred people, mainly students, at Bell Park. The group then snake marched through the city to join the education rally of about seven hundred at Civic Square.¹²¹ As a gesture of reconciliation, organizers welcomed the Ontario NDP leader Howard Hampton to Sudbury. On Friday morning he joined the Falconbridge line with Mine Mill members, attended the education rally, and spoke at a subsequent public meeting at École secondaire Macdonald-Cartier about education cuts and downloading.¹²²

On Saturday March 22, four thousand people gathered at the Notre Dame campus of College Boreal at 11:30am and marched through the streets for ninety minutes before arriving at the Sudbury Arena. Speeches were delivered, including one more by Howard Hampton. Later that night, a dance party, dubbed "ResisDance" was held at the Mine-Mill union hall.¹²³ Despite admitting the march was smaller than their expectations of six thousand, organizers downplayed the turnout. "We were never part of that numbers game," said Bobbie Cascanette. Emphasizing the wide range of community groups participating, Cascanette, Fortin and Mike Lowe insisted the main goal was bringing these organizations and their members together to build a stronger

¹¹⁹ Bob Vaillancourt, "Sudburians take to the streets," *Sudbury Star*, March 22 1997, A1.

¹²⁰ Tracey Duguay, "Protesters worried about Bill 99," *Sudbury Star*, March 22 1997, A3.

¹²¹ Bob Vaillancourt, "Sudburians take to the streets," *Sudbury Star*, March 22 1997, A1.

¹²² Rick Palmer, "Days of Action: the fightback campaign in Sudbury," *Briarpatch* (June 1997), 12.

¹²³ Some media reports put the protest at only two thousand while some protesters made the claim of seven thousand. See Rick Palmer, "Days of Action: the fightback campaign in Sudbury," *Briarpatch* (June 1997), 12.

local component to a province-wide movement.¹²⁴ While 4,000 people listened to speeches at the Sudbury Arena, ten thousand packed the Ottawa Civic Centre to save the Montfort hospital. It was clear the extra-parliamentary opposition was not letting up, but the Days of Action was no longer its primary vehicle.

Thunder Bay

As a cloud hung over the Sudbury effort, organizing in Thunder Bay got off to a better start with more than a hundred people attending the first organizing meeting at the Lakehead Labour Centre on February 9. Delegations also arrived from Dryden, Kenora and Fort Frances. The protest was scheduled for April 28, the labour movement's annual Day of Mourning for workers killed and injured on the job. "We feel it's perfect because the cuts are affecting our health and safety," said Evelina Pan, president of the Thunder Bay and District Labour Council and co-chair of the Day of Action organizing committee. In early April, the Labour Centre became the committee's headquarters.¹²⁵

Whereas Sudbury organizers had difficulty tapping local campaigns against hospital restructuring and school closures, the Thunder Bay organizers quickly drew strength from the social agencies, community organizers, and local unions participating in the Anti-Workfare Coalition opposing the city council's embrace of the program. A renewed United Way boycott threat was made and a feisty SEIU local openly declared it was ready to unionize workfare

¹²⁴ Lisa Gervais, "Days of Action like 'chipping at a rock'," *Sudbury Star*, March 20 1997, A3; Bob Vaillancourt, "Protesters continue attack on Harris," *Sudbury Star*, March 23 1997, A1; Bob Vaillancourt, "Protesters to consider next step," *Sudbury Star*, March 24 1997, A3.

¹²⁵ Gail Cohen, "Labor protest plans begin," *Thunder Bay Chronicle-Herald*, February 10 1997, A3; "Sign of unity," *Thunder Bay Chronicle-Journal*, April 8 1997, A3.

recipients.¹²⁶ Meanwhile, the Thunder Bay Coalition Against Poverty and religious leaders from ten local denominations committed pledged to donate their Harris tax cuts to a local “Jubilee Fund,” which would be distributed to welfare recipients.¹²⁷

Regional agitation around the Megaweek’s Bill 104 school board reductions led directly to commitments of job action on April 28. On March 23, CUPE Local 2486, representing Lakehead Board of Education custodians and cafeteria workers voted 98 percent in favour of taking April 28 off work without pay. Local president Shirley Marino explained that although labour relations with the school board were good, Bill 104 opened the door contracting out their jobs.¹²⁸

Organizing committee co-chairs Evelina Pan and Chris Mather of the Thunder Bay Coalition Against Poverty, requested the same endorsement that the Sudbury organizers had received from their city council. The city council voted 9-1 in favour with little debate. Only Councillor John Ranta opposed the motion, claiming the action would “trivialize” the April 28 Day of Mourning. Ranta’s real concern was the looming April 10 strike date with the city’s 700 municipal workers.¹²⁹ Ranta was the city’s chair of the administrative services committee and overseeing the city’s push for an extension of a three-year wage freeze in the context of the Bill 106 downloading. A few days after the vote endorsing the Day of Action, the municipal workers with CUPE Local 87 delivered a 71 percent strike mandate. Anger against Ranta and the city

¹²⁶ Phil Andrews, “Workfare plan draws little feedback,” *Thunder Bay Chronicle-Herald*, February 7 1997, A3; Phil Andrews, “Anti-Workfare Coalition plots strategy to battle city plan,” *Thunder Bay Chronicle-Herald*, February 11 1997, A1.

¹²⁷ Kimberly Hicks, “Clergy supports the poor,” *Thunder Bay Chronicle-Herald*, February 14 1997, A3. A similar voluntary fund also made headlines in February. Finance Minister Ernie Eves had set up a fund in early 1996 encouraging people to donate money to help combat the \$7.7 billion deficit. Only 25 people donated, pooling together only \$5,492.65. “It is disappointing, quite frankly,” said Eves. “I would have thought there would be more people, especially the ones who said they didn’t need a tax break and shouldn’t be given one.” See “Few Ontarians willing to put money where mouths are,” *Thunder Bay Chronicle-Herald*, February 14, A9.

¹²⁸ Gail Cohen, “Day of Action gains support,” *Thunder Bay Chronicle-Journal*, March 24 1997, A3.

¹²⁹ Gail Cohen, “Labor seeks Day of Action support,” *Thunder Bay Chronicle-Journal*, March 31 1997, A1; Phil Andrews, “Council gives blessing to Day of Action protest,” *Thunder Bay Chronicle-Journal*, April 2 1997, A3.

grew when it was revealed in March that city managers had received performance-based raises. “The managers’ performance is based on what the workers do,” noted Judith Mongrain, president of CUPE Local 87. Like their CUPE counterparts at the Lakehead Board of Education, the city workers were also trying to fend off contracting out.¹³⁰ A strike was averted with a new contract but members were still angry. With Mongrain and other Local 87 activists already involved in the Day of Action organizing committee, these lingering feelings animated their organizing and mobilizing for April 28.

When the day did arrive, CUPE Local 87 drew inspiration from the TTC shutdown on October 25 and organized a 45-minute shut down of the “Thunder Bay subway”, a pedestrian tunnel under the train tracks near Simpson Street. From 11:45am to 12:30pm, info pickets were set up and passers-by were leafleted and encouraged to join the protest.¹³¹ Picket lines also went up at a dozen other municipal and provincial government locations, including the Ontario government building on James Street, as well as the city’s two public works yards, halting the day’s garbage pick-up. Provincial government offices were understaffed by 25 percent but there was no major municipal shutdown. Libraries remained open and despite some delays due to many workers taking sick days, transit operations continued throughout the day.¹³² The only significant workplace disruption came at Canada Post where pickets wearing balaclavas shut down both the main sorting depot on Alloy Drive and post office on Archibald Street. Canada Post management attacked CUPW for disrupting the distribution of benefit cheques, but CUPW president Deborah Bourque responded that management knew by April 18 that there would be disruption and failed to make contingency plans. Bourque defended the union’s participations in

¹³⁰ Phil Andrews, “City union votes 71% for strike,” *Thunder Bay Chronicle-Journal*, April 4 1997, A1; David Akin, “City workers vote Tuesday on contract,” *Thunder Bay Chronicle-Journal*, April 10 1997, A1; “CUPE workers accept contract,” *Thunder Bay Chronicle-Journal*, April 16 1997, A1.

¹³¹ Jim Kelly, “Protest message for south,” *Thunder Bay Chronicle-Journal*, April 15 1997, A1.

¹³² Jim Kelly, “Public feels string of demonstrations,” *Thunder Bay Chronicle-Journal*, April 29 1997, A3.

the Days of Action: “Our members in Ontario are affected by everything Mike Harris does. When Harris makes cuts to health care or education or child care, our members are affected.”¹³³

Later in the morning, four thousand people gathered at the Thunder Bay Community Auditorium. Before departing, a minute of silence was observed for killed and injured workers. Then, a massive “Fight for the Living” caravan with 600 vehicles proceeded on a 16 kilometre trek down Memorial Avenue, Water Street and Red River Road. The march ended at the Canadian Lakehead Exhibition grounds. The route followed that of the 1929 funeral procession for two Finnish bush workers widely believed to be murdered by company thugs.¹³⁴

As in Sudbury, a 4pm after-school education rally was organized at the Lakehead Labour Centre, drawing over two hundred local teachers. Recesses were shortened and lunch periods moved to the end of the day to allow elementary and high school teachers in the public boards to leave earlier than usual. Union leaders addressed the audience, including Ontario Teachers’ Federation president Bill Martin. “The education system is in shambles and we’re not going to go down without a fight,” said Martin to cheers. “We’ve sent a very clear message to Harris and all his cronies at Queen’s Park that we’re mad as hell and we’re not going to take it any more.” President of the Lakehead University Faculty Association, Robert Dilley, called the tuition fee increases under the Harris government a “catastrophe” for students and asserted education was a right of all people, not just the wealthy few. Nearly 600 kilometres northwest, about fifty people braved rain and high winds, gathering at the Red Lake High School in a rally organized by the Red Lake Public Services Coalition.¹³⁵

¹³³ Jim Kelly, “Canada Post, union trade barbs over Day of Action pickets,” *Thunder Bay Chronicle-Journal*, April 30 1997, A1.

¹³⁴ Jim Kelly, “Protest ‘fight for the living’,” *Thunder Bay Chronicle-Journal*, April 29 1997, A1; Interview with John Clarke

¹³⁵ Jim Kelly, “Protest ‘fight for the living’,” *Thunder Bay Chronicle-Journal*, April 29 1997, A1; Julio Gomes, “Educators in fighting mood,” *Thunder Bay Chronicle-Journal*, April 29 1997, A3.

The spirit and energy of the Thunder Bay protest represented a success in comparison to the Celebration of Resistance in Sudbury but in the context of the political fights of early 1997, the Days of Action paled in comparison to the struggles over the hospital closures and Toronto's amalgamation. The Sudbury Celebration of Resistance and Thunder Bay Day of Action were unable to harness this potential anger in a dynamic way. "Sudbury was, under the circumstances, really quite as powerful as was Thunder Bay," recalls John Clarke who attended both actions. "And yet clearly people were mobilizing in the face of a strategy to try to deactivate it. That was enormously saddening."¹³⁶

Within six months, the Days of Action strategy had gone from shutting down the country's biggest city and organizing the largest political protest in Canadian history, to its nadir in terms of participation and industrial disruption. Just as labour's bid to lead the extra-parliamentary opposition fell apart, the Megaweek and hospital restructuring plans were unveiled. Disparate localized protest campaigns arose in an effort to resist this new, intense and critical phase of the Common Sense Revolution. The battles against hospital closures were formidable but victories like Montfort were the exception. The Toronto-based movement against Bill 103's amalgamation was ultimately defeated as the April filibuster was simply waited out. Bill 104, the school board amalgamation bill, also faced a similar filibuster in April but Speaker Chris Stockwell allowed the government to bypass procedures that would have allowed it.¹³⁷ Meanwhile, hospital restructuring faced concerted opposition, and the government backed down on rural hospital cuts, the Montfort closure, and the \$500 million hospital budget cut for the 1997-98 fiscal year. The cost was high for the Tories who entered the summer of 1997 lagging

¹³⁶ Interview with John Clarke, July 2 2016.

¹³⁷ "Government dodges another filibuster," *Thunder Bay Chronicle-Journal*, April 23 1997, A8; Wendy McCann, "School boards law passed," *Thunder Bay Chronicle-Journal*, April 24 1997, A10. The conflict over Bill 104 will be addressed in the following chapter.

ten points behind the Liberals. The media began speculating about a one-term government because the Common Sense Revolution had gone “too far, too fast.” However, the extra-parliamentary mobilizations appeared to be leaderless, fragmented, even powerless as the government began to move past the political crisis caused by Megaweek and the HSRC.

Chapter 7:

The Last Straw, July - November 1997

Two years into its program of radically restructuring the provincial state, the Common Sense Revolution was far from complete. Its efforts to reorganize education, healthcare, social assistance, and municipal-provincial relations had only been realized, at best, in legislative form. The actual implementation of the legislation remained fraught with difficulties in much the same way the workfare pilot project of 1996 ran headlong into widespread opposition and non-participation from municipalities, social agencies, and organized labour.¹ The omnibus Bill 26 was intended in large part to remove barriers to such rapid, sweeping changes, but popular opposition inside and outside state institutions proved incredibly obstinate. Furthermore, campaigns against the Toronto Megacity and hospital closures had curtailed the speed and scope of the government's ambitious program. In the language of David Harvey, the political project was proving far more difficult than the utopian project.

The totalizing nature of the Common Sense Revolution provided a material incentive for many thousands of Ontarians to join the ranks of the extra-parliamentary opposition regardless of whether or not organized labour provided a lead. Recurring incidents of polarizing behaviour and statements from the Premier, cabinet ministers and backbenchers had further antagonized and

¹ The May 1 1997 cost-sharing and responsibilities agreement between the province and the Association of Municipalities of Ontario did not allay fears of massive downloading on to municipalities or give credence to the province's claims that the restructuring of municipal-provincial relations would be "revenue neutral." Only after school board powers of taxation were removed by Bill 160 following the October-November 1997 teachers' strike did the province release the financial figures on the May 1 agreement. Collectively, municipalities faced half a billion in annual funding shortfalls with larger urban centres hardest hit and most municipalities turning to a combination of tax increases, user fees, and service cuts. See Katherine A. Graham and Susan D. Phillips, "Who Does What" in Ontario: The process of provincial-municipal disentanglement." *Canadian Public Administration* 41 (Summer 1998), 175-209.

fuelled the opposition. Harris had effectively anticipated widespread opposition and deployed the language of “special interests” designed to isolate and fragment. However, these “special interests” had come to represent majority popular opinion and a social power potentially greater than the government, or at least the electoral fortunes of the PC Party.²

This chapter explores the final and decisive confrontation between the extra-parliamentary opposition and the Common Sense Revolution over the summer and fall of 1997. With the introduction of Bill 136 in June and Bill 160 in September, organized labour quickly mobilized towards a province-wide showdown culminating in a two-week teachers’ strike erupting at the end of October. Under close examination is the complex and confusing period of September and October when two distinct labour mobilizations for a province-wide strike ran up against a government seeking to extricate itself from an increasingly defensive position and score a decisive victory against organized labour. What emerges is a clear example of the sectional limits of organized labour and the conservatizing instincts of the labour bureaucracy.

On the ropes

Opinion surveys during the summer of 1997 confirmed the compounding political pressures on the Tory government. Angus-Reid, which produced comparatively favourable survey results for the Ontario PCs, had the Tories falling nine points to 35 percent support between January and May of 1997. Over the same period, the Liberals had climbed from 35 to 39 percent support. Environics showed an even wider gap between the two parties. Surveys also found Ontarians most concerned with healthcare with education, issues which fuelled opposition, stoked

² On the Common Sense Revolution’s deployment of the term “special interest,” see Kirsten Kozolanka, *The Power of Persuasion: The Politics of the New Right in Ontario* (Montreal: Black Rose Books, 2007), 58, 112.

backbencher discontent, and generated increasing criticism from the media.³ Furthermore, the unions, especially CUPE, still posed a potential threat to the sweeping transformations of municipalities, education, healthcare and social services. The Days of Action appeared to be all but dead, but there was an entirely reasonable expectation that CUPE would mount a defence of the immediate workplace interests of the membership. With CUPE locals representing most municipal and social service workers around the province, CUPE-Ontario president Sid Ryan was still adamantly in favour of a province-wide general strike and continued to warn against any legislation that impinged on collective bargaining rights.

The government's solution to the union dilemma was as extraordinary as it was unexpected. Bill 136 was introduced on June 3 by Minister of Labour Elizabeth Witmer. It sought to establish and empower a cabinet-appointed Dispute Resolution Commission which could impose contracts in the public sector; a cabinet-appointed Labour Relations Transition Commission to unilaterally determine union jurisdictions and mergers in the context of amalgamation and restructuring; and a new interest-arbitration regime with financial constraints explicitly taking precedence over union considerations. Covering 450,000 workers, Bill 136 also suspended the right-to-strike for all workers over a period of four years. As Yonatan Reshef and Sandra Rastin write, Bill 136 was to "shield the process [of restructuring] from possible union interference," and to do so "the rules of the industrial-relations game had to be altered fundamentally and the changes secured by law."⁴

Bill 136 was followed by Bill 160 in September. Targeting teachers, Bill 160 afforded the cabinet incredible new powers to determine workplace conditions as a means to further reduce costs, and removed taxation powers from school boards in favour of centralized cabinet control

³ "Harris unrattled as support falls, Liberals surge," *Toronto Star*, May 9 1997, A12.

⁴ Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution: Government Restructuring in Alberta and Ontario* (Toronto: University of Toronto Press, 2003), 91-93.

of the education budget. The rationale for Bill 160, according to Joseph Rose, was that “[c]ollective bargaining was simply seen as an impediment to reform and consequently the Harris government demonstrated a willingness to dismantle the system of bargaining to achieve its reforms.”⁵

The confrontation over these two bills was widely understood at the time to be the decisive phase in the tug-of-war between organized labour and the government; between the extra-parliamentary opposition and the Common Sense Revolution. However, scholarship is plagued by problems of interpretation obscuring Bill 136’s relationship to Bill 160 which has received the lion’s share of attention. For example, Kozolanka’s book-length study on communications during the struggles against the Common Sense Revolution make no mention of Bill 136 despite dedicating an entire chapter to the Bill 160 battle. Graham and Phillips’ exemplary and unparalleled history of provincial-municipal “disentanglement” during the Harris years makes no mention as well, nor does Rose’s otherwise illuminating study of Bill 160. Gidney’s study of Ontario’s post-war education system only makes the link in passing.⁶

Interpretations of Bill 136 do emerge in two of the more detailed and focused studies of the Days of Action period. Unlike her book, an article by Kozolanka does address the legislation. She acknowledges that Bill 136 led to a serious province-wide strike threat but was abandoned when Bill 136 was amended. Unfortunately, this paragraph-length treatment of Bill 136 makes no connection to Bill 160 or the teachers’ strike and in fact provides the misleading impression that labour’s retreat on Bill 136 was *the* fatal turning point for the Days of Action. A close

⁵ Joseph B. Rose, “The Assault on School Teacher Bargaining in Ontario,” *Relations industrielles/Industrial Relations*, Vol.57 No.1 (2002), 22.

⁶ Katherine A. Graham and Susan D. Phillips, ““Who Does What” in Ontario: The process of provincial-municipal disentanglement,” *Canadian Public Administration/Administration Publique du Canada*, Vol.42 No.2 (Summer 1998), 175-209; R.D. Gidney, *From Hope To Harris: The Reshaping of Ontario’s Schools* (Toronto: University of Toronto Press), 255.

examination of how the struggle unfolded reveals that it was it was labour's defeat over Bill 160, not Bill 136, that dealt a fatal blow to the extra-parliamentary opposition.⁷

David Camfield's more nuanced survey of the opposition movement also dedicates a paragraph to Bill 136. Drawing upon a contemporary critique by CAW researcher Bruce Allen, Camfield contends "the government was not committed to Bill 136."⁸ Yet, there is no evidence to suggest Bill 136 was a high stakes ruse carried out by a government routinely advancing confrontational legislation eliciting repeated bouts of social and industrial unrest. Camfield's claim is a misreading of Allen's argument. Allen writes that "the union bureaucracy's response to Bill 136 basically misses the mark" insofar as "you absolutely do not hear these union leaders challenging the right of the government to re-engineer the public sector in the first place." Allen reiterates his point about Bill 136 by arguing that the union leadership during the OPSEU strike "effectively succeeded in negotiating the best terms of surrender possible under the circumstances."⁹ Allen's claim is that union leaders are only committed to fighting the legislation, not the underlying political project itself. This is a very different position than saying the government was simply not committed to Bill 136. The confused reading by Camfield can perhaps be explained by mistaking Allen's polemic for rigorous analysis. Writing in the summer of 1997, Allen is railing against the fact that Bill 136 is designed to facilitate the implementation of reforms that have already passed into law. In other words, Bill 136 is wrapping up work that has already been done. Such an interpretation, however, would require one to agree with Allen's implication that Bill 136 is not itself part of the very radical neoliberal restructuring he

⁷ See Kirsten Kozolanka, "Taming Labour in Neo-Liberal Ontario: Oppositional Political Communication in a Time of 'Crisis'," *Canadian Journal of Communication*, Vol.31 (2006), 571.

⁸ David Camfield, "Assessing Resistance in Harris's Ontario, 1995-1999," In *Restructuring and Resistance: Canadian Public Policy in an Age of Global Capitalism*, editors Mike Burke, Colin Mooers and John Shields (Halifax: Fernwood, 2000), 309.

