

Richard A. Brisbin Jr. *A Strike Like No Other Strike: Law and Resistance during the Pittston Coal Strike of 1989–1990*. (Morgantown: University of West Virginia Press, 2010. Pp. xiv, 350. Illustrations, notes, bibliography, index. Cloth \$49.00, Paper, \$24.95.)

On April 5, 1989, 1,700 members of the United Mine Workers of America (UMWA) went on strike against the Pittston Coal Group, a company with historical roots in the anthracite region of Pennsylvania. The strike occurred in southwestern Virginia, eastern Kentucky, and southern West Virginia. The UMWA's contract with Pittston had expired months earlier and among the issues in dispute were attempts by the company to jettison its retirees from health and welfare benefits and to assert greater control over work rules. Also at issue were job security and disagreement over pay and benefits. The strike ranks among the most covered by the media of any in modern U.S. history. Nightly news broadcasts on major networks brought the strike into the living rooms of millions of Americans. Moreover, the UMWA produced a film on the strike in conjunction with its 100th anniversary (1890–1990) entitled *Out of Darkness: The Mineworkers' Story*, directed by Academy Award–winner Barbara Kopple, who also produced *Harlan County, USA* in the 1970s.

As the strike ensued, mineworkers reacted with picketing, sit-downs, rallies, marches, acts of civil disobedience, violence, and resistance (such as the placement of welded nails in the roadway to damage tires of coal trucks), and the construction of solidarity camps. Pittston responded by hiring a private security force and investigators (which the UMWA accused of using threats and violence), sidestepping negotiations, and pursuing court intervention to curtail the UMWA's activities.

The author lays out two objectives for *A Strike Like No Other Strike*: first, to chronicle the political meaning of the strike and, second, to decipher its lessons. In addition to providing a history, Brisbin engages in a detailed—and sometimes cumbersome—political science analysis and argues that legalism and the modern patriarchal legal system constrained the strikers and “encouraged them to adopt courageous and creative techniques for resisting Pittston, the judiciary, and the state” (143). The American system of legalism—as exemplified by laws and court rulings governing labor-management relations and, in particular, legal interpretations surrounding the Pittston strike—had

precedence over and attempted to control the social movement-oriented protests by Pittston miners. Thus, the union reacted in various forms, some violent, some more civil disobedience oriented.

Wildcat strikes, lawbreaking, and other acts of protest and violence by miners were in direct reaction to the patriarchy established by Pittston and the enforcement of hegemony by the legal system exemplified in the rulings and injunctions imposed by judges. Moreover, the perceived greed of the Pittston Coal Group surfaced in the strikers' discourse. For example, miners vehemently objected to the notion that Pittston owned the coal it mined. Strikers argued that the public owned the coal and, therefore, had a right to it, and that mineworkers were entitled to fair compensation for extracting it for the public good. In the view of the UMWA, Pittston was merely a corporate interloper on a resource intended for the public good.

Violence had a redemptive value for the UMWA. It was in part a response to the psychological and physical violence of Pittston and its private security entourage. Strikers argued that they were harassed and victimized by Vance APT guards employed by Pittston and that the psychological impact of having pay and benefits taken away with little or no recourse was reason enough to protest.

Brisbin argues that resistance by strikers did not offer much of a permanent design for the replacement of the existing scheme of power and discipline embedded in legalism. The system of legalism essentially ruled the day. Although fines imposed by courts were usually vacated, many injunctions were upheld and the miners were limited in what they could do in reaction to what they interpreted as acts of violence by Pittston.

The strike's settlement, reached on New Year's Day 1990, was brought about by the direct intervention of U.S. Secretary of Labor Elizabeth Dole with the assistance of a federal mediator. Brisbin notes that the settlement agreement was on legal terms dictated by negotiators, a mediator, and lawyers and enforced by contractual provisions and ratified by a majority vote of strikers. The settlement resulted in most miners securing income, benefits, a pay raise and settlement bonus, some union control over work rules, and some job security. Moreover, retirees, disabled miners, and widows retained some access to health-care benefits that Pittston had threatened to take away. The author concludes that, while the settlement agreement appeared fair the law did not benefit the miners as court rulings and injunctions constrained the miners. And, counterhegemonic protests were overruled by a legal system in which miners had no recourse. Thus, the miners' fates "still depended on

the terms and practices of a legal complex prescribed by elites whom they could not control" (284).

A Strike Like No Other Strike is good reading for students and practitioners of history, political science, and public policy. It is, at times, difficult to read and its analysis can be hard to follow. Yet it does provide a worthwhile examination of one of the most significant strikes in modern history.

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