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STEEPLE SOLIDARITY: MAINLINE CHURCH RENEWAL AND THE UNION CORPORATE CAMPAIGN

MICHAEL M. OSWALT†

INTRODUCTION

Having finished his afternoon coffee, Reverend Dick Gillett arose from his table to speak.¹ Others who were scattered throughout the Century Plaza hotel’s dining room quietly rose with him, many similarly dressed in unmistakably religious attire.² “We know this is a bit unusual,” Gillett began, “but we want you to know that the people who have prepared your meals and who wait on you so efficiently and courteously want your help today. And you could help them, just by asking for the manager and telling him you’d like this hotel to sign the contract.”³

What might have been unusual for the diners was not unusual for this group of sixty activists, driven by faith to support Los Angeles hotel workers. Gillett and the others had repeated this routine—dubbed Java for Justice—dozens of times at other Beverly Hills hotels.⁴ They also published reports on industry working conditions and conducted a massive inter-faith seder on Rodeo Drive in traffic’s plain view.⁵ Denied entrance to the Summit Rodeo, the group left a handful of bitter herbs at the

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³ Id.

⁴ Id. (internal quotation marks omitted).

⁵ Id.
hotel's front entrance, intended by Rabbi Neal Comess-Daniels to symbolize "the taste of inequality, the sting of frustration when one speaks but is not heard."  

In the current religious landscape, such activism, which harnesses public religiosity to core labor rights, almost seems startling. Philosopher Richard Rorty has commented that "[t]he likelihood that religion will play a significant role in the struggle for justice seems smaller now than at any time..."  To the extent churches do stress justice publicly, Rorty argues it is often cloaked in "forms of religiosity that have little to do with hopes for a cooperative commonwealth." In other words, pursuit of an organized working class is an unlikely end.

Indeed, evangelical churches, which have experienced growing memberships at the expense of more traditional mainline denominations, tend to focus community ministries on issues like abortion, same-sex marriage, stem cells, and, more recently, business investments. As one religion sociologist has concluded, while mainline churches push for involvement in

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6 Id. (internal quotation marks omitted).
8 Id. at 350.
9 David D. Kirkpatrick, The Evangelical Crackup, N.Y. TIMES, Oct. 28, 2007, § 6, at 28; see also ROBERT D. PUTNAM, BOWLING ALONE: THE COLLAPSE AND REVIVAL OF AMERICAN COMMUNITY 76 (2000) ("Over the last forty years mainline denominations (Methodist, Presbyterian, Episcopal, Lutheran, Congregational, American Baptist, and so on) have heavily lost 'market share,' while evangelical and fundamentalist groups (Southern Baptist, Pentecostal, Holiness, Assemblies of God, and Church of God in Christ, as well as Jehovah's Witnesses, Mormons, and independent congregations) have continued to grow."); Vanessa Ho, Congregating Around Changes: Mainline Religions Dwindle as Megachurches Gain Ground, SEATTLE POST-INTELLIGENCER, Mar. 18, 2002, at Al ("For decades, mainline Protestant churches have been losing millions of people nationwide, while 'megachurches'—usually large, suburban and evangelical—have blossomed."); Laurie Goodstein, For a Trusty Voting Bloc, a Faith Shaken, N.Y. TIMES, Oct. 7, 2007, § 4, at 1.
11 Diana B. Henriques & Andrew W. Lehren, Megachurches Add Local Economy to Mission, N.Y. TIMES, Nov. 23, 2007, at A1 ("Among the nation's so-called megachurches... appetite for expansion into many kinds of businesses is hardly unique... [Their business interests are as varied as basketball schools, aviation subsidiaries, investment partnerships and a limousine service."). But see Michael Luo & Laurie Goodstein, Emphasis Shifts for New Breed of Evangelicals, N.Y. TIMES, May 21, 2007, at A1 (noting a trend among evangelical preachers to emphasize the importance of global warming, HIV-AIDS, and international human rights in Christian mission work, in addition to abortion and same-sex marriage).
“social betterment programs[,] ... evangelical churches focus[,] more on individual piety.”12 The growing evangelical religious base also tends to support conservative political candidates13 who are unsympathetic to labor’s interests.14