⁹ Bruce Allen, "Re-engineering and the Harris Agenda," *Alien Invasion: How the Tories Mismanaged Ontario*. Ruth Cohen, ed. (Toronto: Insomniac Press, 2001), 162-163.

opposes.¹⁰ Whatever the reading of Allen's polemic, his perspective on Bill 136 is inconsistent and undeveloped, while Camfield's interpretation is untenable.

Introduced three months apart, the two bills reflected the lack of confidence of an unpopular ruling party seeking to push through its agenda in what it believed was going to be a single term in office. As it became apparent in September that the labour movement was *not* forming a common front coalition against both pieces of legislation, the government gambled on defusing the general strike threat against Bill 136 in favour of a more focused assault on the teachers with Bill 160. Despite wide popular support, organized labour's unwillingness to strike together against either bill was its ultimate undoing. Ultimately, the province's labour leadership, at least the elements who had professed to support political strikes, failed to do so. In the absence of any alternative leadership in the unions, the teachers' strike never widened to other workforces and was abruptly called off with no concessions whatsoever from the government.

The Last Straw

Within days of Bill 136's introduction, the OFL affiliate unions decided to organize an emergency convention for July 28 and a protest at the reopening of the legislature on August 18. The OFL's head offices in Don Mills quickly became a hub of renewed activity as union leaders initiated weekly meetings to develop a strategy to defeat the legislation. CUPE, OPSEU, SEIU joined forces with the Ontario Nurses' Association, teachers unions, as well as firefighter and

¹⁰ Allen's intervention is plagued by polemical overreach. There is the incredible claim that "leading activists" in the movement against Harris had given little thought to and made no attempt to expose the underlying "re-engineering process taking place throughout the public sector in this province." As this study has demonstrated, this is simply untrue. Numerous anti-poverty, feminist, socialist, researchers, academics and trade union activists were quite clear about the neoliberal project underpinning the Common Sense Revolution, and used the Days of Action and other organizational resources and capacities in a bid to generalize this analysis and advance a call for wider, deeper and more militant opposition, including a province-wide general strike. It would be more accurate to say such analyses were not generalized because of poor communications and educational programs within the extra-parliamentary opposition.

police unions. Buzz Hargrove declared CAW's solidarity with the relaunch of the public sector "Common Front" first established in 1993 to oppose Premier Rae's Social Contract.¹¹

Labour's arguments against Bill 136 were twofold. First, as OFL President Gord Wilson put it, Bill 136 was an "ideological" project with its appointed bodies replete with Tory "hacks". Second, the legislation was simply unnecessary. Sid Ryan summed up this perspective by arguing that the government "could have empowered the labor relations board to resolve these issues" and that municipal governments, school boards and other bodies could handle labour relations problems without the "heavy hand" of the province.¹²

Prior to the OFL's emergency convention, CUPE-Ontario convened its own on July 7. Eight hundred delegates overwhelmingly ratified a Common Front campaign to either force Bill 136's withdrawal, or gut its most offensive components. In addition to endorsing an alternative plan of restructuring that would protect the right-to-strike and free collective bargaining, delegates endorsed local strikes votes in September and October to build a mandate for a province-wide strike. "We cannot go to Queen's Park with our hands tied behind our backs and ask Mike Harris to sit down and talk," explained Sid Ryan to the press about the strike votes. "Our strategy is not to plan for a strike, it's to plan to avoid a strike."¹³

The day before the OFL emergency convention, OPSEU held its own meeting of two hundred local and regional OPSEU leaders at a hotel in downtown Toronto. In addition to pledging support to the Common Front, delegates elected to hold a strike vote on September 30. After the meeting, Leah Casselman told the press the union was ready to walk. "We've got the

¹¹ James Rusk, "OFL lays plan to assail proposals," *Globe and Mail*, June 7 1997, A6; Caroline Mallan, "Public-sector unions gird for labor law battle," *Toronto Star*, July 19 1997, C1, C4; Richard Mackie, "Witmer seeks meeting with labor leaders," *Globe and Mail*, July 25 1997, A6.

¹² James Rusk, "OFL lays plan to assail proposals," *Globe and Mail*, June 7 1997, A6; Caroline Mallan, "Public-sector unions gird for labor law battle," *Toronto Star*, July 19 1997, C1, C4.

¹³ Richard Mackie, "Public-sector unions target Bill 136," *Globe and Mail*, July 8 1997, A1, A4; Caroline Mallan, "Public-sector unions gird for labor law battle," *Toronto Star*, July 19 1997, C1, C4; Richard Mackie, "CUPE suggests alternative to Ontario labour bill," *Globe and Mail*, July 28 1997, A5.

track record. We know how to mobilize. We're not afraid. We've already done a province-wide strike, so other unions are coming to us to talk about how to do it."¹⁴

The channeling of union membership anger and fear into much more coherent general strike threat piqued the government's interest. Witmer twice requested Wilson meet to exchange views on Bill 136. "I welcome any suggestions you might have to facilitate the resolution of labour-relations issues that arise during public-sector restructuring," read one of her letters to Wilson. Having chased Witmer across the province for a meeting through late 1995 and into 1996, Witmer was now at Wilson's doorstep. With support from the Common Front union leaders, Wilson turned down the meeting explaining that Bill 136 was about the wholesale restructuring of the province and far beyond the purview of the Minister of Labour. Although Harris loudly backed Bill 136 and claimed he would not be swayed by union pressure tactics, Wilson argued that only a meeting with Harris would suffice.¹⁵

The emergency convention in Toronto on July 28 was the largest OFL meeting ever at the time. Anticipating a thousand delegates, organizers were overwhelmed by 2,500. The convention hall was ripe with anger and defiance. Deafening chants of "Strike! Strike! Strike!" broke out repeatedly during proceedings. With contingents from non-OFL unions including nurses, teachers, firefighters and even some police, delegates voted enthusiastically and unanimously for the "Action Plan" against Bill 136, which included the much-hyped provision of "co-ordinated and complete work stoppages." It also appeared that CAW would join any Common Front strike against Bill 136. Eliciting huge cheers from the convention floor, Hargrove

¹⁴ Ian Urquhart, "Public sector unions barking now, but they can bite," *Toronto Star*, July 18 1997, A18; Richard Mackie, "Witmer seeks meeting with labor leaders," *Globe and Mail*, July 25 1997, A6; "Labor leaders threatening general strike," *Toronto Star*, July 29 1997, A2.

¹⁵ Richard Mackie, "Witmer seeks meeting with labor leaders," *Globe and Mail*, July 25 1997, A6.

declared from the podium: “When the public [sector] workers hit the street, by God they won’t have to look far behind to find the members of the Canadian Auto Workers.”¹⁶

Entitled “The Last Straw”, the OFL strategy document for combating Bill 136 proposed operating on several fronts with strike action listed as the final, culminating tactic of resistance. In addition to a focused union intervention in municipal and school board elections in the fall, a major advertising campaign would target newspapers, radio and television. Town hall meetings would be organized across the province, and cabinet ministers would be protested at their public appearances. The *Last Straw* also provided a fairly clear and detailed analysis of how the Common Sense Revolution was restructuring the province in favour of capital, unleashing a new wave of privatization, undermining of workers’ rights, and rolling back hard-won social programs. The document also marked an evolution in the movement’s analysis by clearly linking the Harris agenda with the “globalization of markets and the increased mobility of capital” in which “anti-worker” and “anti-democratic” policies were advanced through multinational corporations, free trade and other international financial institutions. Without dismissing the social conservatism of the Harris Tories, the document focused far more on the political-economic dynamics later clarified and popularized by David Harvey, among others.¹⁷ One key passage read:

The Harris government is an enthusiastic supporter of the global employers' agenda. “Globalization” seeks to use new technologies and liberalized trade rules to increase corporate profits and economic power by:

- driving down wages;

¹⁶ “Labor leaders threatening general strike,” *Toronto Star*, July 29 1997, A2; Ian Urquhart, “Public sector unions barking now, but they can bite,” *Toronto Star*, July 18 1997, A18; Richard Mackie, “Public-sector unions move toward strikes,” *Globe and Mail*, July 29 1997, A3; “CAW Takes Part in Massive OFL Fightback,” *Contact* (August 3 1997).

¹⁷ Richard Mackie, “Unions to march on Queen’s Park,” *Globe and Mail*, July 28 1997, A5. Ontario Federation of Labour, “The Last Straw,” July 28 1997. The analysis offered in *The Last Straw* is much more in line with the synthesis later developed by Harvey. See *A Brief History of Neoliberalism* (Toronto: Oxford University Press, 2005), 19-31.

- weakening labour laws;
- deregulating environmental protection and natural resource management;
- guaranteeing that transnational corporations are able to take over privatized public services; and
- sacrificing good pay public and private sector jobs.¹⁸

Despite the contagious chants for strike action, a number of delegates were not satisfied and took the convention floor microphones to argue that without a firm strike date, the Action Plan's threat of a general strike was empty. The criticism drew upon signs that the province's labour leadership was once again prevaricating on the matter. Even before the Action Plan was presented to the special convention, Wilson said of a province-wide strike: "There will not be a date set," and vaguely added, "But there will be a sense of when there will be some action."¹⁹ Opportunities afforded by the Days of Action to launch wider, sustained strike were also passed up. The North Bay Day of Action was scheduled for September 25 and the Windsor Day of Action October 17 yet neither was integrated into the Action Plan. Instead, the province's labour leadership waited an entire month after the special convention to make its next move, providing the government precious time and space to manoeuvre.

Gutting Bill 136

On vacation, the Premier could not be reached for comment about the OFL emergency convention and its Action Plan. His staff referred the press to Witmer. Witmer, it turned out, was also on vacation but answered a call from a reporter to dismiss the convention as a "media event."²⁰ The flippant remark masked a determination on the part of the government to remove serious barriers to Bill 136's passage. Having included police unions in Bill 136, the government

¹⁸ Ontario Federation of Labour, "The Last Straw," July 28 1997.

¹⁹ Caroline Mallan, "Public-sector unions gird for labor law battle," *Toronto Star*, July 19 1997, C1, C4.

²⁰ Ian Urquhart, "Public sector unions barking now, but they can bite," *Toronto Star*, July 18 1997, A18.

met with the Ontario Police Association in late July but failed to assuage their concerns. By mid-August, the Tories had changed their tune during the OPA's annual meeting held in Hamilton. Harris declared "Anything is possible" with Bill 136, adding "I can assure the police of this province, and I can assure other workers, we want to come up with a process that is fair and is reasonable and works for both sides, and we will continue to dialogue until we find it." This first step towards excluding police unions from Bill 136 proved sufficient to break the OPA away from their flirtations with the Common Front and OFL.²¹

Not even two weeks later, Harris once more intervened personally to address the Bill 136 grievances of the Association of Municipalities of Ontario. The AMO was deeply opposed to Bill 136 because the highly unionized municipal sector – with extensive CUPE representation – would likely shutdown municipal services if Bill 136 proceeded in its existing form. Relations with the AMO had already deteriorated over the province's strategy of downloading and Bill 106, that was certain to require municipal tax increases. This was evident when delegates at the AMO convention laughed at Minister of Municipal Affairs Al Leach during his address. Even as many municipal politicians saw Bill 136 as necessary to help municipalities absorb downloading without labour disruptions, a majority of delegates voted for the complete withdrawal Bill 136 in favour of union-government negotiations. Caught between the province and the unions, Harris sensed an opening and, in a private meeting with the AMO's new president Michael Power, Harris convinced Power to unilaterally reverse the AMO's opposition to Bill 136 in exchange for detailed financial data on downloading to the municipalities.²²

²¹ James Rusk, "Police predict showdown over inclusion in Bill 136," *Globe and Mail*, August 11 1997, A1/A3; "Province may exempt police from Bill 136," *Globe and Mail*, August 12 1997, A5.

²² Keith McArthur, "Ontario municipalities split over controversial labour law," *Globe and Mail*, August 25 1997, A5; James Rusk, "Ontario urged to withdraw Bill 136 pending dialogue," *Globe and Mail*, August 26 1997, A6; James Rusk, "AMO agrees to back controversial labour law," *Globe and Mail*, August 28 1997, A8.

A couple weeks before the AMO reversal on Bill 136, Sid Ryan had shouted for a meeting with the Premier from the Queen's Park gallery: "I'm here Mikey, any time!" Security escorted him and another hundred union members out of the building where Ryan accused Harris of "sleepwalking" into a strike: "We think there's a way around this without getting into confrontation, without actually blowing the economic recovery taking place in this province."²³ Only after the OPA and AMO successes did Harris and the cabinet agree to a meeting with union leaders in early September, some three months after Bill 136 was revealed. The meeting was quite different from the previous one in June 1996. Wilson called it "positive" and believed Harris wanted to "avoid a collision course." Harris emerged smiling, saying there was "common ground" sufficient "to warrant further discussions."²⁴ Union leaders had submitted an 8-page proposal to expand the powers of the Ontario Labour Relations Board to resolve labour disputes in lieu of the powers afforded to the two commissions proposed in Bill 136, while maintaining the right-to-strike for non-essential workers and free collective bargaining unhindered by exceptional government interference. The labour delegation had no intention of derailing the amalgamations and restructuring, but to make the transition happen without the two Bill 136 commissions. Feeling a sense of movement, Gord Wilson did not back down on the strike threat. When asked if the general strike was now averted, he replied, "Ask me in 10 days."²⁵

The meeting set in motion a month of tense negotiations both in private and through the media. Matters were complicated when draft legislation for Bill 160 was released and negotiations between Snobelen and the Ontario Teachers' Federation broke down shortly

²³ James Rusk, "Legislature likely to be raucous," *Globe and Mail*, August 18 1997, A4; Chad Skelton, "Labour leaders, protesters ousted from Ontario legislature," *Globe and Mail*, August 19 1997, A14.

²⁴ Richard Mackie, "Public-sector unions take fight against Bill 136 to Queen's Park," *Globe and Mail*, September 2 1997, A4; Richard Mackie, "Premier, unions positive after talks on labour bill," *Globe and Mail*, September 3 1997, A3.

²⁵ Richard Mackie, "Premier, unions positive after talks on labour bill," *Globe and Mail*, September 3 1997, A3.

afterwards. The OSSTF already boycotted the talks over the plan to cut preparation time for high school teachers. Additional proposals included severe restrictions on bargaining rights, removal principals and vice-principals from the unions, and elimination of school board taxation powers in favour of centralized cabinet control over education funding. OTF president Eileen Lennon commented: “This certainly makes the possibility of a province-wide strike that much greater.” Snobelen responded, “I don’t believe there is a possibility of a strike. That would be an illegal action. Teachers I’ve talked to certainly aren’t contemplating that.”²⁶

Snobelen’s views were not shared by the rest of the cabinet. The emerging threat of two province-wide strikes, possibly simultaneous, precipitated an emergency cabinet meeting on September 12. Cabinet made a shrewd calculation. Bill 136 risked a strike of upwards of 450,000 public sector workers spreading disruption across all provincial and municipal services and idling infrastructure and services necessary for the private sector’s economic activity. Bill 160 threatened to incite a strike by 126,000 teachers but it would be largely contained within the education system. Witmer emerged from the meeting to announce a retreat on Bill 136 including the empowerment of the OLRB to determine union jurisdiction in hospital, school board and municipal amalgamations. However, the Disputes Resolution Commission would remain intact and any dispute referred to it would suspend the right-to-strike. Ryan responded: “If the collective-bargaining process is impacted in a negative way, or if the independence of the arbitration system is impacted in a negative way, or if our collective agreements are opened up in any way, shape or form, there’s going to be a strike in this province.”²⁷

²⁶ Jennifer Lewington and Gay Abbate, “Ontario, teachers at impasse,” *Globe and Mail*, September 10 1997, A1.

²⁷ Richard Mackie and James Rusk, “Ontario moves to appease unions,” *Globe and Mail*, September 13 1997, A16; “Ontario cabinet, unions mull possible labour-law changes,” *Globe and Mail*, September 17 1997, A5; Richard Mackie, “Unions vow massive strikes,” *Globe and Mail*, September 18 1997, A1/A12.

Sensing weakness and determined to have the Disputes Resolution Commission eliminated altogether, CUPE-Ontario ramped up its mobilization and strike votes which began to unroll in early September. In mass meetings of hundreds, even thousands of members, the mandates for illegal strike action were remarkably strong. Workers in Thunder Bay, Cornwall and Hamilton voted 80 percent in favour; North Bay 88 percent; Oshawa 85 percent; London 89 percent and 91 percent across Windsor, Essex, and Kent. Local votes in Kitchener-Waterloo ranged between the mid-70s and low 90s, and Kingston hospital workers voted 73 percent.²⁸ Replicated across the province, these strong votes strengthened the union's bargaining position. However, there were real pockets of opposition. CUPE Local 503, representing 4,500 Ottawa municipal workers, did not even conduct a vote. "We are not going to support a strike of any sort," said local president Jim Robillard. "We have had 44 years of labour peace, and we have never been a striking local." Five thousand other Ottawa-area CUPE members, including those involved in the SOS Montfort and other hospital campaigns voted 89 percent in favour.²⁹

Earlier in July, Ryan had predicted 80 percent of CUPE's 180,000 Ontario members would take part in strike action, but cautioned: "I'm not going to sit here and pretend I'm going to get every member off the job. But you don't need 100 per cent participation for a strike to be effective."³⁰ Although lacking a vote from CUPE workers across the GTA, the votes were a remarkable feat given CUPE's strong tradition of local autonomy and no significant tradition of coordinated strike action outside CUPE's hospital unions. Two years earlier, Geoff Bickerton

²⁸ Rose Simone, "CUPE prepares for battle," *Waterloo Record*, September 10 1997, A1; John Miner, "Area CUPE members ready to strike," *London Free Press*, September 12 1997, A8; "City CUPE local backs strike against province," *Chronicle-Journal*, September 17 1997, A1; Rand Kemsley, "Province-wide strike imminent – Ryan," *North Bay Nugget*, September 18 1997, A1; Nicolaas van Rijn, "Public unions gear up for protests," *Toronto Star*, September 23 1997, A1.

²⁹ "Public unions poised for provincewide strike," *Ottawa Citizen*, September 10 1997, B2; Richard Brennan, "Public unions warn of strikes by Monday," *Ottawa Citizen*, September 18 1997, A3.

³⁰ "Labor leaders threatening general strike," *Toronto Star*, July 29 1997, A2; Ian Urquhart, "Public sector unions barking now, but they can bite," *Toronto Star*, July 18 1997, A18.

presciently observed that in the face of wholesale public sector restructuring and cutbacks, “Harris has rendered CUPE's traditional style of anarchistic bargaining irrelevant.” CUPE members, he believed, “deserve a battle plan that makes sense,” which might include a more coherent sectoral or pattern bargaining.³¹ The Bill 136 mobilization looked like such a battle plan. On September 17 both Ryan and CUPE National president Judy Darcy emerged from an OFL meeting to threaten rotating walkouts for Monday September 22.³²

To the surprise of many, Witmer responded almost immediately by gutting Bill 136. The four-year strike ban was dropped, the Disputes Resolution Commission eliminated, and the OLRB empowered to oversee a vote by workers on their choice of a new union in school board, hospital and municipal mergers. “It’s amazing, I can’t believe it,” said OECTA president Marshall Jarvis, “Nobody was ready for this one.” Meanwhile, the AMO president claimed the “retreat in the face of union threats” had “seriously jeopardized the ability of municipalities to affect a smooth and cost-efficient restructuring of municipalities.”³³ Ryan remained supremely cautious, telling reporters “this is a government I don’t trust for two seconds,” adding the union would “continue the mobilization until the government is willing to sit down and explain to us what these changes actually mean.” Wilson expressed confusion: “I can’t say what we are going to do until I know exactly what the hell the minister was saying to us.”³⁴ To address the matter, an OFL meeting was convened that same day on September 19 at which the Common Front unions called off their walkouts. “As long as we’re talking, we’re not walking,” explained Darcy. Darcy insisted labour understood the “real agenda” behind Bill 136 was “cutbacks and

³¹ Geoff Bickerton, “CUPE’s tough issues,” *Canadian Dimension* (October-November 1995), 43.

³² Caroline Mallan, “Thousands to strike in squabble over bill,” *Toronto Star*, September 18 1997, A1, A30.

³³ Carolyn Abraham and Richard Brennan, “Tories scrap plan to outlaw public servants’ right to strike,” *Ottawa Citizen*, September 19 1997, A1; Caroline Mallan, “Harris bows to pressure from unions,” *Toronto Star*, September 19 1997, A1, A7.

³⁴ Caroline Mallan, “Harris bows to pressure from unions,” *Toronto Star*, September 19 1997, A1, A7.

downsizing” and that even if Bill 136 was defeated “that’s an agenda we’re going to keep on taking on.”³⁵

Bill 136 was dead but the strike threat would linger on through the following week. CUPE remained on strike alert and Darcy cautioned a meeting of 500 Toronto-area CUPE reps against being swept up by the “first major victory against the most right-wing government in the history of this land.”³⁶ When Witmer was unable to produce details on the revised Bill 136 over the weekend of September 20-21, CUPE members in several hospitals led ten-minute walkouts and information pickets similar to those held earlier in the year. Unsurprisingly, the Ontario Hospital Association was “deeply troubled” about the Bill 136 retreat. To relieve pressure on the OHA and the government, Eves confirmed the postponed \$500 million cut to hospital funding would be abandoned entirely. The decision further undermined the mandate of the beleaguered Health Services Restructuring Commission.³⁷

When Snobelen tabled Bill 160 in the legislature on Monday September 22, the focus of union opposition quickly shifted away from Bill 136 to the struggle of teachers against Bill 160. Leah Casselman stated OPSEU would do “whatever they [teachers] want us to do” while Ryan boldly declared “We will not cross your picket lines anywhere in this province.” Practically, CUPE’s mobilization efforts were also channeled into packing buses from around the province for North Bay’s Day of Action on Friday, September 26. Threats shifted from one of a strike over Bill 136 to a province-wide sympathy strike with teachers over Bill 160.³⁸

³⁵ Caroline Mallan, “Public-sector unions put strike plans on hold,” *Toronto Star*, September 20 1997, A6

³⁶ Bruce DeMara, “Wary CUPE stays on ‘strike alert’,” *Toronto Star*, September 21 1997, A4.

³⁷ Nicolaas van Rijn, “Give us details or we strike, labour warns,” *Toronto Star*, September 22 1997, A8; Joel Ruimy, “Wildcat strikes by half-million threatened,” *Toronto Star*, September 25 1997, A9; Art Chamberlain, “Hospital restructuring not going well: Report,” *Toronto Star*, September 25 1997, E4; Jane Armstrong and Art Chamberlain, “Province shelves \$500 million cut to hospital funds,” *Toronto Star*, September 26 1997, A4.

³⁸ Nicolaas van Rijn, “Public unions gear up for protest,” *Toronto Star*, September 23 1997, A1, A11; Joel Ruimy, “Wildcat strikes by half-million threatened,” *September 25 1997*, A9; Peter Edwards, “CUPE vows support for teachers strike,” *Toronto Star*, September 26 1997, A7.

Mike's Home Town

On Saturday September 27, about 20,000 people marched through North Bay, population 55,000, in the home riding of Premier Mike Harris. From the Government Dock to Thomson Park, the march was by far the largest in the city's history, perhaps all of northern Ontario.³⁹ A day earlier, hundreds of people were on picket lines throughout the city. Canada Post offices were shut down first, their doors chained. The local transit system did not run until about mid-day, and clashes took place at the College Education Centre where pickets contended with angry students, some of them driving their cars through the lines. With varying degrees of success, picket lines also targeted the North Bay Courthouse, the Ontario Northland buildings, North Bay Jail, the North Bay Psychiatric Hospital, and City Hall.⁴⁰ During that day of pickets, two thousand people attended a 2pm rally at the Memorial Gardens followed by an even larger education rally at 3:30 in which teachers and high school students swelled the ranks.⁴¹

The province-wide mobilizations against Bill 136 and Bill 160 fed into the massive display of opposition in North Bay. Even with over two hundred buses of protesters arriving from out of town, local residents turned out in their thousands. Local grievances were enormous. Heavily dependent on public sector employment, local labour council president Dawson Pratt claimed Harris was directly responsible for over a thousand North Bay job losses.⁴² While the

³⁹ John Size, "Organizers ready for protest," *North Bay Nugget*, September 17 1997, A1; Arnie Hakala, "City police expect peaceful Days," *North Bay Nugget*, September 25 1997, A3.

⁴⁰ John Size and Arnie Hakala, "Friday picket lines create some friction," *North Bay Nugget*, September 27 1997, A1. The *North Bay Nugget's* coverage of the picket line "friction" was incredibly negative, citing numerous people outraged by the picket lines and portraying picket lines as consisting entirely of people not from North Bay. Allegations of violence included a coffee being poured on a car crossing an Education Centre picket line, and a jackknife being waved by a picket at Canadore College, yet police laid no charges. The major article on the strike and picket action included eleven unequivocally critical quotes from eleven people trying to cross picket lines, and quotes from only two people on the picket lines, and possibly one more who is not identified as being on the picket line.

⁴¹ Arnie Hakala, "Teachers' union leader repeats threat of province-wide strike," *North Bay Nugget*, September 27 1997, A2; John Size and Arnie Hakala, "Speakers proclaim litany of complaints about Tories," *North Bay Nugget*, September 27 1997, A2.

⁴² John Tollesfrud, "Harris honors labor in city," *North Bay Nugget*, September 2 1997, A2.

regional unemployment rate had fallen in the month before the Day of Action, it was still high at 9.7 percent, 1.3 points higher than the provincial average. The numbers could be disputed but there was no question the city had suffered immensely. Anger was also reflected in three prior Labour Days marches drawing at least 7,000 people each.⁴³ The regular return of Harris also provided local union and community activists a focal point to strengthen their networks and expand their ranks. The depth of the organizing was reflected in a walkout of several hundred students at West Ferris Secondary School on September 16, the first such walkout in the province in protest of Bill 160. A student walkout involving two high schools followed in neighbouring Sturgeon Falls.⁴⁴

The organizing committee for the Day of Action had been formed uncharacteristically early, in May. In the five days before the protest, bus bookings grew from 118 to over 200. Two hundred union marshals were trained, and armies of volunteers fanned out across the city for a series of door-to-door leafletings through early and mid-September. An anti-poverty tent city went up in Veterans' Park, which ballooned in size during the Day of Action because local hotels were booked solid. This economic activity was one reason the local Chamber of Commerce kept a low profile, saying nothing in opposition to the protest.⁴⁵

On September 22, North Bay's City Council refused to entertain a request for a motion to recognize North Bay citizens had the "democratic right to protest peacefully their government's decisions." The council chambers, packed with union members booed and jeered. Mayor Jack

⁴³ John Tollesfrud, "Labor Council pays tribute to area workers," *North Bay Nugget*, September 2 1997, A3; "Area jobless rate down," *North Bay Nugget*, September 11 1997, A2.

⁴⁴ John Tollesfrud, "Students walk out to support teachers," *North Bay Nugget*, September 17 1997, A1, A2; John Size, "Board satisfied with handling of protests," *North Bay Nugget*, September 18 1997, A3.

⁴⁵ John Size, "Organizers ready for protest," *North Bay Nugget*, September 17 1997, A1; John Size, "Unions to 'invade' North Bay next week," *North Bay Nugget*, September 20 1997, A1, A2; John Size, "Days of Action means action days for hotels," *North Bay Nugget*, September 23 1997, A3; John Size, "Days of Action doesn't worry business groups," *North Bay Nugget*, September 24 1997, A1; John Tollesfrud, "Students come first – Harris," *North Bay Nugget*, September 26 1997, A2.

Burrows defended the position claiming neutrality despite the AMO's support for Bill 136. Only the *North Bay Nugget* acted as a local voice of opposition to the protest, penning two editorials scolding the protests. Illegal strike activity, it contended, was unacceptable and that opponents of the government should protest on their own time "not on their employer's."⁴⁶

Although it was clear the Bill 160 fight was already escalating in the days before the North Bay Day of Action, the protest marked the rise to prominence of the battle against Bill 160 as the Common Front mobilization against Bill 136 came to an end.

"Our students come first"

Through September, discussions between the teacher unions and Snobelen failed to make any headway. The hapless negotiations were accompanied by a \$1 million advertising blitz by the government in support of Bill 160, with nearly half spent on a 30-second TV commercial and the rest on a 16-page mail-out.⁴⁷ The Tories also used to their advantage the report of the Education Improvement Commission assembled by Snobelen in late 1996 and headed up by Bob Rae's former education minister, Dave Cooke. The document dovetailed with the draft Bill 160, in recommending prep time be cut significantly, the school year extended, and classroom sizes regulated with a provincially-determined cap. Another similar proposal to Bill 160 was allowing non-certified teachers for guidance, sports, computer science, and trades. Where the report went another way was its contention that school boards had "exhausted" avenues for savings short of increasing class sizes. It suggested the \$150 million in savings expected from the Bill 104 school board amalgamations be reinvested in education. When asked by reporters, Snobelen refused to

⁴⁶ "Illegal walkouts can't be condoned," *North Bay Nugget*, September 3 1997, A6; Keith Howell, "Council stays out of protest," *North Bay Nugget*, September 23 1997, A1, A3.

⁴⁷ Daniel Girard, "Ad campaign to explain education reforms," *Toronto Star*, September 10 1997, A10.

publicly comment on which of the Commission's thirty-one recommendations would be part of Bill 160.⁴⁸

On September 10, another round of negotiations failed. The unions had offered \$500 million from their pension plan to fund the education system but this was rejected out of hand. When teacher representatives emerged from the meeting accusing the government of seeking an additional billion in education cuts, Harris refused to confirm or deny this claim. Snobelen also denied it but this, pointed out the press, contradicted his claims made earlier in the year.⁴⁹

As the government made its first major retreat on Bill 136 on September 18, Snobelen announced two major concessions. The right-to-strike would be maintained and principals and vice-principals would remain in the unions. The Minister confidently declared these changes would "reassure parents that (a strike) won't happen in the province." Union leaders said it was a good sign but only "half an olive branch." They warned a walkout was still possible over matters such as preparation time, class sizes, and introduction of non-certified instructors.⁵⁰

Snobelen formally introduced Bill 160, the Education Quality Improvement Act, at a press conference on September 22 featuring a giant canvas backdrop reading "Our students come first" printed in giant letters. "It's time," he declared, "for the province to start marking its success in education by the basis of our students' performance, not the amount spent on education." Snobelen insisted the reforms were all related to improving student achievement in the context of competition. "I don't think teachers are happy with mediocrity," the Minister said.

⁴⁸ Daniel Girard, "Shake-up urges more time in class for pupils," *Toronto Star*, September 11 1997, A1/A36; Daniel Girard and Peter Small, "Snobelen won't guarantee school cuts over," *Toronto Star*, September 12 1997, A11.

⁴⁹ Daniel Girard and Peter Small, "Teachers edge closer to strike," *Toronto Star*, September 11 1997, A2; Daniel Girard and Peter Small, "Snobelen won't guarantee school cuts over," *Toronto Star*, September 12 1997, A11.

⁵⁰ Daniel Girard, "Bill on teachers called 'lot milder'," *Toronto Star*, September 19 1997, A7; Daniel Girard, "Fight with teachers averted, Snobelen says," *Toronto Star*, September 20 1997, A11.

“Ontario has not kept pace with other provinces or countries. Later in the day, the bill passed first reading in a 55 to 37 vote.⁵¹

The bill maintained the halving of preparation time for high school teachers from 80 to 40 minutes per day. Echoing the arguments made by the Education Improvement Commission, Snobelen said this would allow the government to reduce and control classroom sizes. Snobelen even speculated that by extending classroom hours, attrition through retirement would increase and open up new jobs. The legislation also planned to extend the school year by two weeks, and remove taxation powers from the school boards in favour of cabinet control of education funding. Drawing again on the Education Improvement Commission, “school councils” would also be formed to advise on a range of matters with a legislative mandate broader than traditional parent-teacher associations, and providing local “problem-solving” in the wake of school board mergers and the radical reduction of trustees.⁵²

The teacher unions continued to argue that Bill 160 was fundamentally about centralizing power in cabinet and pushing through a billion dollar cut to education funding. The cuts to preparation time alone, they predicted, would result in 10,000 job losses and \$450 million in savings. This was far higher than the 4,400 jobs and \$200 million claimed by the government.⁵³ On the matter of prep time, secondary school teachers said their 80 minutes of prep time was already split between preparation and on-call work, meaning a halving of this time would lead to a drastic reduction in teaching quality. With such cuts, argued the teachers, there was no way

⁵¹ Daniel Girard, “‘New’ school starts next year,” *Toronto Star*, September 23 1997, A1, 11.

⁵² Daniel Girard, “Snobelen acts on sweeping new school reforms,” *Toronto Star*, September 22 1997, A1, A22; Daniel Girard, “‘New’ school starts next year,” *Toronto Star*, September 23 1997, A1, A11; Jane Armstrong, “Each school to get advisory panel,” *Toronto Star*, September 23 1997, A10;

⁵³ Daniel Girard, “‘New’ school starts next year,” *Toronto Star*, September 23 1997, A1, A11

education quality could remain.⁵⁴ Teachers also revived the memory of Snobelen's talk of 'inventing a crisis'. Their determination to defeat Bill 160 was anchored not just in this specific incident, but a long list of issues stemming directly from education cuts. They were concerned about how other aspects of the Common Sense Revolution had affected the classroom, including cuts in social assistance rates, the childcare crisis, and the wider assault on unions. Like the battle over Bill 136, the immediate union goals of gutting the legislation were widely and deeply understood by the membership to be intersecting with the wider Common Sense Revolution.

“If you're going to dish it out...”

Shortly after Bill 160's introduction, the five teacher unions organized a mass meeting in North York of 800 delegates. Union leaders received huge cheers and support for their threats of a province-wide strike. At one point, the delegates were chanting in unison, “We won't back down!” Manners said the Tories were “sacrificing a whole generation of our students to their ideology... It's time for us to say: ‘No.’” It was clear that an illegal strike was still on the table.⁵⁵ Ontario Teachers' Federation president Eileen Lennon was also issuing stern warning. “If John Snobelen does not move off of his legislative agenda,” she declared, “every school in this province will be shut down.” Lennon later told reporters that if a strike happened, “We will stay out as long as it takes... We want the government to listen to the teachers. If they don't, then we'll have to shut down the schools. It's not our preferred first option.”⁵⁶

After an emergency Common Front meeting at OFL headquarters on September 24, Sid Ryan promised CUPE members would join them in sympathy strike if teachers requested it.

⁵⁴ “Class size matters,” *Toronto Star*, September 24 1997, A26; Peter Small, “Why the teachers are so furious,” *Toronto Star*, September 27 1997, B1/B4; Ontario Secondary School Teachers' Federation, *The Story So Far: Public Education During the Harris Years* (Toronto: OSSTF, 2002), 19-22.

⁵⁵ Daniel Girard, “Teachers threaten to walkout to block Bill 160,” *Toronto Star*, September 26 1997, A1, A7.

⁵⁶ Daniel Girard, “Teachers threaten to walkout to block Bill 160,” *Toronto Star*, September 26 1997, A1, A7.

“We’re quite clear that CUPE members will be there for school teachers on the picket lines if the school teachers ask us,” said Ryan, adding “I’m absolutely guaranteeing that.” Casselman committed OPSEU to supporting the Bill 160 fight but did not hint at anything like a sympathy strike. Similar sentiments repeated by Ryan as well as Hargrove at the North Bay Day of Action reinforced the widespread expectations that a province-wide strike was quite possible, even though the statements made no explicit promises of sympathy strikes.⁵⁷

Within a couple days of Bill 160’s introduction, Snobelen backed down on the early start to the school year, explaining that rural MPPs got an earful about the potential impact on farm labour. When Bill 136 strike threat was formally withdrawn by the Common Front unions, Snobelen announced his willingness to meet with the unions. Harris echoed the sentiment and on October 1, a meeting was scheduled for October 8.⁵⁸

Teachers did not simply wait for the meeting. Following the North Bay Day of Action, they launched a series of mass rallies to steel themselves for the fight and send a powerful message to Snobelen and the government. On September 29, six thousand teachers attended a rally at the Ottawa Civic Centre. Four thousand teachers from across the Durham Region completely packed the Oshawa Civic Auditorium on the evening of October 2, while another five thousand rallied in London at the Thompson Arena. On October 5, the Mississauga International Centre was overflowing beyond capacity, while 20,000 squeezed into Maple Leaf Gardens and another 4,000 spilled out on to Carlton Street. Afterwards, 15,000 marched to Queen’s Park where Bill 160 passed second reading in a 62-38 vote.⁵⁹ Two days later, 9,000

⁵⁷ John Ruimy, “Wildcat strikes by half-million threatened,” *Toronto Star*, September 25 1997, A9.

⁵⁸ Daniel Girard, “School year: No early start after all,” *Toronto Star*, September 25 1997, A1, A37; Daniel Girard, “Premier willing to meet teachers on strike threat,” *Toronto Star*, October 1 1997, A11; Daniel Girard, “Teachers agree to meet minister as strike looms,” *Toronto Star*, October 2 1997, A2.

⁵⁹ Peter Small and Donovan Vincent, “Show of strength before talks with Snobelen,” *Toronto Star*, October 7 1997, A1/A4; Daniel Girard, “Education bill passes hurdle on eve of talks,” *Toronto Star*, October 8 1997, A1.

teachers rallied at Copps Coliseum in Hamilton. Before the official proceedings, huge cheers went up as a hundred Hamilton students arrived in solidarity having walked out of classes at Westmount High School earlier in the day. Eileen Lennon told the boisterous rally that Snobelen “should learn the rules of the playground.” To roaring approval she warned “If you’re going to dish it out, you’d better learn to take it, Johnny.”⁶⁰

The rallies were accompanied by other local actions in a style reminiscent of the hot autumn two years earlier. On October 4, at least a thousand teachers and supporters picketed four Burlington and Halton area Tory MPP offices simultaneously. A few nights later, an enormous picket of nearly a thousand teachers greeted Mike Harris in North Bay as he attended the Northern Ontario Business Awards at the Memorial Gardens. On the picket lines, Terry Jackson, the Nipissing OECTA president, said the “unified front” of teachers was prepared to fight the bill and preserve quality education. “Teachers don’t want to strike,” Jackson explained, “but the government is attacking them on every front.” The evening before the October 8 meeting, Snobelen was in Hamilton for a party fundraiser. Two hundred teachers and supporters surrounded his car for fifteen minutes until four police cleared a path for him.⁶¹

The ferment was accompanied by a new television advertisement from the teachers’ unions. From the driver’s perspective, a car sped wildly through a neighbourhood, the narrator saying: “Mr. Snobelen, where are you taking us? Over a billion in education cuts behind us, and now, you’re rushing towards another billion in cuts. You’re going to fast Mr. Snobelen. You are

⁶⁰ Pat Bell and Julia Elliott, “Teachers: ‘United we stand’,” *Ottawa Citizen*, September 30 1997, A1; Nick Pron, “Teachers, students protest bill,” *Toronto Star*, October 3 1997, B3; Peter Small and Donovan Vincent, “24,000 rally to back protesting teachers,” *Toronto Star*, October 7 1997, A1; Agnes Bongers, “‘We won’t back down’: Thousands of teachers at rally speak in one voice against Bill 160,” *Hamilton Spectator*, October 8 1997, A1; Daniel Girard, “Education bill passes hurdle on eve of talks,” *Toronto Star*, October 8 1997, A1; Ken Kilpatrick, “Hamilton teachers rally,” *Toronto Star*, October 8 1997, A21; Peter Small and Donovan Vincent, “Show of strength before talks with Snobelen,” *Toronto Star*, October 7 1997, A1, A4.

⁶¹ Craig Sumi, “‘Back off’ on changes, Tories told,” *Hamilton Spectator*, October 4 1997, N1; Keith Howell, “Teachers’ protest welcomes premier,” *North Bay Nugget*, October 8 1997, A1/A2; Daniel Girard, “Collision course,” *Toronto Star*, October 9 1997, A1.

out of control. Who do you think is really going to pay for all these cuts? A message from Ontario's teachers. We're fighting to protect classroom education."⁶²

After an intense week of mobilization, the October 8 meeting between union leaders and the minister was a complete failure. The parties exited the room shortly after it began. Snobelen spoke to reporters saying, "I told the teachers' unions this morning that if they can find a better solution than we've proposed, we'd be more than willing to look at that." Union leaders responded that Snobelen's stated goal of improving education standards was impossible with such deep cuts to funding and preparation time. It was time they argued for Harris himself to get involved directly in the meetings.⁶³ The meeting was also Snobelen's last with the teachers. The following day, a major cabinet reshuffle took place, a five-week break in the legislature announced, and public hearings on Bill 160 conceded. Snobelen was sent to the backbenches and David Johnson was appointed new Minister of Education.

Building on the victory around Bill 136, Snobelen's dismissal was a huge boost of confidence for the teachers and the wider opposition to Bill 160 and the Common Sense Revolution. Yet, the shuffle was at the same time a warning to the teachers. Johnson had earned a degree of begrudging respect from some labour leaders for his hard bargaining during the OPSEU strike and doctors dispute. His appointment was not so much a retreat on Bill 160 as a stiffening of resolve on the part of the government. Johnson was also not subject to the personal attacks like Snobelen, Tsubouchi or even Harris, and was portrayed in the media as a level-headed and effective tactician.⁶⁴ Even so, there was sufficient clarity among teachers that the dispute was not reducible to personalities. Manners himself pointed out that "changing the

⁶² Daniel Girard, "Ad campaign is latest salvo from teachers against Bill 160," *Toronto Star*, October 8 1997, A20; See <http://www.youtube.com/watch?v=2Sd0htz1sCg>

⁶³ Daniel Girard, "Collision course," *Toronto Star*, October 9 1997, A1.