But such scenes should actually seem quaint, not unexpected. From the Presbyterian “Labor Temple” of the early twentieth century,15 to the 1981 Vatican encyclical cementing the centrality of labor unions as the preeminent “mouthpiece for the struggle for social justice,”16 to Martin Luther King Jr.’s Gospel-infused 1968 address in support of striking sanitation workers at the Pentecostal Mason Temple in Memphis—the largest indoor gathering of the civil rights era—17 a distinctly Christian form of labor activism is easily identified historically.18

Today the most prominent link between mainline churches and organized labor may have more to do with demographics than a shared justice mission; churches and unions alike have experienced marked participation declines since the 1960s. The loss of industrial jobs overseas,19 increasingly virulent anti-union


13 Goodstein, supra note 10 (noting that former President George W. Bush’s advisor Karl Rove once called evangelical Christians “the base of the Republican Party”).

14 See, e.g., Steven Greenhouse, Unions Fear Rollback of Rights Under Republicans, N.Y. TIMES, Nov. 2, 2010, at A19 (“It should be no surprise that Republicans ... plan to push bills and strategies to undermine labor’s political clout and its ability to grow.”); Steven Greenhouse, Unions See Bush Moves as Payback for Backing Gore, N.Y. TIMES, Mar. 25, 2001, § 1, at 33 (describing anti-labor actions by the newly elected Republican President Bush).

15 Church Converted into Labor Temple, N.Y. TIMES, Feb. 24, 1910 (“In an effort to league the cause of Christian fellowship with the organization of trades unions among working people the Presbyterian Church of this city has decided to install a [labor [t]emple ...”).


18 See George G. Higgins with William Bole, Organized Labor and the Church 66 (1993) (“The loosening of ties between religion and labor had to do with more than just changing times and shifting priorities. With the tumult of the 1960s came a new cynicism toward unions. Many reform-minded people began to look upon organized labor as much less a movement than an institution (which, of course, is what all successful movements become). The image of the stodgy, conservative labor leader, embodying an ‘establishment’ out of touch with the times, entered into the consciousness of social activists. These included the ‘new breed’ of church activists.”).

19 See generally Rebuilding Labor (Ruth Milkman & Kim Voss eds., 2004).
employers, weak labor laws that have not kept pace with the flexible, technology-centered modern workplace, and atrophied collectivist mentalities have all helped shrink the percentage of private wage-earners in unions to 6.9 percent. Likewise, mainline church membership peaked in the 1970s following a post-World World War II attendance boom, but modern congregations are “dwindling, aging, and less involved in religious activities.” In 2009 mainline congregations accounted for just a fifth of Protestant churches nationwide, with mainline membership dropping twenty-five percent in the previous fifty years. Only in the sixty-years-plus age demographic has mainline church attendance and involvement consistently increased over the recent decades.

20 See, e.g., Benjamin I. Sachs, Enabling Employee Choice: A Structural Approach to the Rules of Union Organizing, 123 HARV. L. REV. 655, 686–93 (2010) (discussing the effects of employer interventions on union organizing outcomes); KATE BRONFENBRENNER, ECON. POLICY INST., BREIFING PAPER NO. 235, NO HOLDS BARRED: THE INTENSIFICATION OF EMPLOYER OPPOSITION TO ORGANIZING, 2 (May 20, 2009), available at http://www.americanrightsatwork.org/dmdocuments/ARAWReports/noholdsbarred.pdf (“Although the use of management consultants, captive audience meetings, and supervisor one-on-ones has remained fairly constant, there has been an increase in more coercive and retaliatory tactics (‘sticks’) such as plant closing threats and actual plant closings, discharges, harassment and other discipline, surveillance, and alteration of benefits and conditions.”).


25 See PUTNAM, supra note 9, at 76.


27 PUTNAM, supra note 9, at 73.
Even so, it is not hard to understand why unions would welcome a resurgent church-labor partnership, bringing Christianity's moral and ethical traditions and leverage to bear on organizing battles increasingly reliant on the public's sympathy. The AFL-CIO's "Seminary Summer" program, which matches budding pastors with union organizing campaigns; the "Labor in the Pulpits" initiative, which encourages clergy and laypeople to speak out for workers' rights during worship services; and the generally increased visibility of clergy during organizing drives offer evidence that the labor movement is pushing for just that. Why churches would embrace a renewed congregational commitment to organized labor in financially-perilous and membership-uncertain times is much less obvious. Unions are secular, power-driven, sometimes corrupt, bureaucratic, political entities that churches cannot control.