⁶⁴ Daniel Girard and Joel Ruimy, "'Mr. Fixit' set to deal with teachers," *Toronto Star*, October 11 1997, A1/A32.

players doesn't mean the crisis has been averted... The legislation that's the source of the crisis is still sitting there." Johnson's first move was to indicate a willingness to make concessions on prep time while also sending a memo to school board chairs expecting them to "ensure that their employees are fully informed of their legal and professional obligations."⁶⁵

On Tuesday, October 14, the heads of the teacher unions and OTF gathered for a major strategy session. They called Johnson's office to set up a meeting. Six hours later, Johnson's office had not replied. The union leaders called the press to announce that Johnson had until midnight, October 29 to either throw out or radically change Bill 160. Tory MPPs had used their majority in the legislative committee responsible for the hearings to bypass the usual methods of selecting a list of public hearing presenters supplied by each party caucus in favour of Johnson personally selecting a list of fifty presenters out of a thousand applications. Johnson responded by scheduling his first meeting with the teacher unions on Monday, October 20. Until then, Johnson was hunkered down in London for a five-day government retreat and party conference.⁶⁶

Windsor Day of Action

Fuelled by the Bill 136 victory, Snobelen's dismissal, and the unsettled Bill 160 fight, the seething opposition struck and marched through Windsor in a manner which recaptured some of the enthusiasm witnessed a year earlier in Toronto. Old hatreds between local employers and unions rose to the surface resulting in a flurry of recriminations before and after the protest. The local media, led by the *Windsor Star*, ramped up its attacks on the unions and its supporters.

When the Windsor City Council voted unanimously in favour of supporting the Day of Action

⁶⁵ Daniel Girard and Joel Ruimy, "Mr. Fixit' set to deal with teachers," *Toronto Star*, October 11 1997, A1; Daniel Girard and Peter Small, "Teachers, minister to meet next week," *Toronto Star*, October 17 1997, A3.

⁶⁶ Daniel Girard, "Teachers give 2-week warning to Queen's Park," *Toronto Star*, October 15 1997, A8; Daniel Girard and Peter Small, "Teachers, minister to meet next week," *Toronto Star*, October 17 1997, A3.

with no debate, the *Windsor Star*'s editorial attacked "a fearful and compliant city council" that had "bent to the wishes of Ontario labour leaders" to "waste millions of dollars Oct. 17 protesting against government spending cuts which most taxpayers support." A local columnist declared the City Council had given "an aura of respectability to a tactic that goes miles beyond legitimate protest." An editorial cartoon featured city councillors kissing the hind quarter of a character labelled "Windsor Labour". A few days later another cartoon with two figures labelled "Windsor Labour Bosses" were punching and kicking a bloodied, brutalized figure labelled "Windsor's economy". The two "Windsor Labour Bosses" were obvious caricatures of Labour Council president Gary Parent and CAW Local 444 president Ken Lewenza.⁶⁷

Unlike its North Bay counterpart, the Windsor and District Chamber of Commerce argued a more familiar line that the protest was a cost to the taxpayer, and a threat to investment, jobs and tourism.⁶⁸ Employers responded in a range of ways. Local hospitals pre-emptively cancelled non-emergency surgeries or outpatient services. Windsor Transit negotiated a shut down of services with the union. Both county boards of education scheduled Professional Development days for October 17, giving 2,000 teachers the opportunity to picket and march. The two city school boards, public and Catholic, eventually declared there would be no classes on October 17. Post-secondary institutions University of Windsor and St.Clair College opted to stay open but numerous classes were cancelled with amnesty for students and teaching staff who refused to cross picket lines.⁶⁹ At the unionized Windsor Casino, CAW Local 444 engaged in

⁶⁷ "City council: Daze of unwanted protest," *Windsor Star*, October 1 1997. Gord Henderson, "Council lets city down," *Windsor Star*, October 2 1997.

⁶⁸ Ellen van Wageningen, "Workers urged to rethink protest," *Windsor Star*, October 1 1997.

⁶⁹ Gary Rennie, "Many services hit Oct.17," *Windsor Star*, October 3 1997; Douglas Williamson, "Bus drivers join protest," *Windsor Star*, October 10 1997; Dave Battagello, "School's out for Day of Action," *Windsor Star*, October 15 1997; Gary Rennie, "What's open, closed on the Day of Action," *Windsor Star*, October 15 1997.

prolonged negotiations with management before hammering out a deal. The union wanted a 24-hour shut down, and eventually compromised with an 8am to 8pm closure.”⁷⁰

The crucial auto sector saw a large-scale voluntary shut down, including the Chrysler assembly plant and sixty of the 76 parts plants covered by CAW Local 195 collective agreements. Ford and GM held out longer in the hopes of maintaining production. Management at the GM transmission plant employing 1,500 was still considering disciplinary action when the protest happened. Ken Lewenza responded by declaring that weekly pickets would target any plant that disciplined workers after the fact. The CAW Local 195 president explained the pressure tactic: “These companies should be saying to this government, ‘We don’t necessarily always like the union, but why can’t we work out our differences and you can’t?’”⁷¹

In the final hours of October 16, picket lines began to go up across the city targeting auto part plants and Canada Post facilities. Because of management’s ongoing threats of discipline, the GM transmission plant saw a large picket line of 300. Ultimately, GM would back down on its threats of discipline or seeking monetary damages from CAW. The main postal depot on Walker Road was shut down by a large picket line that even included some postal workers from the United States. At the Sprucewood and Weaver entrance to the Ojibway Industrial Park, mass picket of 400 was mobilized for 5:30am shutting down several companies for the day. The power of the autoworkers was certainly felt in the pocketbook of employers. Losses were in the tens of millions, with \$32 million alone in Chrysler minivan production lost, and upwards of \$5 million at Ford’s engine and foundry operations.⁷²

⁷⁰ Douglas Williamson, “Deal to shut casino closer,” *Windsor Star*, October 10 1997; Douglas Williamson, “Casino faces \$800,000 hit,” *Windsor Star*, October 15 1997, A4.

⁷¹ Douglas Williamson, “Labour protest to cost millions,” *Windsor Star*, October 8 1997; Gary Rennie, “Talk turns to action,” *Windsor Star*, October 17 1997.

⁷² Gary Rennie, “Talk turns to action,” *Windsor Star*, October 17 1997; Garrie Rennie and Brian Cross, “Harris urged to listen” *Windsor Star*, October 18 1997; Gary Rennie and Roseann Danese, “Angry boss could ‘lock up’,”

Municipal workers picketed City Hall, and social service centres, daycares, parks, recreation facilities, garbage and waste collections were all closed or cancelled. LCBO stores and even some beer stores were picketed, but most were reopened in the afternoon by managers. The Essex Civic Centre was also picketed, the seat of the county's municipal government.

Proportionally, it may have been the largest strike during the Days of Action. An estimated 90 percent of the city's 200 unionized workplaces were closed, and 30,000 workers were off the job, about fifteen percent of the region's workforce. About 60,000 school students were out of classes. However, a number of unionized plants and stores remained open, notably Heinz in Leamington, Essex County's largest private sector employer. Members of UFCW Local 459, the Heinz workers did not participate in the protest.⁷³

There were two major flashpoints during the strike. At the Windsor Match Plant and Tool Ltd., company president Harold Reaume promised disciplinary action against anyone joining the strike. On the morning of October 17, Reaume made a foolish provocation by trying to cross the picket line of several hundred workers who had amassed in defiance of his threats. Refused entry, Reaume went to the media and made threats of liquidating of the company, suspending workers, and withholding his property taxes until CAW paid him \$125,000. Mayor Mike Hurst dismissed Reaume and his threats came to nothing.⁷⁴

Windsor Star, October 18 1997; "Protest paralysis," *Windsor Star*, October 18 1997; Gary Rennie, "GM backs off disciplinary action," *Windsor Star*, October 22 1997.

⁷³ The calculation of fifteen percent is imprecise and conservative. Available Labour Force Survey (LFS) data provides both Windsor-Sarnia regional data and Windsor Census Metropolitan Area data (which extends beyond the limits of the City of Windsor but excludes much of Essex County including the towns of Leamington, Essex and Kingsville), the Windsor CMA data included in the regional data set even though the Windsor CMA data is monthly and the regional data annual. Observing the LFS data for October 1997, Windsor CMA employs 141,400 and the Windsor-Sarnia region 275,900 for 1997 as a whole. The region includes the City of Sarnia, Lambton County and Chatham-Kent, none of which were part of the Windsor Day of Action. Thus, strike participation levels range from 10.9 percent across the entire Windsor-Sarnia region, or 21.2 percent in just the Windsor CMA. Since there is an overlap of the two, a conservative estimate would be 15 percent, although it is possibly higher. See CANSIM tables 282-0063 and 282-0111.

⁷⁴ "Protest paralysis," *Windsor Star*, October 18 1997; Gary Rennie, "City firm seeking \$125,000 from CAW," *Windsor Star*, October 21 1997.

The other major flashpoint seemed very unlikely. At one of the three ABC Day Nurseries located at Hannah Street and Parent Avenue, 60 childcare workers normally oversaw 250 children. On the morning of October 17, only 20 staff, mostly management, chose to cross picket lines that had been up since 4am. “It was terrible,” said the ABC Day Nursery director Kaye Holmes of the pickets. “They were really frightening the children,” she said, and had vandalized the locks with gum. Any staff taking part in the picket was facing suspension, she declared. Another parent told the *Windsor Star* that she and her 3-year-old child were subjected to name-calling and middle fingers. Columnist Gord Henderson covered the story under the sensational headline “Actions Held Tots Hostage.” Henderson’s column painted an appalling portrait of union worker violence against children and parents.⁷⁵ One of the CUPE pickets, David Spratt, disputed the entire version of events in a letter to the *Star*. In his letter, Spratt explained how the union repeatedly requested a meeting with Holmes to arrange for one of three ABC Day Nurseries to remain open and picket free. Instead, Holmes threatened to discipline anyone picketing while the union leafleted parents at each centre about the upcoming action. The only picket line violence, argued Spratt, were the drivers who hit pickets, and the “goons” portrayed by Henderson and Holmes were women childcare workers with children of their own.⁷⁶

On the evening of October 16 through to the morning of October 17, over a hundred buses registered with the organizing committee arrived in Windsor to unload an estimated 4,000 protesters at two meeting locations. The “community” rally and march began assembling after noon at the St. Denis Community Centre in the west end of town near the University of Windsor and along Huron Church Road that led to the Ambassador Bridge to Detroit. About four kilometres south of the downtown, a union-led march gathered at Jackson Park. Before 2pm, the

⁷⁵ Gord Henderson, “Actions Held Tots Hostage,” *Windsor Star*, October 18 1997.

⁷⁶ David Spratt, “Nursery director wouldn’t co-operate,” *Windsor Star*, October 22 1997.

two marches marched on the downtown to Dieppe Gardens. Four hundred union marshals escorted the two marches. The local Chamber of Commerce put the rally at 10,000, the *Windsor Star* at 20,000 and the organizers at 30,000.⁷⁷

With the Bill 160 fight verging on the cusp of a province-wide illegal strike, teacher participation in the Windsor Day of Action was far beyond what the first Day of Action had experienced in London when only several hundred teachers took part. Eight hundred teachers alone rallied at the Caboto Club the night before the Day of Action to hear speeches from their union leaders, including Sid Ryan and Buzz Hargrove who promised to honour picket lines in the event of a strike.⁷⁸

From Windsor to Walkout

Earl Manners, with Marshall Jarvis's support, used the Windsor Day of Action as a platform to threaten strike action as early as October 22, a full week before the previous October 29 strike threat.⁷⁹ This threat brought some of the differences between the union leaders into relief.

FWTAO president Margaret Sadem-Thompson took the public position that Johnson's willingness to talk was positive, and that collective bargaining was another means by which the unions could defuse the general education crisis. Surrounded by over a thousand protesting teachers and supporters outside the London Convention Centre, David Johnson responded to these new threats with a bombshell: "It's highly unlikely that we'll cut it by 50 per cent. I don't think it'll be necessary."⁸⁰

⁷⁷ Gary Rennie, "Talk turns to action," *Windsor Star*, October 17 1997; Garrie Rennie and Brian Cross, "Harris urged to listen" *Windsor Star*, October 18 1997.

⁷⁸ Dave Battagello, "Teachers rally to fight Bill 160," *Windsor Star*, October 17 1997.

⁷⁹ Daniel Girard, "Teachers' strike looms," *Toronto Star*, October 18 1997, A1.

⁸⁰ Daniel Girard, "Tories woo teachers," *Toronto Star*, October 19 1997, A1.

After Manners' strike threats and Johnson's apparent reversal on prep time, the 85-minute meeting at the Sutton Place Hotel in Toronto failed. The only clear outcome was the teachers publicly announcing a strike deadline of noon on Tuesday October 21.⁸¹ The increasingly toxic nature of the relationship was evidenced in the documents leaked while the meeting was still happening. Johnson publicly positioned himself as wanting to "sit down and talk it out," but an ostensibly private letter he sent to Lennon found its way to press. In the letter, Johnson concluded: "I find your ultimatum unreasonable, particularly given your failure to present the constructive alternatives you promised."⁸² Johnson's letter to Lennon was completely insignificant compared to what was leaked to the opposition parties. Having denied again and again that a billion dollars would be cut from education, the NDP and Liberals disclosed a 16-page draft "performance contract" dated December 1996 outlining the new deputy minister of education's task of slashing \$667 million from the education budget for the 1998-99 school year. The contract was for Veronica Lacey, who was appointed deputy minister, the highest-ranking civil servant in the Ministry of Education. The document also included a mandate to develop "a joint legal strategy involving the Ministry of the Attorney-General" to counter "potential job action" by teachers against the cuts and restructuring.⁸³

The Tories scrambled to respond. Johnson denied any knowledge of the document while Harris took the airwaves on the evening of October 22 to deliver a ten-minute speech. Harris said the teachers' unions were putting their members first, but it was the government which had "to put Ontario's kids first."⁸⁴ He continued,

This is the day in which we stop the inexcusable slide in the quality of our schools. This is the day in which we tell all the special-interest groups who put their agendas ahead of

⁸¹ Daniel Girard, "Teachers' talks collapse," *Toronto Star*, October 21 1997, A1/A26.

⁸² Daniel Girard, "Teachers' talks collapse," *Toronto Star*, October 21 1997, A1/A26.

⁸³ Joel Ruimy, "Goal of 'contract' \$667 million cut," *Toronto Star*, October 22 1997, A7.

⁸⁴ Joel Ruimy, "Goal of 'contract' \$667 million cut," *Toronto Star*, October 22 1997, A7.

our students that enough is enough...Do not let your union leaders push you into an illegal situation that in your hearts you know is the wrong course of action for Ontario's children.⁸⁵

Ontario's teachers were excellent, said Harris, "some of North America's finest," but Ontario was "not getting value for money" and it was the unions blocking necessary changes.⁸⁶ Two days later, Harris confirmed the \$667 million in cuts was in fact the government's goal. Johnson also announced that parents with children in school \$40 per day in the event of a strike with the money saved by school boards during each day of a strike.⁸⁷

The government was unable to control the angry response that emerged in the wake of the performance contract revelations. Lennon suggested these previously undisclosed cuts was the real reason why their efforts to negotiate with the government were "a fraud". Liz Sandals, the executive vice-president of the OPSBA, declared the cuts would be a "disaster for the children," and suggesting it would be a way of bankrupting the education system. Patrick Daly, president of the Ontario Catholic School Trustees' Association said simply the cuts were "unacceptable." One *Toronto Star* editorial headline summed up the situation perfectly: "Tory credibility on schools is shattered."⁸⁸

The strike

By the weekend of October 25-26, the writing was on the wall. "I hope very much that nobody, nobody will get hurt...that's why I'm calling on the teachers not to follow through with their

⁸⁵ Daniel Girard and Peter Small, "Strike will punish parents and children: Harris," *Toronto Star*, October 23 1997, A1/A35.

⁸⁶ Daniel Girard and Peter Small, "Strike will punish parents and children: Harris," *Toronto Star*, October 23 1997, A1/A35.

⁸⁷ Daniel Girard and Peter Small, "Daily '\$40 for care' offer to parents," *Toronto Star*, October 23 1997, A1; Joel Ruimy and Daniel Girard, "\$660 million school cuts confirmed," *Toronto Star*, October 24 1997, A1/A36.

⁸⁸ Joel Ruimy and Daniel Girard, "\$660 million school cuts confirmed," *Toronto Star*, October 24 1997, A1/A36; Peter Small, "Cutbacks would spell disaster: Boards," *Toronto Star*, October 25 1997, A1; "Tory credibility on schools is shattered," *Toronto Star*, October 25 1997, E2.

illegal strike,” said Johnson. “With strikes and pickets and that sort of thing there are risks, physical risks, and I don’t want to see any child hurt in the province of Ontario.”⁸⁹ With no more meetings planned between the two sides, Johnson sent a clear message that the government was ready to fight. Lennon was furious: “There is absolutely no grounds for him to make those sorts of allegations... They will be peaceful picket lines and it is our hope that people will not cross them.” For good measure, Lennon reiterated that the strike was democratically-mandated and that no teacher would face retaliatory measures from their unions. “Teachers will make up their own minds (this) morning,” she said. “It’s a political protest and each individual teachers will make a decision of conscience.”⁹⁰

The teachers struck on Monday. Over two million students were not at school and 126,000 teachers were on strike, the picket lines solid and well-attended with few exceptions. Almost all the provinces 4,700 schools were shut down and CUPE’s 40,000 education workers were called to respect the picket lines.

The government quickly moved to seek an injunction to end the strike. Their other option of back-to-work legislation was ruled out as this would require an early recall of the legislature recessed until November 17. School boards had the power to issue cease-and-desist orders backed up by crippling fines through the Labour Board, but given their poor relations with the government, not a single school board exercised such powers.⁹¹ Justifying their request for an injunction, Harris and Johnson hammered on the illegality of the strike. While reiterating his claims around possible injuries to children, Johnson also insisted the strike was causing “untold financial damage” to the business community. Any defiance of an injunction, claimed Johnson,

⁸⁹ Daniel Girard, Joel Ruimy and Peter Small, “School’s out!” *Toronto Star*, October 27 1997, A1/A21.

⁹⁰ Daniel Girard, Joel Ruimy and Peter Small, “School’s out!” *Toronto Star*, October 27 1997, A1/A21.

⁹¹ Harry J. Glasbeek, “Class War: Ontario Teachers and the Courts,” *Osgoode Hall Law Journal*, Vol.37 No.4 (Winter 1999), 807-808.

“would be a sad state of affairs indeed for any democratic society.”⁹² Hargrove responded with a thinly veiled sympathy strike threat: “If they try to decertify [the teacher unions] or jail the leadership of these people who are conducting a political protest in a democratic country, then you can bet that the workers of this province will join with the teachers.” Teacher union leaders were less equivocal than Hargrove. Lennon and others expressed disappointment but made no commitment to defying or obeying an injunction.⁹³

As the government prepared to make its case in the courts, teachers kept up their impressive shows of strength. On the first day of the strike, a rally against Bill 160 outside Queen’s Park topped ten thousand. Despite an unexpected blizzard blanketing Ottawa, 9,000 teachers packed the Civic Centre. In the first days of the strike, smaller but equally energetic rallies around the province bolstered the unity and combativity of the teachers and forged a solidarity with the wider opposition to Bill 160. In Sault Ste. Marie, hundreds protested Harris’ visit to the Northern Ontario tourist outfitters convention. In the evening, municipal, hospital, and provincial workers joined teachers in their hundreds to protest outside a \$150 per plate Tory fundraiser.⁹⁴

Scabbing was almost non-existent but there were a few exceptions. While all 856 students at Woodbridge College in York Region stayed out of school and all 48 teachers picketed, 56-year-old biology teacher John Kenderdine hired three bodyguards at the cost of \$40 each to get him across the picket line. Perhaps the only example of a functioning school was in Barry’s Bay where teachers opposed to the strike on the grounds that the union had no

⁹² Daniel Girard, “Ontario seeks court order,” *Toronto Star*, October 28 1997, A1; Daniel Girard and Jane Armstrong, “Lawyers plan bid to stop walkout,” *Toronto Star*, October 29 1997, A1.

⁹³ Daniel Girard, “There’s more than one way to force an end to walkout,” *Toronto Star*, October 27 1997, A7; Daniel Girard, “Ontario seeks court order,” *Toronto Star*, October 28 1997, A1; Daniel Girard and Jane Armstrong, “Lawyers plan bid to stop walkout,” *Toronto Star*, October 29 1997, A1.

⁹⁴ Jane Armstrong, “Protesters dog Harris’ steps on fundraising trip to Sault,” *Toronto Star*, October 29 1997, A7.

alternatives but to accept Bill 160. By Wednesday, the school's attendance had climbed past 50 percent.⁹⁵ One high-profile student who crossed picket lines was Mike Harris' 12-year-old son Michael Jr. who spent the morning studying in the cafeteria of Windfield Junior High School in North York. Picketing with teachers outside the school, an unrelated 13-year-old Ainslie Harris told the *Star* she was "really ashamed of this government. The quality of our school paper is so bad that it (falls apart). We don't have enough textbooks to go around and most of them are falling apart, too."⁹⁶

Picket lines were often joined by students during school hours, but not all students supported the teachers. Some even organized opposition. A small group of grade 12 students showed up opposite a Queen's Park teacher rally of thousands on Wednesday, October 29. Dave Forestall, a grade 12 student from Northern Secondary School, said the teachers were "keeping us hostage" by going on strike. One of the students at the protest claimed to have been pushed by a striking teacher, but another anti-strike student said they weren't bothered and that "people were nice." Police eventually arrived and asked them to leave the vicinity for their own safety.⁹⁷

The battle for public opinion raged in the media. The Tories unveiled a new \$1.3 million advertising campaign, with a 30-second spot featuring Harris himself. Speaking into the camera, the Premier said:

The teachers' unions have called an illegal strike. What's in our plan to reform education that could possibly justify breaking the law? Asking teachers to spend a little more time with their students? Putting an end to larger class sizes? Standardized, understandable report cards? Province-wide testing? I don't think so. We live in a law-abiding society. Breaking the law is not the right example. Let's put our children first.⁹⁸

⁹⁵ Brian Dexter, "Teacher hires security guards to get him across picket line," *Toronto Star*, October 28 1997, A8; "One school's back in business," *Toronto Star*, October 30 1997, A6.

⁹⁶ Nicholas Keung, "Premier's son crosses picket line, studies in cafeteria," *Toronto Star*, October 28 1997, A8.

⁹⁷ Peter Krivel, "Anti-strike students get rough ride at rally," *Toronto Star*, October 30 1997, A6.

⁹⁸ This video has been uploaded to YouTube by an unknown source. See "Mike Harris – Ontario Teachers Strike Attack Ad (1997)," Filmed 1997. YouTube video, 0:31. Posted December 5 2010. <https://www.youtube.com/watch?v=dbZBmg9gSXY>

Lennon slammed the commercials saying the strike had nothing to do with standardized report cards or testing, but rather massive budgetary and prep time cuts, and centralized government control of education at the expense of local democracy.⁹⁹

Taking a page from the Megacity fight, Buzz Hargrove proposed a referendum on Bill 160 as a “modest proposal to end the strike.” From his perspective, the Tories wanted the educational development of children “reduced to a business problem: top-down control, bottom-line dollar targets, assembly-line production.”¹⁰⁰

On Tuesday, David Johnson made the incredible claim that the education cuts were a “myth.” The following day, Eves addressed the press contending that classroom cuts were “totally inaccurate,” and that education funding had actually gone up. Accompanied by large visual graphs and charts, Eves said that the \$400 million cut in provincial transfers to school boards in late 1995 was offset by larger government payments into the teachers’ pension plan. Eves was factually wrong on the \$400 million claim. The cuts were in fact \$533 million. NDP MPP Frances Larkin called the Tories “pathological liars,” while Liberal finance critic Gerry Philips produced his own figures showing that provincial transfers to school boards had declined by just under a billion dollars since the 1995 election.¹⁰¹

On Wednesday morning, the teacher unions submitted a five-point plan to Johnson. Containing some concessions, the plan was an attempt to restart negotiations. The plan backfired. Sensing weakness with the unsolicited concessions, Johnson rejected the plan and sent the teachers a counter-proposal reversing the government’s position on keeping the principals and vice-principals in the unions. Lennon said the move was “vindictive and punitive”. Johnson justified the decision saying 5,000 principals and vice-principals were refusing to cross picket

⁹⁹ Daniel Girard and Jane Armstrong, “Lawyers plan bid to stop walkout,” *Toronto Star*, October 29 1997, A21.

¹⁰⁰ Basil (Buzz) Hargrove, “A modest proposal to end the strike,” *Toronto Star*, October 29 1997, A17.

¹⁰¹ Daniel Girard, “Education spending has risen, Eves says,” *Toronto Star*, October 30 1997, A7.

lines despite the legal requirement to do so. “Our spirit of compromise earlier in the day was met with a slap in the face,” said OECTA president Marshall Jarvis. Both McGuinty and Hampton called the move inflammatory and insulting.¹⁰²

“We haven’t hit that point yet”

An unusual scene, court room 2-7 at 361 University Avenue in Toronto was overflowing. It was 10am on Friday, October 31, and more than 150 people were in the audience with Justice James MacPherson presiding. MacPherson had been appointed in 1993 to the Ontario Court, general division, by the federal Liberals. Despite a reputation as hard-working among his peers, he had a record the unions found worrisome. In 1987, he was at the centre of an Ontario Human Rights Commission inquiry over charges of sexism when he was appointed dean of York’s Osgoode law school over associate dean Mary Jane Mossman. In 1996 he also rejected legal efforts to stop the Bill 8 repeal of Equity Employment legislation, a challenge which the teacher unions had been a part. Even so, he had also made some rulings in favour of labour, including throwing out an injunction sought by the Westin Harbour Castle hotel in Toronto to limit pickets.¹⁰³

MacPherson cut through the nervous anticipation of dramatic exchanges and accusations by joking in his opening comments, “This looks like the seventh game of the Stanley Cup finals out there.”¹⁰⁴ Over the first day, the government made its case during which the judge showed signs of disagreement. For example, on the matter of “irreparable harm,” he stated, “If you look forward into the future far enough...at some point we hit irreparable harm. We haven’t hit that point yet. I think that point is some distance off, let’s say two weeks from now.” When Leslie

¹⁰² Daniel Girard and Joel Ruimy, “Johnson, teachers reject new proposals,” *Toronto Star*, October 31 1997, A1/A36.

¹⁰³ Brian McAndrew, “Judge ruling on injunction bid hailed as fair man,” *Toronto Star*, November 3 1997, A7.

¹⁰⁴ Joel Ruimy, “Judge sets easy-going tone,” *Toronto Star*, November 1 1997, A16.

McIntosh, a government-side lawyer, said the strike was “a flagrant contempt or flouting of the law,” the judge replied, “It may be illegal (but) there’s nothing mocking or jeering or contemptuous in what they are doing. They haven’t done this in a quarter century. They’re doing it in a very careful, concerned and reluctant fashion.”¹⁰⁵

On Saturday, the union lawyers argued that the strike was a “political protest action” provoked by the government. Snobelen’s leaked statement about creating “a useful crisis”, the record of funding cuts, and the content of Bill 160 with regards to curtailing bargaining rights, were all submitted as evidence of provocation. “This is one of the grossest intervention in free collective bargaining that this province has ever seen,” argued the OSSTF lawyer Maurice Green. “The government has brought it on itself, almost wanted it.” AEFO lawyer Al O’Brien built on this argument stating accurately that it wasn’t “just a teachers’ protest. This is a protest by Ontario citizens. It also calls into serious concern the assertion that the (government) acted in the public interest.” When another OSSTF lawyer Barrie Chercover argued that collective bargaining rights were historically rooted in civil disobedience, Leslie McIntosh replied caustically: “This is not Gandhi seeking representative government.”¹⁰⁶

MacPherson’s ruling came Monday. The injunction request was thrown out. MacPherson was “uneasy” about a prolonged teachers’ strike, but believed there was no evidence of harm being inflicted upon students, parents, school boards, or employers. This reflected, according to Harry J. Glasbeek, MacPherson’s view that the government had failed to make its case about irreparable harm, not because the teachers should be allowed to strike illegally, thus suggesting

¹⁰⁵ Daniel Girard and Joel Ruimy, “Ontario to judge: End this strike,” *Toronto Star*, November 1 1997, A1/A15.

¹⁰⁶ Daniel Girard, “School talks back on,” *Toronto Star*, November 2 1997, A1/A7.

an injunction was possible in the future.¹⁰⁷ The decision to strike, said MacPherson, was made carefully, reluctantly and was “remarkably peaceful.” He concluded:

In the end, I am not persuaded that the attorney-general has demonstrated he is entitled to the powerful and equitable remedy of an interlocutory injunction. In saying that, I do not intend to be understood as saying I agree with the teachers that it is in the public interest to stay out of the classroom in protest against Bill 160. I have said no such thing. The motion is dismissed.¹⁰⁸

The failed injunction was a huge blow to the government, leaving an end to the strike up to the initiative of school boards seeking cease-and-desist order through the OLRB. No school board took up the cause, although the Halton and Peel boards expressed support for any that did so. A common position was that of the Nipissing School Board whose chair Kathy Hewitt described the strike as “a provincial matter.”¹⁰⁹ Explaining this position of non-interference was Karl Buczkowski, chair of the Elgin County school board:

The government has belittled, insulted, condemned and said how incompetent and inefficient school boards have been. Then they’ve interfered in contracts between boards and their employees. And now, after their interference, to expect boards to spend taxpayers’ money to seek an injunction. I can’t understand the rationale.¹¹⁰

The government was again facing dissent in its ranks. “We’ve had enough public confrontations,” said Wentworth North MPP Tony Skarica. “Maybe it’s time to slow down a bit.” Grey-Owen Sound MPP Bill Murdoch called for a caucus meeting so the cabinet could inform them of what exactly the plans for education were. “I, for one, would like to know more about this \$667 million,” said Murdoch. He also agreed the injunction was premature.¹¹¹

¹⁰⁷ Harry J. Glasbeek, “Class War: Ontario Teachers and the Courts,” *Osgoode Hall Law Journal* 37 (1999), 833.

¹⁰⁸ *Ontario (Attorney General) v. Ontario Teachers’ Federation* (1997), 36 O.R. (3d) 367 (Gen. Div.).

¹⁰⁹ Rand Kemsley, “Teachers set to battle labour battle application,” *North Bay Nugget*, November 5 1997, A1.

¹¹⁰ “Focus shifts to labor board,” *North Bay Nugget*, November 4 1997, A1.

¹¹¹ Jane Armstrong, “MPPs urge both sides to make concessions,” *Toronto Star*, November 4 1997, A6.

The teachers felt vindicated and the ruling was embraced by the wider movement as an unexpected victory. The opposition parties pressed their calls for Bill 160 to be scrapped. A Metro Toronto survey released after the injunction ruling also revealed an uptick in public support for the teachers during the first week of the strike, showing nearly seven in ten supporting the teachers.¹¹² In this context, the government conceded eight of 13 demands made by the teachers, including protections for the right-to-strike, and writing class size and prep time provisions directly into Bill 160 instead of leaving them up to the discretion of cabinet. Eight days into the strike it appeared teachers had gained the upper hand. Rank-and-file militancy and popular support kept the strike strong. “There’s huge support on the line,” said Lennon. “There’s great militancy. There’s great concern. There’s great resolve to continue the protest.”¹¹³

“We feel we were betrayed”

Just as it appeared that the balance of forces had shifted in favour of the teachers, three of the teacher union leaderships broke ranks. On Wednesday, teachers learned through the press that the leaderships of FWTAO, OPSTF and AEFO were rethinking the strike. OPSTF president Phyllis Benedict said teachers had taken a brave stand but “when you’re faced with a dishonest opponent you have to look for other ways to do it. We have exposed the government’s deceitfulness and lies and it’s now time to regain the high ground that we’ve won on this.”¹¹⁴

On Thursday, about 25,000 people flooded Queen’s Park to protest Bill 160, the numbers augmented by an OFL endorsement and mobilization by affiliates. Concerns about the strike being called off were countered by thousands of supporters calling on teachers not to give up.

¹¹² Richard Brennan and Carolyn Abraham, “Ontario Tories issue ultimatum,” *Windsor Star*, November 4 1997, A1, A2.

¹¹³ Daniel Girard, “Militant teachers to stay on strike,” *Toronto Star*, November 6 1997, A1.

¹¹⁴ Daniel Girard, Joel Ruimy and Peter Small, “Teachers ponder ending walkout,” *Toronto Star*, November 5 1997, A1/A4.

The crowd roared with the chant “General strike! General strike!” From the podium, Hargrove said a general strike would be the movement's next step. Meanwhile, a grade 11 student from Toronto’s HumberSide Collegiate, Kati Inhat, told a reporter: “Teachers have fought so hard. It would be like giving up, a defeat, if they stopped now.”¹¹⁵ Inhat’s simple message, unencumbered by the calculated oratory of the labour leadership, was not conveyed by union leaders from the podium. The rally was the last united effort by the teachers’ unions, and the last rally of its size during the Common Sense Revolution. That evening, three union leaders representing 79,000 of the 126,000 striking teachers held a press conference to announce a return to work on Monday, November 10. They did so without notifying local union leaders or staff but by 6pm, staff were calling up members to inform them of the decision.¹¹⁶

The union leaders calling off the strike refused to concede the decision was a retreat or defeat. “Make no mistake: we’re not giving up,” said FWTAO’s president Maret Sadem-Thompson. “We will keep up the pressure on the government. The political protest continues and we move on to another phase. Now it’s time for parents to pick up the ball.” Electoralism was also part of the new calculation. “We will see the ultimate win when the government calls the next election,” predicted OPSTF president Phyllis Benedict.¹¹⁷

OECTA President Marshall Jarvis said he did not know of the decision by the other union leaders until a meeting earlier on Thursday. Jarvis diplomatically dodged questions about being upset and angry. “We respect our colleagues and we will continue in every possible venue to protest this government’s actions,” he said, adding that his executive would meet Saturday to

¹¹⁵ “Strike threatens to spread,” *North Bay Nugget*, November 6 1997, A1; Peter Small and Catherine Dunphy, “Rally teachers thank teachers for struggles,” *Toronto Star*, November 7 1997, A6; Donovan Vincent and Bob Mitchell, “Calls for general strike at teachers’ final rally,” *Toronto Star*, November 9 1997, A16.

¹¹⁶ Andy Hanson. “Not In Their Classrooms: Class Struggle and Union Strength in Ontario’s Elementary Teachers’ Unions, 1970-1998.” (PhD diss., Trent University, 2013), 394.

¹¹⁷ Joel Ruimy and Jane Armstrong, “It’s back to school,” *Toronto Star*, November 7 1997, A1.

determine whether or not to continue the strike. As for Manners, who was rumoured to have exploded with anger at his counterparts during the afternoon meeting, he announced Friday morning that OSSTF would continue to strike unless a Sunday meeting of 200 local union leaders voted otherwise.¹¹⁸

The response from the membership was a mix of shock, anger, and even rebellion. “We feel we were betrayed,” explained Ilona Hall, an elementary school teacher from Cabbagetown. “They have undermined our professionalism and our creditability [sic] in the eyes of the parents who have come on board and are fighting for us.”¹¹⁹ When the news broke to teachers rallying that evening in North Bay, local OPSTF chair Pierre Martin said the decision “just totally, totally devastated everybody right there.” Martin questioned the authority of the union leaders to call off the strike without membership approval, saying “in the eyes of the teachers, it’s a form of capitulation.”¹²⁰ FWTAO member Elizabeth Pepa said her union “left the other unions hanging out to dry,” and adding the “women teachers’ federation leaders sold us out.” Pepa, like many others, did not believe Bill 160 had been changed enough to warrant a return to work.¹²¹

At a Friday rally in Windsor, local OSSTF president Peter Guthrie called it a “stab in the back” and demanded Benedict, Sadem-Thompson, and Chénier resign. In London, elementary teacher Natalie Brown called the decision a “kick in the head” saying it was “the wrong way to go back.” Brown was part of a vocal group of teachers at a rally in London's Springbank Park who directed their anger at their union leaders, even carrying signs denouncing them. At a Friday

¹¹⁸ Joel Ruimy and Jane Armstrong, “It’s back to school,” *Toronto Star*, November 7 1997, A36; Peter Small and Joel Ruimy, “Back to school? Not so fast, some teachers warn,” *Toronto Star*, November 8 1997, A1/A9.

¹¹⁹ Peter Small and Joel Ruimy, “Back to school? Not so fast, some teachers warn,” *Toronto Star*, November 8 1997, A1/A9.

¹²⁰ John Tollesfrud, “News stuns Nipissing teachers,” *North Bay Nugget*, November 7 1997, A1.

¹²¹ Peter Small and Joel Ruimy, “Back to school? Not so fast, some teachers warn,” *Toronto Star*, November 8 1997, A1/A9.

mass meeting of Waterloo Catholic teachers, there was a vote of 90 percent in favour of staying out on strike Monday.¹²²

The biggest rebellion took place on Friday at the Hummingbird Centre in Toronto where nearly three thousand local OPSTF members poured in. With little patience for the explanations from the podium, the floor pressed for a membership vote. Union leaders replied that the costs of renting another hall were too high to organize such a vote. The rebellion only grew. According to one witness:

I was in the balcony and I look down and this guy stands up and waves a twenty-dollar bill. And he's in the middle of the row, he shuffles all the way to the aisle, goes down the aisle, up the steps, on to the stage and drops a twenty on to the head table. And I'm not kidding, it was like instant. It was a conga line of people dropping bills, fives, tens, twenties, whatever, walking up on to the stage and dropping the money on there saying "We want a vote on this, you can't do this, we want a vote. We voted to strike, you can't send us back without a vote to call off our strike right now."¹²³

The rebellion was hemmed in further when OECTA's leadership made the decision to end their strike on Saturday. Jarvis declared a moral victory: "For the first time in the history of Ontario, the education debate moved to the forefront and this government's motives in terms of Bill 160 were exposed as being completely unfounded." Cathy Williamson, a Kitchener high school teacher who had voted to stay on strike responded: "We feel absolutely betrayed by our unions." Even by Saturday, 2,100 of Toronto's OPSTF members voted 67 percent against continuing the strike, demonstrating the speed with which the rebellion was quashed and resignation spread among members. Unimpeded, the union leadership's organizational machinery now rolled

¹²² Dave Battagello, "Stabbed in the back," *Windsor Star*, November 8 1997, A5; Hank Daniszewski, "The Wrong way to go back," *London Free Press*, November 8 1997, A9; Donovan Vincent and Bob Mitchell, "Calls for general strike at teachers' final rally," *Toronto Star*, November 9 1997, A16; Peter Small, "Lessons from the teachers' strike," *Toronto Star*, November 9 1997, A16.

¹²³ Interview with Michelle Robidoux, February 26 2016.

forward to realize its unilateral decision.¹²⁴ On Sunday, local OSSTF leaders voted to call of their strike, too. Manners lined up with his counterparts to declare victory: “There’s no loss here. This has been a phenomenal success. They can never take away the fact that in two short weeks we have taken a government that has been like Teflon when it comes to public opinion and undermined their credibility.”¹²⁵

The OTF was shattered as a united organization. Its President Eileen Lennon confessed, “I would have preferred if we had all decided together – it would be dishonest for me to say anything else – if all the affiliates had made the decision at the same time.”¹²⁶ Lennon's lament said nothing of the decision itself to end the strike. On Monday morning, there was no defiance of either government and union leaders. The strike was over. While many teachers picked up the pieces and drew upon the new networks of parents, students and supporters to build a widespread but symbolic “Green Ribbon” campaign against Bill 160, there was no escaping the defeat.

Leadership and membership

The leadership of the teacher unions offered a number of reasons for ending the strike, from waning public support in the strike’s second week, weakening of parental support, and the failure of other unions to join the strike. On the matter of public support, Andy Hanson contends these claims do not stand up to scrutiny given the mounting public support in the second week of the strike. As for the failure of other unions to join the strike, Hanson’s explanation that two weeks was insufficient time for other unions to organize sympathy strikes, clashes with the mass

¹²⁴ Donovan Vincent and Bob Mitchell, “Calls for general strike at teachers’ final rally,” *Toronto Star*, November 9 1997, A16; Peter Small, “Lessons from the teachers’ strike,” *Toronto Star*, November 9 1997, A16.

¹²⁵ Donovan Vincent and Bob Mitchell, “Calls for general strike at teachers’ final rally,” *Toronto Star*, November 9 1997, A16.

¹²⁶ Peter Small and Joel Ruimy, “Back to school? Not so fast, some teachers warn,” *Toronto Star*, November 8 1997, A1/A9.

mobilizations of September and October, and numerous statements of potential strike support from Ryan and Hargrove. Hanson concludes “the real failure of the strike was the inability of the union leaders to maintain a united front.”¹²⁷ From CUPE-Ontario’s strike mandates against Bill 136 and CAW’s shut down of Windsor’s auto sector during the Day of Action, these two unions were very favourably situated to build upon this level of mobilization and join the teachers. Crucially, the teacher unions never asked other unions to join them on strike.

According to Hanson, the political motivation for the strike being called off was November 5 being the last day for possible amendments to Bill 160. When efforts to reach an agreement failed after the court injunction was thrown out, Bill 160 appeared to be proceeding without amendment. From this fact, decisions were made from legal and political perspectives “that a return to work would build the goodwill of the public at a time when no other gains appeared attainable.”¹²⁸ The narrowly tactical nature of Hanson’s explanation is compelling precisely because without any prospect of widening the strike to other sectors, the leverage of the teachers to defeat Bill 160 had been exhausted. Anger and public support would have likely sustained the teachers strike for a while longer, but what the more conservative elements of the union leadership did not see was any mechanism to expand their power and gain more leverage. In this sense, the calculation by the government in September to abandon Bill 136 and move ahead with Bill 160 was the correct one.

The strike also confirmed the absence of sufficient rank-and-file organization capable of countering the decisions of the official union leaders. As Hyman has observed, the “balance of control and dependence” between the union leadership and membership only fundamentally shifts through such “challenges from below” within a system of formalized bargaining and

¹²⁷ Hanson, 395-396.

¹²⁸ Hanson, 396.

dispute mechanisms.¹²⁹ There was ample evidence in many locals that members were willing to continue the strike, but the dearth of local strike votes conveys how little capacity there was to do so. Similarly, there was no pressure from CUPE or CAW members to force their unions to declare sympathy strikes, even though many CUPE locals refused to cross teacher picket lines. It is also clear that the union leaders who called off the strike and sought an orderly retreat, anticipated a defiant response from the membership. They did not consult local leaderships and avoided membership ratification votes, and made their decision within 24 hours of the weekend when picket lines would be down, giving them the longest possible window of time to quickly bring the membership in line with the decision.

Whereas the mobilizations through the summer and fall of 1995 dragged the union leadership into battle, such a dynamic never existed during the battles over Bill 136 and Bill 160. The emergency OFL convention and the North Bay and Windsor Days of Actions tapped the enthusiasm and anger of thousands, but these Days of Action were disarticulated from a more focused strike target, namely Bill 136 and Bill 160. The opportunities and momentum for unions to join in common strike action were many during September and October but each was passed up as the challenge to each offending bill and the Days of Action were treated as separate campaigns.

With Bill 160 moving forward, the Common Sense Revolution was now approaching a new phase of consolidation and entrenchment. The massive restructuring necessary to lower overall spending and finance tax cuts had been largely legislated or implemented. Even the economy was recovering, with unemployment beginning to fall, housing prices showing signs of recovery, and the American economy beginning to heat up and offering Ontario's manufacturing sector a stronger export market. The Tories, however, remained deeply unpopular. Even though

¹²⁹ Richard Hyman, *Industrial Relations: A Marxist Introduction* (London: Macmillan, 1974), 158-159, 163.

there was demoralization and anger over how the teachers' strike ended, it remained to be seen whether or not the extra-parliamentary opposition could revive support and carry forward a strategy capable of keeping the Harris Tories contained.

Chapter 8:

The Paper Tiger, November 1997 - October 1998

After the teachers' strike, the Days of Action and promise of a general strike were wound down by the province's union leadership in less than a year. Talk of industrial action and mass protest to derail the Common Sense Revolution was replaced with calls for ousting the Harris Tories in the next election. The union leaderships could not agree on which party to support in the upcoming election, but there was unanimous agreement that an electoral strategy should supplant an extra-parliamentary strategy.¹

However, the labour leadership could not immediately bury the extra-parliamentary strategy. In the weeks following the teachers' strike, there was a desperate energy which fuelled a series of Bill 160 protests, and delivered overwhelming support at the OFL convention for a province-wide general strike. As they had after the 1995 OFL convention and 1997 special convention, labour leaders were evasive on setting a date for the general strike, promising instead a far-off undetermined date in the autumn of 1998. After the convention, the province's labour leadership allowed five months to pass before the next Day of Action in St. Catharines. Unlike the previous year when community organizing around hospitals and the Megacity had kept the extra-parliamentary opposition alive after the Metro Days of Action, there was no comparable community-led mobilizations in early 1998. The fact was the Common Sense Revolution's most contentious phase had ended with the passage of Bill 160. This in turn sapped both community and labour organizers of the energy previously generated by the government's relentless

¹ For a survey of labour's voting strategies in Ontario since 1990, see Larry Savage, "Organized Labour and the Politics of Strategic Voting," in Stephanie Ross and Larry Savage (eds.) *Rethinking the Politics of Labour in Canada* (Halifax: Fernwood, 2012), 75-80.

program. General economic and political conditions also began to shift. Unemployment was in steady decline as a new American economic boom began to pull Ontario's economy out of a long period of economic uncertainty. Federal austerity measures also lessened with the 1997 federal election as promises of social reinvestment and anticipated budget surpluses conveniently appeared on the horizon.² In short, the global economic downturn and severe federal austerity measures were coming to an end for Ontario which began to undercut the desperate conditions which framed and fed the Common Sense Revolution.

In this final chapter, we explore how the final two Days of Action were used to wind down the extra-parliamentary opposition and reorient opponents of the Common Sense Revolution towards the next provincial election despite a mandate at the Ontario Federation of Labour convention in November 1997 for a province-wide general strike.

Green November

With the end of the teachers' strike, Bill 160 was moving through the legislature towards third reading at the end of November. Immense public opposition remained, and the Tories were barely above 30 percent support in the polls. Publicly, Minister of Education David Johnson was conciliatory instead of jubilant: "I don't really want to get into whether it's victory or a loss for the unions or the government." Johnson, however, pressed ahead with removing ten thousand principals and vice-principals from the teachers' unions, justifying the decision on the basis of their participation in the strike. Meanwhile, the prospects of a backbench rebellion were

² Robert MacDermid and Greg Albo provide a sketch of the economic recovery's contradictions in "Divide Province, Growing Protets: Ontario Moves Right," in Keith Brownsey and Michael Howlett (eds.) *The Provincial State in Canada* (Peterborough, ON: Broadview Press, 2001), 195-196.

mollified and open dissidents such as Tony Skarica, Trevor Pettit and Bill Murdoch eventually lined up behind the legislation.³

With the Tories pressing ahead, a mass meeting of a thousand people was organized by a network of Ontario Catholic school councils in North York on November 12. From the meeting, the “Apple Green Ribbon Campaign” was launched alongside numerous other school and community-based actions.⁴ Opposition party members wore green ribbons in the legislature while 2,500 parents, teachers and students wearing green clothes joined hands and created a giant “circle of hope” surrounding all of Queen’s Park. Two days after the North York meeting, four teachers occupied the 22nd floor Ministry of Education offices at the Mowat Block adjacent to Queen’s Park and held firm over the weekend. Among the occupiers was a fourth-generation teacher with 36-years experience, Dwyer Sullivan, who also had two children in the school system and two more studying education in university. Sullivan told a reporter that he could “foresee that my children in the system are not going to have teachers willing to contribute to the enriching conditions of education, such as clubs and other extracurricular activities.” Bill Payne, another occupier and alternative high school teacher, called the bill “anti-democratic” and expected adult education to be savaged by the new cuts. Twenty substitute teachers joined the sit-in on Monday November 17 before it was ended.⁵

Outside of Toronto, about 1,500 people rallied outside a Guelph hotel where local Tory MPP Brenda Elliot hosted a \$110-per-plate Tory fundraiser featuring David Johnson as guest speaker. Despite the protest being peaceful, police arrested fifteen people, mostly students,

³ Peter Small, “Lessons from the teachers’ strike,” *Toronto Star*, November 9 1997, A16.

⁴ Peter Krivel and Frank Calleja, “Parents stepping in to fight where striking teachers left off,” *Toronto Star*, November 13 1997, C9; Catherine Dunphy, “Parents rap Bill 160 with green ribbons,” *Toronto Star*, November 16 1997, A4.

⁵ Peter Krivel, “Education ministry protesters determined to continue sit-in,” *Toronto Star*, November 17, 1997, A4; Joel Ruimy and Daniel Girard, “School fight hits Queen’s Park,” *Toronto Star*, November 18 1997, A1; Peter Small, “Parents, teachers ring Legislature to protest Bill 160,” *Toronto Star*, November 18 1997, A6.

charging them with trespassing, obstructing justice, and disturbing the peace. Seven of the arrested, all women, were taken to the Wellington County Detention Centre and strip-searched. Charges were dropped against all but one. “I’m utterly disgusted we were treated that way,” said one of the arrestees Sarah Vance, a 23-year-old University of Guelph student. “It was done in order to intimidate protesters.” Wayne Morris, the superintendent at the detention centre, defended the strip-searches as standard procedure.⁶

Not all protests received such treatment. The evening after the Metro Convention Centre arrests, 3,000 protested at a \$150-per-plate Tory fundraiser at the Mississauga Living Arts Center featuring Snobelen as guest speaker. In North Bay, hundreds protested the annual “Mike Harris Dinner” where the Premier delivered a 40-minute speech to five hundred supporters dining at \$175 per plate. “The best teachers in the world cannot make a bad system work,” declared Harris, “A bad system is one where union interests come ahead of our children’s interest.”⁷

While protests continued through November, the unions began demanding a referendum on Bill 160. This proposal that had been bouncing around for weeks, and advanced publicly by some labour leaders such as CAW president Buzz Hargrove. The NDP ran with an initiative of the Toronto-based East End Parent Network to gather 700,000 petition signatures for a referendum. The figure represented ten percent of the electorate and was designed to play a 1995 Tory election promise of more referendums, and a report by MPP Tony Clement to initiate referendums based on ten percent of the electorate signing a petition. However, the entire

⁶ Mark Bellis, “Bill 160 protesters arrested,” *Toronto Star*, November 19 1997, A7; Mark Bellis, “Protesters angry over strip search,” *Toronto Star*, November 22 1997, A8.

⁷ Jane Armstrong, “Premier ducks demonstrators at meeting,” *Toronto Star*, November 20 1997, A7; Joel Ruimy, “Harris lashes out at teacher unions,” *Toronto Star*, November 21 1997, A24.

campaign rested upon shaming the government into enacting the referendum. As soon as the NDP demanded a referendum, Johnson, dismissed the idea outright.⁸

On November 27, protests were carried into the legislature's galleries during Bill 160's third reading. Speaker of the Assembly Chris Stockwell threatened to ban all public visitors: "A government that was duly elected has the right to govern, that's what it comes down to. And those who are duly elected to oppose have the right to do that. But these people who are in there yelling and protesting, the fact is they just weren't elected." Security proceeded to clear the gallery of a hundred people chanting "democracy!" The Liberals managed to delay the vote until December 1 but Bill 160 became law on December 8.⁹

Countless neighbourhoods across Ontario were draped with green ribbons. Thousands of students and parents attached green ribbons to their lapels, backpacks and mailboxes. As with the short-lived drive for a referendum, the green ribbon campaign was predicated entirely on moral suasion. The last weeks of the Battle of Bill 160 exposed the opposition's lack of leverage to block Bill 160's passage. Those in the movement still seeking leverage through strike action turned to the upcoming OFL convention.

Convention

After 21 years of acclaimed presidents, the 1997 OFL convention would not be a coronation. OFL President Gord Wilson announced he was stepping down and would not seek re-election. The leadership of the OFL was now up for grabs. Buried during the Bill 136 and Bill 160 fights, the divisions between the two main labour leadership factions quickly re-emerged. The

⁸ Daniel Girard, "NDP calls for referendum on bill," *Toronto Star*, November 20 1997, A7.

⁹ Daniel Girard, "Queen's Park ultimatum," *Toronto Star*, November 24 1997, A2; Daniel Girard, "United Tory bloc expected on Bill 160," *Toronto Star*, November 26 1997, A11; Daniel Girard, "Liberals win delay of Bill 160," *Toronto Star*, November 28 1997, A4.

differences remained those of strategy, between pursuing extra-parliamentary protests against the Harris Tories, or shifting resources and energy into an internal education campaign to rebuild NDP support among union members. However, each strategy had become less convincing given recent events.

The NDP electoral strategy advanced by the Pink Paper unions had become a daunting, almost pointless task. Languishing in the polls at ten percent, and only winning 10.7 percent of the Ontario vote in the June 1997 federal election, there was little enthusiasm inside or outside labour's ranks for the NDP. In fact, the strategy was driven not by popular sentiment but what political scientist Bryan Evans describes as a "deeply rooted and structured relationship" between sections of the labour bureaucracy and the party.¹⁰ However, the top-heavy loyalty for the NDP inside the Pink Paper unions was augmented by the general loss of union membership confidence in the NDP during the Rae regime. By contrast, the Days of Action had tapped into and focused the hopes and anger of hundreds of thousands of people opposed to the Common Sense Revolution. However, hopes tied to the original promise of escalating the Days of Action into something bigger and more threatening had been dashed on several occasions, including the OPSEU strike, the Metro Days of Action, and the Bill 136 and 160 fights.

The conflict between the two factions shaped the presidential election. Although the OFL president was generally understood to serve at the pleasure of the general consensus of the affiliate union leaderships, this consensus was shattered when the OFL disaffiliated from the NDP in 1993. The split inside the OFL was so acrimonious, Wilson could neither represent a consensus or wield the power necessary to impose some form of unity. After the 1995 convention, Wilson had tried to promote both strategies, advocating on behalf of NDP speakers

¹⁰ Bryan Evans, "The New Democratic Party in the Era of Neoliberalism," in Stephanie Ross and Larry Savage (eds.) *Rethinking the Politics of Labour in Canada* (Halifax: Fernwood, 2012), 60.

at Days of Action rallies while offering up radical rhetoric against employers and the Tories. Wilson was unable to satisfy either faction.

The first candidate to step forward was Paul Forder. Forder had worked on the Days of Action Fight Back campaign as one of the two directors of the OFL's Organization Services. He entered the race with support from Buzz Hargrove, Sid Ryan, Earl Manners and Marshall Jarvis. Forder was originally a Windsor autoworker who was hired by the OFL as a political organizer in 1975 and later became the OFL's Director of Political Education. He also had strong NDP credentials as a former vice-president of the Ontario NDP and a four-time candidate for the party. During the Rae regime he served as co-vice-chair of the Workplace Health and Safety Agency which was scrapped by Harris within weeks of the 1995 election. Returning to the OFL, Forder was assigned to coordinate the Fight Back campaign struck at the 1995 convention.¹¹

The Pink Paper unions initially struggled to find a candidate to take on Forder. Hamilton Centre NDP MPP David Christopherson was asked to run but turned down the offer. In early November, the Pink Paper unions selected Wayne Samuelson, the OFL's Director of Political Education. Samuelson was a rubber worker from Kitchener who had been on the assembly line from 1971 to 1990. He had worked his way into the OFL in 1990 after serving as Waterloo Regional Labour Council president and a municipal politician during the early 1980s. Like Forder, he also served as the Ontario NDP's vice-president. Although he was actively involved in the Days of Action campaign from his position in the OFL, Samuelson was deeply embedded in the NDP machine and coordinated much of the Pink Paper's internal education work, as well as the leadership campaigns of federal NDP leader Alexa McDonough and Ontario NDP leader Howard Hampton. He was also instrumental in the successful NDP by-election campaign in

¹¹ Ian Urquhart, "Race for to post reveals crack in house of labour," *Toronto Star*, November 1 1997, E5; Richard Mackie, "OFL's image rests with election," *Globe & Mail*, November 20 1997, A10.

Windsor-Riverside in early September 1997. Influential Steelworker staffer and NDP loyalist Michael Lewis described Samuelson as someone who could not be dismissed by the government as an old fashioned union leader, but could still unite a militant labour movement.¹²

Within days of the convention, Gord Wilson and OPSEU president Leah Casselman came out openly against Forder and in favour of Samuelson. Casselman's position reflected the vote of the OPSEU executive board, and signalled a massive breach of the Common Front unions who opposed the NDP's Social Contract and struck together during the Days of Action. Casselman claimed Samuelson had "more interest in healing wounds than keeping them festering." Forder, argued Casselman, was divisive, aggressive and would make labour even more vulnerable to anti-union legislation.¹³ Wilson's endorsement of Samuelson was made by way of accusing Forder of ruthlessly imposing Rae's Social Contract while managing the Workplace Health and Safety Agency. "Make no mistake, it happened," said Wilson. "I told him not to implement it. I told him 'Do not impose the social contract'... Wayne has far less baggage than Forder does." Wilson believed any "consensus" inside the house of labour would be "evaporated" under Forder.

Forder categorically rejected Wilson accusations saying WHSA workers received a pay increase and minimal imposition of the Social Contract.¹⁴ CUPE-Ontario president Sid Ryan weighed in to defend Forder: "Paul was forced by the NDP to deal with the employees. He came up with a very, very fair settlement. If I could have got the same deal we would have been very, very happy." Not content with defending Forder, Ryan attacked Samuelson: "He was the OFL's liaison person with the NDP. He never once picked up the phone... We could have stopped it [the

¹² Ontario Federation of Labour, *3rd Biennial Convention, November 20-24, 1995* (Toronto, 1995), 78. Ian Urquhart, "Race for to post reveals crack in house of labour," *Toronto Star*, November 1 1997, E5; Richard Mackie, "OFL's image rests with election," *Globe & Mail*, November 20 1997, A10.

¹³ Richard Mackie, "OFL's image rests with election," *Globe & Mail*, November 20 1997, A10.

¹⁴ Ian Urquhart, "OFL's Wilson bows out with a bang," *Toronto Star*, November 22 1997, C5.

Social Contract] in its tracks (if he'd warned the labour movement)." With Wilson igniting a firestorm of controversy, Samuelson stood aside. "It's so ridiculous that I'm not going to comment on it." He positioned himself above the fray. "The split is more in the sense of people not being able to move beyond the differences of yesterday."¹⁵

With over two thousand delegates gathered in Toronto for the convention, the presidential battle took place on the second day. In their election speeches to convention delegates, Forder said "workers need a political party and that political party is the NDP" while Samuelson emphasized the need for a "focused" and "disciplined" labour movement.¹⁶ During the debate, union leaders dominated the microphones on the floor. Hargrove, Ryan and CUPE National president Judy Darcy spoke in favour of Forder, and each received a large round of boos. When Casselman nominated Samuelson from the floor, she was drowned out by jeering Forder supporters. Casselman spoke of Samuelson's "more balanced approach" and not "being a one-man show." While most unions voted in blocks, it was quite clear from the convention floor that numerous OPSEU delegates backed Forder, and pockets of CUPE members supported Samuelson. Ballots were cast and once counted, Samuelson had won 1,251 votes to Forder's 1,046. The Forder camp was dejected. "Our union put a lot of effort into trying to elect a progressive, committed leader with energy and a vision for the future," explained Hargrove. "We fell short by a couple hundred votes, so yes, I'm disappointed." Among the lower ranks of the unions, disappointment was less diplomatic. CAW official Steve Farkas, who had worked on the Hamilton Days of Action organizing team, described Samuelson's win as "a dramatic shift to the right." Fred Loft, vice-president of CUPE Local 5, said Samuelson was "too soft." Sid Ryan was

¹⁵ Ian Urquhart, "OFL's Wilson bows out with a bang," *Toronto Star*, November 22 1997, C5.

¹⁶ Ian Urquhart, "NDP looking forward to renewing its ties with labour," *Toronto Star*, November 26 1997, A8.

more diplomatic saying “we’ll work with Wayne.” He added: “We didn’t make any backroom deal, nobody was anointed. It was just battle of ideas that ended in a democratic vote.”¹⁷

In his acceptance speech, Samuelson said the OFL had the “fighting agenda” and strength to take on Harris. Later speaking to the press, he expressed support for a province-wide general strike, saying he would not negotiate or take a conciliatory position with the Tories. Meanwhile, Forder accepted the defeat with good humour: “I’m no stranger to losing election. I’ve lost four in my home riding, one in my local union and one here today.” Samuelson’s supporters were satisfied with the result. Steelworker delegates such as Joanne Murphy expressed the line against the Days of Action well. “I feel the militant days are pretty well gone,” she said. “You can’t do all the yelling and screaming. You don’t get anything done that way. You have to put things in perspective and I feel that Wayne, through the OFL, is going to be able to do this.” Warren Smith, president of the powerful Steelworkers Local 1005, spoke highly of the conciliatory approach of Samuelson. “You’ve got to believe that we understand what’s needed.”¹⁸ Whatever Samuelson represented, the overwhelming majority of convention delegates believed a general strike was needed. Whether or not labour leaders backed it was another matter.

In addition to his attack on Forder before the convention, Wilson had taken the time to criticize and cast doubt upon the idea of a province-wide general strike. Sitting down with

Toronto Star columnist Ian Urquhart, Wilson explained his views:

A general strike, by definition, is when you stay out until such time as the government capitulates. The last time there was any serious effort at this was the Winnipeg strike of 1919. If you are talking about a province-wide strike, then you have to put a time limit on it and, therefore, it’s not a general strike. It’s for a period of time, one day, two days, a week...My guess is it probably will happen before the end of the first term of the Harris

¹⁷ Sharon Boase, “‘A dramatic shift to the right’ for OFL,” *Hamilton Spectator*, November 26 1997, A1.

¹⁸ Donovan Vincent, “Largest labour group elects a moderate new president,” *Toronto Star*, November 26 1997, A8; Henry Hess, “OFL picks ‘diplomat’ as leader,” *Globe and Mail*, November 26 1997, A12; Sharon Boase, “‘A dramatic shift to the right’ for OFL,” *Hamilton Spectator*, November 26 1997, A1.

government. But there's a lot of work to be done in convincing people that there's value to doing that.¹⁹

The enormous logistical and organizing effort required to coordinate and execute a general strike was self-evident, yet some of Wilson's points were also self-serving. His definition of a province-wide general strike being necessarily open-ended misrepresented the tactic as an all-or-nothing proposition. Intermediary proposals for sectoral or regional strikes, both of which were openly proposed in late 1995 early 1996, were ignored once more. No longer beholden to the pressures of the affiliates, and having pursued negotiations with the Tories through 1995 and 1996, Wilson's candid views suggest he was not in favour of escalating the Days of Action into a gamble to halt the wider Common Sense Revolution beyond specific legislation.²⁰

Wilson did little to dissuade delegates from endorsing a province-wide general strike. Yet, days later, even Wilson even spoke in favour of the motion at convention. Like the special OFL convention in July, delegates once more pressed for a firm date. The new OFL president refused to deliver one, stating: "The way you begin is by putting one foot in front of the other. We'll be talking to trade union leaders and others, and start to put a program in place." Meanwhile, Ryan did not want to "squander an opportunity for decisive action," cautioning "There's no point in calling for a general strike unless you have something to hang it on." The general strike motion received nearly unanimous support but there was no timeline attached, only the promise of a strike in late 1998. A few days after the convention, the CAW Council met and also resolved to support a province-wide general strike before the end of 1998.²¹

¹⁹ Ian Urquhart, "OFL's Wilson bows out with a bang," *Toronto Star*, November 22 1997, C5.

²⁰ Wendy McCann, "Wilson hopes for united unions," *London Free Press*, November 25 1997, D2.

²¹ Donovan Vincent, "Labour union calls for 1-day strike across the province," *Toronto Star*, November 27 1997, A11; John Ibbitson, "Unions consider Ontario general strike," *Waterloo Record*, November 14 1997, A3.

Among the partisans of extra-parliamentary strategy, the outcome of the convention was unclear. CUPW researcher Geoff Bickerton believed Samuelson's victory did not "signal a shift to the right or away from extra-parliamentary struggle," but instead reflected "the political balance in the Ontario labour movement, coupled with the Steelworkers' extraordinarily effective political machine." The nearly-unanimous support for a general strike, he argued, was evidence that the extra-parliamentary protest movement was not yet over.²² By contrast, CAW member Bruce Allen called the results of the convention "muddle-headed" because the "blank cheque" support for the NDP was complemented by two more Days of Action in the spring of 1998 and an unscheduled general strike "devoid of clearly defined political meaning." Allen believed the Days of Action had to be "consciously escalated" by rank-and-file workers and local union leaders "to build the kind of momentum necessary to make the one-day province-wide general strike as effective as possible." Otherwise, contended Allen, the movement would be trapped by an "undemocratic union bureaucracy that operates behind closed doors and tailors labour's strategy to the needs of a political party devoid of credibility and subservient to capital."²³

Allen's caustic assessment was closer to the mark than Bickerton's. The manner in which labour leaders spoke in favour of the general strike without a firm date typified their unease on the question and disclosed their intentions, or at least their lack of confidence. Whether it was Wilson's comments on the general strike before the convention, Samuelson's cautious support, or Ryan's qualifying remarks, each contributed to lowering expectations and sapping enthusiasm without openly opposing the delegates' desire for escalation. Difficulties and limitations of such a feat were advanced by labour leaders as opposed to open commitments to holding strike votes

²² Geoff Bickerton, "Presidents, postal strikes and politics," *Canadian Dimension*, January-February 1998, 6.

²³ Bruce Allen, "Fatal attraction: the OFL stumbles into 1998," *Briarpatch*, May 1998, 3.

and launching internal organizing and education campaigns. As stepping stones towards a general strike, the Days of Action in St. Catharines and Kingston, were unconvincing. The St. Catharines action was scheduled five months after convention, Kingston nearly seven. The London Day of Action happened within two weeks of the 1995 convention, Hamilton within three months. There was even a faster timeline to ill-fated Sudbury Celebration of Resistance after the Metro Days of Action.

Niagara Fights Back

The St. Catharines Day of Action exposed the collapse of confidence in the movement, the failure to galvanize local grievances against the Common Sense Revolution, and marked a clear shift in labour narrowing its goals to a decision at the ballot box. Making matters worse, the Tories were beginning to recover in the polls, although the Liberals still commanded a lead. These shifts were all the more remarkable considering the difficulties St. Catharines was facing from the fallout of the Common Sense Revolution.

Under the new provincial funding formula, the newly-amalgamated Niagara District School Board had to absorb a \$5.4 million annual funding shortfall. With no more powers to raise local taxes, options were further constrained with the provincial government dictating how its school board grant was to be allocated to specific areas of spending. The result was the shortlisting of 35 of the board's 130 schools for closure, including the only schools in St. David's and Queenston, and the only high school in Niagara-on-the-Lake. Trustee Helen Hall explained, "The frustration that I feel around this table and that I feel personally is almost unbearable

because we just can't win.”²⁴ To add insult to injury, the two former Catholic school boards in the region, now amalgamated, were receiving \$6 million more a year in funding despite a combined debt of \$45 million before the amalgamation. Trustee Fred Davis pointed out that the pre-amalgamation public school boards had almost no debt but were now being punished with budget cuts. “Where is the fairness in this funding structure? It’s pure insanity.”²⁵

The opposition parties were quick to intervene. Both McGuinty and Hampton were in town on the evening of April 1 at competing public forums drawing over a hundred people each. Both party leaders attacked the cuts, with McGuinty promising guaranteed education funding and a tuition fee freeze, and Hampton attacking the Common Sense Revolution tax breaks as the source of the education crisis.²⁶ With new school boards facing similar turmoil across the province, the Tories launched a 30-minute prime-time infomercial on education policies on Wednesday April 15. “They’re straying into self-serving, self-congratulatory propaganda,” said local Liberal MPP Jim Bradley, a former teacher. “It’s an abuse of power, and these are the people who say they’re cutting government expenditures.” Bradley believed the government was “engaging in blatant partisan propaganda at the taxpayers’ expense.”²⁷

As the opposition parties aggressively courted St. Catharines voters, the Day of Action organizing committee was formed. Following the well-established model, St. Catharines and District Labour Council president Ed Gould became co-chair alongside community activist Linda Rogers. Headquarters were officially opened on 432 Niagara Street with an open house event on April 8. Activists dubbed it the “house of solidarity”. The organizers predicted “many

²⁴ Caroline Bourque Wiley, “12 schools could close,” *St. Catharines Standard*, April 1 1998, A1; Caroline Bourque Wiley, “JK is back at Niagara public schools,” *St. Catharines Standard*, April 13 1998, A1; Caroline Bourque Wiley, “School hit list,” *St. Catharines Standard*, April 15 1998, A1, A3.

²⁵ Caroline Bourque Wiley, “School hit list,” *St. Catharines Standard*, April 15 1998, A1, A3.

²⁶ Caroline Bourque Wiley, “Tory priorities blasted,” *St. Catharines Standard*, April 3 1998 A1, A3.

²⁷ Marlene Bergsma, “Bradley scolds Tories for advertising spree,” *St. Catharines Standard*, April 17 1998, B3.

thousands” and a “very big and peaceful demonstration.” By the last week of April, really estimates ranged anywhere from ten thousand to forty thousand.²⁸ Confirming the electoral shift in political focus for the Days of Action, Wayne Gates, president of CAW Local 199 representing workers at the local St. Catharines GM engine plant, told the press “We’re going to put in a government that will take care of health, that will take care of education, and the poor and the sick.”²⁹

Through late March and into April, labour and community groups supporting the Day of Action hosted several dozen public educational forums, protests and vigils in an effort to build support for May 1. On April 3, nearly two hundred teachers protested education cuts at the riding office of Tom Froese, Tory MPP for St. Catharines-Brock.³⁰ A few weeks later, over a hundred people gathered for a rally against healthcare cuts in the morning of April 25 at Hotel Dieu in Niagara, and another hundred gathered that afternoon at the Ukrainian Hall for a forum about job losses. Other public meetings on education, male violence against women, the environment, and social services were all organized across the region, including a week-long food drive out of Welland’s Holy Trinity church. One of the larger events was a town-hall hosted at the Niagara Region council headquarters. The event was one of two dozen across the province organized by the OFL and OPSEU to hear testimony about the consequences of government policies.³¹

Casselman and Ryan also stirred up controversy. When St. Catharines Mayor Tom Rigby opposed municipal support for the protest, Casselman lambasted Rigby while meeting with

²⁸ Doug Draper, “Day of Action HQ opens,” *St. Catharines Standard*, April 9 1998, B3; Andrew Lundy, “St. Catharines braces for protest paralysis,” *St. Catharines Standard*, April 23 1998, A1.

²⁹ Colleen Turner, “City hall studies endorsing May 1 protest,” *St. Catharines Standard*, April 7 1998, B3; Sue Snider-McKinnon, “Council’s attack on Day of Action organizers,” *St. Catharines Standard*, April 14 1998, B5.

³⁰ Paul Forsythe, “Labour to pressure city to back May 1 protest,” *St. Catharines Standard*, April 4 1998, B5.

³¹ Paul Forsyth, “Harris comes under fire for environmental policies,” *St. Catharines Standard*, April 22 1998, B3; Paul Forsyth, “Frontline battle stories,” *St. Catharines Standard*, April 23 1998, A1/A3; “Day of Action opens food drive,” *St. Catharines Standard*, April 25 1998, B1; Caroline Bourque Wiley, “Protests spotlight job losses, health cuts,” *St. Catharines Standard*, April 27 1998, A1. Carmela Patrias and Larry Savage, *Union Power: Solidarity and Struggle in Niagara* (Edmonton: AU Press, 2012), 180.

OPSEU members in the area. “I think having ordinary citizens stand up and fight for what they want is important. That’s what democracy is all about. If the mayor’s not interesting in participating, if he doesn’t think it’s good for the community, maybe he’s living in the wrong community.” The *St. Catharines Standard* ran the story on the front page under the massive headline “Labour attacks” with the subtitle “OPSEU to Rigby: Get outta your town.”³² At the local CAW hall, Sid Ryan told three hundred people if the school boards refused to sign a no-reprisals agreement for CUPE members participating in the Day of Action, picket lines would go up at the region’s eleven high schools. With the CUPE education workers already committing to supporting the Day of Action over school board cuts, trustees quickly signed a non-reprisal agreement the next day.³³ The same public forum featured Hampton reiterating his argument that education and other social program cuts were financing tax cuts that mainly benefited the wealthy. Liberal MPP Jim Bradley was also on the platform, along with Casselman and Paul Inksetter, vice-president of the OSSTF.³⁴ Rather than supporting the Day of Action, the St. Catharines City Council ultimately passed a motion to “recognize” the event. Day of Action organizers claimed victory, but as Councillor Annette Poulin stated “It’s simply recognition...Recognition is a far cry from support.”³⁵

Once more, policing costs became an issue when the Niagara Regional Police predicted \$150,000 in overtime for their largest and most expensive operation ever. Councillor Brian Heit complained that the costs were too high. “If the demonstration is against Mike Harris, then take it to Mike Harris and don’t bring it to St. Catharines.” Local Tory MPPs Tom Froese and Tim

³² Andrew Lundy, “Labour attacks,” *St. Catharines Standard*, April 24 1998, A1.

³³ Jennifer Quinn, “School workers fear job cuts,” *St. Catharines Standard*, April 17 1998, B1; Paul Forsyth, “CUPE targets schools,” *St. Catharines Standard*, April 28 1998, A1/A3; Paul Forsyth, “Tory education policies blasted,” *St. Catharines Standard*, April 28 1998, B2.

³⁴ Paul Forsyth, “CUPE targets schools,” *St. Catharines Standard*, April 28 1998, A1/A3; Caroline Bourque Wiley, “Educators make peace with unions,” *St. Catharines Standard*, April 29 1998, A1.

³⁵ Colleen Turner, “Council sits on protest fence,” *St. Catharines Standard*, April 21 1998, A1, A3.

Hudak questioned why labour was targeting St. Catharines. “The labour bosses behind the protest are not interested in the concerns of the average Niagara family,” asserted Hudak. “Where were they five years ago when the unemployment rate was twice as high as it is today? Where were they when high taxes were leaving low-income working families with nothing left in the pocket?” Hudak and Froese instead credited the Tory government for the economic recovery, citing tax breaks and deficit-cutting a success.³⁶

The sabre-rattling and threats from Ryan and Casselman, and the unconvincing claims of “victory” with the City Council’s empty motion of recognition were examples of desperate efforts on the part of organizers to drum up support for what they worried was going to be a flop. On May 1, their fears were confirmed. The march was a dismal three thousand people, smaller than the protest in early 1997 against the slated closure of the nearby Grimsby hospital. The Day of Action failed to be a powerful expression of local grievances and walkouts were contained to CUPE education workers and CAW members at the GM engine plant. With one more protest scheduled for June 8 in Kingston, the St. Catharines Day of Action was a catastrophic blow to the prospects of a province-wide general strike, a general strike that still had no scheduled date.

The Kingston Day of Action

Whereas St. Catharines autoworkers sustained a local tradition of labour militancy, Kingston had no such reputation. Rather, the city’s Loyalist roots and one-time role as capital of Upper Canada had kept it in the good graces of government for generations, with patronage ensuring significant levels of government infrastructure and a relatively substantial degree of secure employment for

³⁶ Colleen Turner, “Council sits on protest fence,” *St. Catharines Standard*, April 21 1998, A1, A3; Andrew Lundy, “St. Catharines braces for protest paralysis,” *St. Catharines Standard*, April 23 1998, A3; Jennifer Quinn, “Police expect peaceful march,” *St. Catharines Standard*, April 24 1998, A3; Paul Forsyth, “Why now? Why here?” *St. Catharines Standard*, April 25 1998, A1/A3.

the city's working majority. Although industry developed in Kingston, working-class militancy was largely contained within the conservative cultural and political traditions of the city, while a permanent underclass was neatly segregated into the north end.³⁷ This began to change in the early 1990s as the ranks of the poor swelled with the recession and federal and provincial austerity and restructuring began to undermine public sector job security. The October 1995 protest against the Premier's visit signalled the potential of community and anti-poverty activists teaming up with union activists. This type of coalition was nothing new in Kingston, but under Harris there was a rapid growth in the ranks of the local extra-parliamentary opposition. In particular, the OPSEU strike was instrumental in radicalizing the region's sizable OPSEU membership of nearly five thousand, and large marches and petition drives were organized around local hospital closures.³⁸

Unremarkable in size compared to previous Days of Action, the protest happened at a time when the local level of organization and mobilization was in a remarkably good state. Kingston was to St. Catharines in many ways as North Bay was to Sudbury. Local dependence on government jobs had sustained working-class militancy in Kingston and North Bay longer than it had in St. Catharines and Sudbury where large unionized private sector employers were dominant. With an estimated 1,800 public sector job losses since the 1995 election, Kingston was far more responsive to the protest than St. Catharines.

Adding a sense of urgency to the Kingston Day of Action were two local strikes, both of which were directly linked to the Common Sense Revolution. At the Pathways community

³⁷ This is most evident in the manner in which city elites and management collaborated in developing paternalistic techniques in containing agitation and defusing grievances in the Alcan plant which opened in 1940. See David Brian Akers, "Capital organizes labour: company paternalism, industrial unionism, and Alcan workers in Kingston, Ontario, 1941-1945," (Diss. MA. Queen's University, 1987). For a well-researched journalistic account of poverty in Kingston, see Jamie Swift, *Wheel of Fortune: Work and Life in the Age of Falling Expectations* (Toronto: Between the Lines, 1995), 48-51.

³⁸ Ann Lukits, "Hundreds protest cuts: Marchers join together in soggy but enthusiastic rally," *Kingston Whig-Standard*, May 5 1997, 1.

support agency, workers and their union OPSEU Local 460 had been engaged in a prolonged strike claiming cuts had led to a deterioration in working conditions and weakening of the service. Meanwhile, in the recently unionized Kingston Dodge Chrysler dealership, workers were on strike for a first contract and picket lines got ugly when employer-supported scabbing took place. Local unions were quick to blame Bill 7's weakening of first-contract arbitration and its repeal of the ban on replacement workers. One of the strikers, Jason Fanning, declared his support for the Day of Action: "It was the Harris government that gave employers the right to bring in scabs. So I am in support of these people, because they are supporting us."³⁹

In this environment, organizing efforts got off to a running start. This was facilitated by a closer-than-usual relationship between local labour and the NDP, which had won and lost the Kingston riding with the rise and fall of the Rae government. NPDer and city councillor Rick Downes, introduced a motion to city council to support the protest. With a hundred people carrying red balloons in chambers to show support for the motion, it passed 9 to 6. In moving the motion, Downes stated "The programs of the provincial government have, in my view, hurt the municipality. In Kingston, we must, from time to time, express our right to complain about that." An amendment advanced by Controller Dave Clarke supporting people's right not to be disrupted by the protest was defeated. A week later, neighbouring Belleville City Council also passed a motion supporting the Day of Action.⁴⁰

With support of dissenting councillors, the city's managers responded by accusing the transit workers' union, represented by CAW, of breaking off negotiations to maintain rush hour

³⁹ Jennifer Tryon, "City set for Day of Action," *Kingston Whig-Standard*, May 21 1998, 1; Renee Huang, "Dodge workers go back," *Kingston Whig-Standard*, May 27 1998, 6. The introduction, strengthening and dramatic weakening of first-contract arbitration between 1987 and 1995 is traced in Felice Martinello, "Mr. Harris, Mr. Rae and Union Activity in Ontario," *Canadian Public Policy*, Vol.26, No.1 (2000), 19-21.

⁴⁰ "Council supports protest," *Kingston Whig-Standard*, May 27 1998, 4; "Kingston gets support for Day of Action," *Kingston Whig-Standard*, June 3 1998, A1.

bus service on June 8. Wayne Campbell, a CAW official representing Kingston Transit drivers and mechanics, denied any talks had even taking place, claiming city managers were simply trying to smear the workers. “The plan right now is,” he declared, “we’re going to shut the place down completely.” Commissioner of Human Resources Bill Bishop sent out a memo to all city workers advising them to obtain permission to participate in the protest or face severe discipline. The memo read: “The city will not condone an illegal strike by its employees. Should any illegal activities take place, the city shall hold the union responsible for any concerted actions of its members.” Controller Harvey Rosen who voted against the Downes motion said “I think council’s getting what it deserves in terms of the position they took. It was predictable.” Mayor Bennett followed up on Rosen’s comments stating “All we’re asking for is the co-operation of staff to recognize that we can’t quite simply have people walk out on a wholesale basis.”⁴¹

“This is ridiculous. They’re all over the map here,” said Dave Cornwall, president of the municipal workers’ union CUPE Local 109. Cornwall corroborated Wayne Campbell’s statement that the city was not talking with the unions. “They didn’t want to co-operate with us,” he concluded. Transit workers, garbage collectors, and other city workers responded to the whole affair by declaring they would not work on Monday. Fearing the rebellion spreading to the municipal workers at the city-run childcare, senior care centres, and libraries, management withdrew the threats of severe discipline were withdrawn and workers would simply be docked pay if absent without permission.⁴²

Meanwhile, the Limestone District School Board scheduled a Professional Development day for Monday, June 8. Claiming a lack of flexibility in scheduling, the Algonquin and Lakeshore Catholic District School Board did not. The board’s superintendent stated “we’re not

⁴¹ Jeff Outhit, “Protest to put brake on buses,” *Kingston Whig-Standard*, June 3 1998, 1.

⁴² Jeff Outhit, “Transit and trash hit by protest,” *Kingston Whig-Standard*, June 4 1998, 1.

aware of anything that will impair our ability to operate.” Pickets were also expected at provincial government agencies, including the courts, and offices for the Health and Labour ministries. However, management anticipated these spaces to be open for business. The Montreal Street Social Services Office expected to be open, too, although only to emergency clients.⁴³ Organizers, who had set up a headquarters in the low-income north end at Elliot and Division, were unwilling to provide journalists information about picketing operations. A day before the protest, the Day of Action co-chairs Natalie Mehra and Charlie Stock could only confirm that pickets would disrupt Kingston Transit’s headquarters and garage on John Counter Street.⁴⁴ A dozen community organizations threw their support behind the protest. Food bank, emergency housing and women’s shelters were among the supporters. The Sexual Assault Crisis Centre coordinator Sue Powell explained the centre’s support for the protest as being against “the worst kind of misogyny” being practiced by the government in its efforts to cut childcare services, women’s services, and employment equity.⁴⁵

As in St. Catharines, the Kingston Day of Action was preceded by a series of smaller rallies and public educational meetings. Over a hundred people rallied at Hotel Dieu, as well as St. Mary’s-on-the-Lake long-term care facility. At the former rally, Sid Ryan’s speech took a decidedly electoral bent when he called on the crowd to “elect an NDP government and get these Tories out of office.”⁴⁶ On June 3, a large public picnic and meeting on education was organized at Lake Ontario Park where protesters had met in October 1995 before marching on the Cataraqui Golf and Curling Club. The public forum, entitled “Education Changes 1998: What

⁴³ “Working community gets set for one-day showdown,” *Kingston Whig-Standard*, June 6 1998, 4.

⁴⁴ Christine Brousseau, “Officials coy about plan for action,” *Kingston Whig-Standard*, June 8, 1.

⁴⁵ Murray Hogben, “Day of Action gets support,” *Kingston Whig-Standard*, June 6 1998, 4.

⁴⁶ Fiona Stevenson, “Health care rally held,” *Kingston Whig-Standard*, June 2 1998, 1.

Do They Mean for Students” featured Marshall Jarvis, Earl Manners, Phyllis Benedict, as well as Liberal and NDP education critics Lyn McLeod and Bud Wildman.⁴⁷

Social and political critic Linda McQuaig delivered a well-attended talk at the Kingston Collegiate and Vocational Institute, the city’s downtown high school. Her talk centred on her recent book, *The Cult of Impotence*, in which she argued that politicians and government had capitulated to the threats and pressures of globalized financial interests.⁴⁸ In a manner similar to the OFL’s “Last Straw” document published at the 1997 emergency convention, McQuaig’s analysis rooted the Common Sense Revolution within a framework of corporate globalization; of free trade agreements undermining democratic sovereignty in favour of profit-seeking corporations, and the rise of international financial institutions enforcing policies similar to the Common Sense Revolution upon debtor nations. Kingstonians were further exposed to her ideas in an extended interview with the *Whig-Standard*’s editorial writer Paul Schliesmann. Of the Days of Action, McQuaig commented:

I think they give people a sense of empowerment and sense that it’s possible to act collectively...when citizens are organized – when they are informed, when they understand what’s at stake, that their interests are going to be sacrificed, and they get involved in the debate – governments will back down...I think that’s a model of what can happen when the public is informed.⁴⁹

She went on to argue that a different government and agenda was possible. Fiscally, she saw the federal government’s agenda mirroring that of Harris’s. “The debt reduction was greatly over-hyped,” she claimed. “We were not in as bad a situation as everyone was saying... The debate seems to be...between tax cuts or putting more money into debt reduction. Whatever happened

⁴⁷ “Picnic to protest cuts to education,” *Kingston Whig-Standard*, June 3 1998, 1; Fiona Stevenson, “Conservative cutbacks no picnic,” *Kingston Whig-Standard*, June 4 1998, 9.

⁴⁸ Linda McQuaig, *The Cult of Impotence: Selling the Myth of Powerlessness in the Global Economy* (Toronto, 1998).

⁴⁹ ““The problem with the private sector is it’s not democratic’,” *Kingston Whig-Standard*, June 4 1998, 7.

to social programs?” She had laid out this same argument in her previous bestseller, 1995’s *Shooting the Hippo*.⁵⁰ On the Common Sense Revolution, she commented,

His relationship with the business community is really fascinating. What’s often forgotten is that Mike Harris still has a deficit problem... You’d think there was no deficit in Ontario the way... the business community just totally ignores the fact that Harris has the deficit. The reason Harris has a deficit is because of the tax break. If all the spending cuts had gone into paying off the deficit, we wouldn’t really have a deficit in Ontario. But they’ve depleted the revenue of the province through the tax break.⁵¹

McQuaig was among those who popularized the well-grounded criticisms of the deficit hysteria which justified the deep spending cuts and the capitulation of government to decidedly political agendas masquerading as economic inevitability.⁵² By 1998, these arguments had become well-known, especially in left-wing and activist circles, as the experience of neoliberal austerity and restructuring became pervasive across Canada. However, the political limitation of developing grounded criticisms meant they were lagging behind the actual implementation of these policies by several years. The intellectual arming of the movement against Harris in 1997 and 1998 in came too late to bolster the ideological potency of the extra-parliamentary opposition. Perhaps more importantly, such analyses avoided the controversies of concrete strategy and tactics. For example, the “model” of an organized, informed and empowered citizenry endorsed and advanced by McQuaig was simply too vague and abstract to offer any instruction on the debates in Ontario about how the Common Sense Revolution could be stopped

On Monday June 8, strike action as a tactic against Harris was comparatively small but more visibly significant than in St. Catharines. After back-to-work legislation had ended their previous strike in early December 1997, postal workers were out for payback, shutting down Canada Post operations at the downtown and Collins Bay post offices. About 60 people picketed

⁵⁰ Linda McQuaig, *Shooting the Hippo: Death by deficit and other Canadian myths* (Toronto, 1995).

⁵¹ “‘The problem with the private sector is it’s not democratic,’” *Kingston Whig-Standard*, June 4 1998, 7.

⁵² See also Thom Workman, *Banking on Deception: The Discourse of Financial Crisis* (Halifax: Fernwood, 1999).

the downtown office, with all three entrances padlocked and chained shut.⁵³ Nearby, the provincial Ministry of Health offices on Wellington were picketed. One participant, Debbie Macdonald, a residence aide at a Brockville nursing home, explained that only six people were now caring for 75 seniors at their facility due to government cutbacks. “It’s a crime,” she explained. At the Kingston Psychiatric Hospital, pickets and barricades were up and only patients were allowed to cross the lines. City Hall and some other municipal offices were also shut down through picketing. Activists also picketed the bus entrances to St. Lawrence College.⁵⁴

The fifty pickets at Kingston General Hospital were on the receiving end of motorist violence on Stuart Street located between the hospital and Queen’s University. Three separate incidents of drivers barrelling through the lines were reported. “They tried to run us over,” said an exasperated Corrine Kellar, a KGH worker and picket captain. Kellar complained that “doctors were most upset that they couldn’t park their fancy cars.” The pickets went out of their way to allow families with members in intensive-care into the parking garage. The pickets and barricades went down at 10am as people left to converge at the Memorial Centre. “Mike Harris ran on a promise that he wouldn’t cut health care,” explained Mike Trowbridge, a KGH kitchen worker on the picket line. “We want to make people aware of what the cuts have done.”⁵⁵

Many pickets converged on John Counter Boulevard at Lappan’s Lane. There, Don McIvor, a municipal roads labourer and CUPE member told a reporter: “I’m trying to save jobs and show Mr. Harris that he can’t do what he’s doing. It’s hurt people around me.” Both his father and uncle had lost their jobs with the city due to government cuts. Kingston Transit, Alcan, and the Ontario Ministry of Transportation offices located on John Counter were also picketed, but Kingston Transit was the only successful shut down. Not a single one of the city’s

⁵³ Keith Gerein, “Pickets deny lawyers access to offices,” *Kingston Whig-Standard*, June 9 1998, 4.

⁵⁴ Jeff Outhit, “Day of Action hits city,” *Kingston Whig-Standard*, June 9 1998, 1.

⁵⁵ Ann Lukits, “Anxious moments on line,” *Kingston Whig-Standard*, June 9 1998, 8.

23 bus drivers reported for work. West of the city, the Kingston Township bus service continued without disruption.⁵⁶

By 10am, thousands were milling about at the Memorial Centre just beyond downtown. Protesters claimed ten thousand people were present while the *Globe & Mail* reported 3,000 – two thousand fewer than the police estimate. At 10:30am, the crowd proceeded down Albert Street to Princess Avenue, the city’s main road. Unlike St. Catharines, the mood was genuinely positive and celebratory. The march curled around City Hall before turning up Brock Street and past Hotel Dieu where dozens of hospital workers stepped outside to wave and were repaid with a long cheer. The march swung east after Hotel Dieu along Sydenham Street towards City Park in front of the historic Frontenac County Court House. At City Park, impassioned speeches were delivered by Kingston residents and workers, union officials, and NDP leader Howard Hampton. Calls for a province-wide general strike from the microphone were frequent. Buzz Hargrove predicted “We’re gonna put Mike Harris into the dust bins of history.” By 3pm, hundreds of protesters were already back on Highway 401 leaving Kingston.

Graffiti on the Collins Bay post office and broken windows at six downtown banks were the only reports by police of criminal activity. The vandalism at the banks made headlines. Kingston Mayor Gary Bennett commented “I may very well not support such events in the future.” His deputy mayor Carl Holmberg attacked the “strong-arm tactics” of pickets not letting people enter workplaces.⁵⁷ But the naysayers and the government’s supporters would no longer have to worry. Kingston would be the last Day of Action. The general strike would not come.

⁵⁶ Jeff Outhit, “Day of Action hits city,” *Kingston Whig-Standard*, June 9 1998, 1; Sue Yanagisawa, “Few complaints about buses,” *Kingston Whig-Standard*, June 9 1998, 4.

⁵⁷ “What was said,” *Kingston Whig-Standard* (June 9 1998), 8.

The End

The Days of Action and province-wide general strike mandated by the delegates at OFL convention died a very quiet and perfunctory death. With no future Days of Action scheduled, provincial union leaders met at OFL headquarters in Don Mills in July and decided to shelve the Days of Action strategy and the general strike. The decision was made with no announcement to the union membership or the public. Ian Urquhart was the only journalist in the province to report on the meeting. He called it “the most under-reported story of the past week,” although even this downplayed its significance. Numerous union leaders expressed doubt that their members would join an illegal strike, while others raised concerns about the resources necessary to organize it. “There was just no mood at all to have a province-wide action,” said Hargrove. In the long, drawn-out struggle against the Common Sense Revolution, Urquhart concluded, “The unions have, in effect, been shown to be paper tigers.”⁵⁸

With the Days of Action and general strike buried, the disputes among labour leaders collapsed into a debate over supporting the NDP, or endorsing whatever local Liberal or NDP candidate had a hope of defeating a Tory. While Ryan embraced the OFL’s return to the NDP, he cautioned against blind NDP support because the membership would oppose vote splitting if the goal was ousting Harris. “Our members aren’t stupid,” said Ryan. Hargrove had already publicly supported the idea of backing the Liberals to keep the Tories out, but the idea was not yet official CAW policy. Later that year in mid-December, a passionate debate at the CAW Canadian Council raged between 600 union delegates. The result was a victory for Hargrove’s strategic

⁵⁸ Ian Urquhart, “Liberals could benefit in labour’s anti-Harris war,” *Toronto Star*, July 30 1998, 1.

voting policy. Where an NDP or Liberal candidate was best poised to defeat a Tory, CAW would support them.⁵⁹

Later in 1998, there was an attempt by some sections of organized labour to revive the Days of Action. The Ottawa and District Labour Council compelled the OFL to back a protest on October 17 outside the Ontario PC Party convention in Ottawa. The OFL agreed and in the process of mobilizing ten thousand people, the push to revive protest action was ignored by labour leader in their speeches from the podium. From Hargrove to Samuelson, the call was for a Tory defeat in the election, while Ryan's variation on the theme was to challenge Harris to call a snap election. The labour leadership may have fallen out over loyalties to the NDP, but there was a firm consensus that the ballot box was the only way Harris was going to be defeated.⁶⁰

At the beginning of 1998, Geoff Bickerton, recommended labour activists not view Samuelson as representing a strictly electoralist strategy. By the end of the year, Bickerton described the abandonment of the Days of Action as a "retreat from industrial action" and "a clear-cut violation of the convention mandate." Yet, Bickerton downplayed the general strike as "too ambitious" adding it was "not clear" how a province-wide general strike could have "improved upon" the Days of Action. He even suggested that a province-wide general strike was actually a means of ending extra-parliamentary protest, and that the Left had "a responsibility to examine the limitations of "blockbuster" one-time province-wide events."⁶¹

General strike partisan and Queen's University professor Bryan Palmer laid the blame at the feet of the entire union leadership. In *Canadian Dimension*, he wrote, "whoever won the

⁵⁹ Ian Urquhart, "Liberals could benefit in labour's anti-Harris war," *Toronto Star*, July 30 1998, 1; Gary Rennie, "Hargrove pushing for 'strategic voting'," *Windsor Star*, December 11 1998, A4; Gary Rennie, "CAW shifts election strategy," *Windsor Star*, December 12 1998, A1.

⁶⁰ Mark Gollom, "Protesters challenge Harris: 'Call election' becomes rallying cry," *Ottawa Citizen*, October 18 1998, A2.

⁶¹ Geoff Bickerton, "Ontario labour leaders stop days of action," *Canadian Dimension*, September-October 1998, 7.

coveted OFL leadership of the province's unions would have to huff and puff about blowing the House of Harris down." He continued, "There was no other way to deflect the mass cynicism and deep disappointment that engulfed labour's ranks in the aftermath of the teacher defeat and 18 months of on-again off-again working class mobilizations." With the small affairs in St. Catharines and Kingston, the movement, he believed "had been purposely pushed into a cul-de-sac of routinization and demoralizing electoralism."⁶²

Bruised and battered, the Common Sense Revolution and the Ontario Tories survived the Days of Action. Urquhart's assessment was correct: the unions proved to be paper tigers. What Urquhart missed and which historian Bryan Palmer was fixated upon was the conflict between the two strategies within the OFL. There was indeed a concerted effort through the entire first term of the Harris government by sections of the labour leadership to bring the protest and strike movement to an end in favour of an approach wedded entirely to winning at the ballot box. With the defeat of the teachers' strike, this fragmented and factionalized labour leadership in Ontario achieved consensus around electoralism, but could not agree which party to support against the Tories. Whereas the Pink Paper unions stumped for the NDP, a coalition of unions formed the Ontario Election Network and plowed resources into 26 swing ridings in a bid to defeat the Tories through "strategic voting." The two competing electoral efforts buried the approach of protests and political strikes. Both ballot box efforts also failed. The Tories continued their recovery in the polls and won a second straight majority government in June 1999.⁶³

⁶² Bryan Palmer, "Where ya at, general strike?/!" *Canadian Dimension*, September-October 1998, 20.

⁶³ On the emergence of the Ontario Election Network and its methods, see Larry Savage, "Organized Labour and the Politics of Strategic Voting," 78-80.

Chapter 9:

Conclusion

The Days of Action do not feature in the collective political identity of Ontarians, or even, it could be argued, within the ranks of the province's much-diminished labour movement.¹ It might be the case that the defeat was so enormous that partisans of the movement are simply unwilling to reopen old wounds. Yet, similarly catastrophic union defeats against neoliberalism with the UK Miners' Strike of 1984-85 and PATCO air traffic controllers strike of 1981 have resonance and meaning inside their respective national labour movements, and are subject to countless academic studies and popular histories. Kim Moody, the widely-regarded American labour analyst, has situated the PATCO strike as a decisive historic shift in the balance of power between labour and capital in the United States.² The UK Miners' Strike is a political and cultural touchstone in the UK which has come to symbolize the defeat of the organized working class by Thatcherism, and is the subject of popular films such as *Billy Elliot* and *Pride*, as well as historical fiction, extensive scholarly research, and iconic photographs. The equally weak body of literature on the Ontario NDP government of the early 1990s suggests a troubling political and historical amnesia on the part of the organizations that took part in the Days of Action.

Yet, if one were to raise this period of conflict in discussion with Ontarians who lived through the Common Sense Revolution, as I have done for the past six years, it is reasonable to expect passionate memories of protests, strikes, policies and personalities. To humbly paraphrase E.P. Thompson, I have sought to rescue the extra-parliamentary opposition from the enormous

¹ Mat Nelson, a late friend and CUPE activist, would commonly remind me not to use the term "labour movement" because there was no *movement*.

² Kim Moody, *An Injury To All: The Decline of American Unionism* (New York: Verso, 1988), 139-146.

condescension of posterity.³ Unless the story of the extra-parliamentary opposition is told, the Common Sense Revolution stands as a successful and justified program as its supporters continue to assert.⁴ Rather, the Common Sense Revolution must be clearly understood for what it is: an intense program of neoliberal restructuring within the framework of permanent austerity.

The task of recovering this history and presenting it in a chronological, narrative form has been to reconstruct the trajectory of the movement in sufficient detail so as to identify the salient dynamics of the movement itself. What emerges from the research is the centrality of the labour bureaucracy in shaping the overall trajectory of the extra-parliamentary opposition as well as determining shorter and medium-term decisions. The issue of the labour bureaucracy is simply unavoidable as the locus of control shifts from the grassroots to senior labour leaders. However, this project was never intended as a study of labour bureaucracy but of the movement as a whole. Their relationship with the base of the movement, including both union and community members, is contradictory, complex, and evolves through several distinct phases.

The extra-parliamentary opposition has its origins in grassroots organizing outside and independent of the union bureaucracy and nearly all union structures, with some exceptions such as the Toronto childcare workers and the factory workers at Cuddy Foods in London. Diligent, patient organizing and the mounting of regular protests through the summer of 1995 began to resonate with wider layers of society, notably the ranks of organized labour, as the Common Sense Revolution begins to unroll with a steady stream of announcements and policies beginning with the July 21 economic statement. The introduction of Bill 7 and its rollback of labour rights, organized labour becomes involved in the protests and the Days of Action emerges as a vehicle for both community and labour opposition to the Common Sense Revolution.

³ E.P. Thompson, *The Making of the English Working Class* (Toronto: Penguin, 1991), 12.

⁴ Christina Blizzard, "Where did common sense go?" *Toronto Sun*, June 26 2015.

With all the risks and difficulties considered, several opportunities still presented themselves for escalating the Days of Action into a wider confrontation with the government despite continued non-participation from the Pink Paper unions. The first such moment was during the province-wide OPSEU strike when escalation was rejected in favour of de-escalation, routinization of protest techniques, defensiveness against spurious accusations of violence and disorder, and the allowance of employers to adapt and absorb losses without antagonizing union workforces. By the summer of 1996, the dynamic tension between the base of the movement and the union leadership had been broken. The Metro Days of Action was an exception due to the qualitatively larger size of the operation and unparalleled degree of participation. The enormous success and scale compelled the Pink Paper unions to unleash an open attack on the Days of Action in a desperate bid to regain control of the Ontario Federation of Labour and reassert their electoralist NDP strategy. The six Days of Action which followed varied in size, intensity, and success, but the routinization of activity contributed to the failure of these Days of Action to resuscitate the popular energies required to push union leaders towards an acceleration and expansion of activity. The St. Catharines Day of Action in particular demonstrated the extent to which the Days of Action were in fact used to extinguish the flickering flame of resistance.

More so than the OPSEU strike, the illegal teachers' strike was the moment in which sympathy strikes seemed possible given the Bill 136 general strike threat which immediately preceded it. The teachers' unions never called for a sympathy strike to gain further leverage, and no other unions joined them. As Camfield, Kellogg, and interviewees in this study have pointed out, the absence of any sort of network inside the unions capable of playing an alternative

leadership role simply did not exist.⁵ Had one existed, activities witnessed in the childcare sector or Cuddy Foods in London, may have sparked off a groundswell of sympathy strikes.

As with the opposition to the Toronto Megacity and hospital closure protests through the first half of 1997, the labour-led opposition to the Common Sense Revolution collapsed as the government's agenda was in a critical phase. It is tempting to suggest that once the legislative onslaught of 1997 was complete, there was no reason for protests to continue, and oppositional efforts needed to focus on the next election. This was the argument mounted by labour leaders in their reorientation towards strictly electoral strategies in 1998. This was not only true of the Pink Paper unions and CUPE backing the NDP, but also the CAW and teacher unions swinging behind strategic voting.⁶

However, the Days of Action themselves were never originally predicated on whether or not legislation was yet to be passed. The social assistance cuts, Bill 7, the radical defunding of non-profit social housing, and countless other aspects of the Common Sense Revolution had already come to pass before the first Day of Action in London. When the Days of Action were suspended in mid-1998, several aspects of the Common Sense Revolution had yet to be completed or even instigated, notably hydro privatization.⁷ Furthermore, protests and strikes against the Harris Tories continued, albeit in a fragmented manner and on a much smaller scale. The Ontario Coalition Against Poverty would continue to wage an open struggle with the government and become vilified for its activities in the absence of the union support it once

⁵ David Camfield, "Assessing Resistance in Harris's Ontario, 1995-1998," *Restructuring and Resistance*. Mike Burke, Colin Mooers, John Shields, Eds. (Halifax: Fernwood, 2000), 313-315. Interview, Hassan Husseini, November 1 2015; Interview, Ritch Whyman, November 4 2015; Interview, Michelle Robidoux, February 26 2016.

⁶ Larry Savage, "Organized Labour and the Politics of Strategic Voting," *Rethinking the Politics of Labour in Canada*. Eds: Stephanie Ross and Larry Savage (Edmonton: AU Press, 2012).

⁷ The unfulfilled policy planks of the Common Sense Revolution were only partially implemented after the 1999 election during a second term in office characterized by scandal and loss of strategic direction. See Bryan Evans and Charles W. Smith. "The Transformation of Ontario Politics: The Long Assent of Neoliberalism." In *Transforming Provincial Politics: The Political Economy of Canada's Provinces and Territories in the Neoliberal Era*, editors Bryan Evans and Charles W. Smith (Toronto: University of Toronto Press, 2014), 171-180.

enjoyed.⁸ The lonely death of Kimberly Rogers, a single mother convicted of “welfare fraud”, the Walkerton tragedy linked to water treatment privatization, and mounting public pressure for an inquiry into Dudley George’s death, placed the re-elected government under siege. Harris resigned in 2002 and Eves lost the 2003 election following skyrocketing hydro rates directly linked to the partial privatization and deregulation of Ontario Hydro.⁹ Although the Harris Tories were ultimately defeated at the polls, the abandonment of extra-parliamentary oppositional strategies in favour of electoralist ones ensured the Common Sense Revolution’s restructuring of the state within a framework of permanent austerity persisted with the Liberals. Although offering modest reinvestments in education and healthcare, the Liberals main aim was not to “rollback neoliberal restructuring but rather to consolidate and normalize it by dulling the destabilizing polarization of the Harris-Eves era.”¹⁰

The Days of Action was a failed strategy but it was also an unfulfilled one, never becoming the province-wide strike it originally aimed to be. The popular chant of “City by city is way too slow! Let’s shut down Ontario!” was not a flight of fancy but a popular demand that agitated and animated the ranks of labour through the entire period. Opportunities to connect Days of Action with the OPSEU and teacher strikes were opportunities left unexplored in the absence of alternative leadership networks capable of executing it. It is impossible to know if a general strike could have succeeded especially given the loyalty of the Pink Paper unions to the sanctity of industrial legality and the general lack of confidence and conservatism among other union leaders backing the Days of Action. The ability of the Tories to ignore one-day strikes in places like Metro Toronto and Hamilton suggests that a one-day province-wide strike would

⁸ See Bryan Palmer and Gaétan Héroux, *Toronto’s Poor: A Rebellious History* (Toronto: Between the Lines, 2017), 361-382.

⁹ Laureen Snider, “Captured by Neo-Liberalism: Regulation and Risk in Walkerton, Ontario,” *Risk Management* 5 (2003), 27-36.

¹⁰ Evans and Smith, 176.

have had no immediate impact. On the other hand, there is no question the one-day strikes were instrumental in stoking and sustaining a popular extra-parliamentary opposition which expanded far beyond labour's ranks. Other avenues of disruptive resistance, such as the United Way boycott derailing mandatory workfare, were also largely left unexplored and unexamined. Yet, it is difficult to identify any other aspect of the Common Sense Revolution where unions and their community allies could play a disruptive role outside of industrial action.

The tactical, strategic and existential questions which plagued the Days of Action and extra-parliamentary opposition point towards the necessity of rescuing this movement from fatalistic or dismissive interpretations. Two decades later, the Common Sense Revolution remains the blueprint upon which much of the province is still built, from healthcare to education, labour relations to social assistance, housing and transit. Yet, the intractable dilemmas of the extra-parliamentary opposition did not prevent hundreds of thousands of people from pouring into the streets in a bid to stop the Common Sense Revolution. Their struggle speaks directly to the persistent and popular aspirations of Ontarians, often fragmented but sometimes coherent, to fundamentally reverse the Common Sense Revolution.

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