28 RICHARD L. WOOD, FAITH IN ACTION 70 (2002); see also Ruth Milkman & Kim Voss, Introduction to REBUILDING LABOR, supra note 19, at 1, 9 (noting recent alliances between labor organizations and a broad range of social and political groups). In fact, in the early twentieth century the American Federation of Labor initiated the "Labor Forward" project, a traveling campaign intended to couch labor's goals within a specifically Christian framework. Structured like a religious revival, Labor Forward used evangelical tactics like house canvassing, conversion testimonials, and camp meetings to spread the message. Directed primarily at craft unions while ignoring the nation's growing industrial union base, the effort soon foundered. See Elizabeth Fones-Wolf & Kenneth Fones-Wolf, Trade-Union Evangelism: Religion and the AFL in the Labor Forward Movement, 1912–16, in WORKING-CLASS AMERICA: ESSAYS ON LABOR, COMMUNITY, AND AMERICAN SOCIETY 153, 155–72 (Michael H. Frisch & Daniel J. Walkowitz eds., 1983).


32 For broad critiques of modern unionism incorporating these descriptors, see generally ROBERT FITCH, SOLIDARITY FOR SALE (2006); LICHTENSTEIN, supra note 22, at 162–66 (discussing the history of union corruption); KIM MOODY, US LABOR IN TROUBLE AND TRANSITION (2007).
This Article argues that labor unions offer a fruitful path for spiritual and participatory renewal in mainline Protestant religion. Proactive involvement in workplace organizing, from the senior pastor all the way down, has the potential to ignite congregations in ways that other activities, from bible studies to soup kitchens to various community activities, do not. The American labor movement, even in its depleted form, provides space to energize and animate Social Gospel theology, transferring its power back to congregations that assist in the difficult work of forming a union.

Part I of this Article frames a potential cause of church decline through the findings of a detailed empirical study on modern mainline church culture. Part II surveys the works of Walter Rauschenbusch and Reinhold Niebuhr and posits that the maladies identified in Part I should prompt a renewed focus on their theology. Part III then transports Rauschenbusch’s and Niebuhr’s focus on economic justice into today’s world, concluding that their vision of the Christian church is actualized through the work of union-building. The fit is strong enough that, properly oriented, churches might be compelled to join workers’ organizing efforts for the good of their own communities.

I. THE SHAPE OF MAINLINE CHURCH DECLINE: WORK AND THE ALIENATED MIDDLE CLASS

For Robert Wuthnow, the director of the Center for the Study of Religion at Princeton University, shrinking rolls and slumping finances are rooted in a spiritual crisis in American mainline religion. Under siege from a culture that afflicts its members with materialistic yearnings and individualistic values, the church has in almost every instance chosen to accommodate rather than challenge these dominant trends. Where sermons urge service because it lifts one’s own spirits, and newsletters marginalize wealth’s spiritual implications except to say it should not be adored, congregants are seemingly free to

disregard the ways that the church once darkly branded the material world. Instead, argues Wuthnow, it is now creation that brands and the church that capitulates.

It is somewhat surprising, then, that an institution so focused on maintaining relevance with the outside world is also unmoored from the day-to-day realities faced by the middle class, who "[b]y almost any criteria" fill up the bulk of the pews. An intensive two-year study of a broad cross section of American mainline churches led Wuthnow to conclude:

For all its interest in the poor, the church in the United States is overwhelmingly a ministry to the middle class.... They have the wherewithal to support their churches generously. But they also suffer from the pressures to which middle-class families are increasingly exposed—pressures of working harder to make ends meet, worries about retaining one's job, lack of time for one's self and one's family, marital strains associated with two-career households, and the incessant demands of advertising and the marketplace. These are the daily preoccupations of the middle class, yet clergy have often been reluctant to acknowledge these issues as legitimate concerns or to address them seriously. Instead, it has seemed more "Christian" to provide token assistance to the poor and to pray for the needy who live thousands of miles away.

That is, those streaming away from the mainline church might be leaving because they no longer recognize the church they grew up in. But more likely, it is because the church they grew up in no longer recognizes them.

\[35\] Id. at 39, 200.

\[36\] See WUTHNOW, CRISIS IN THE CHURCHES, supra note 33, at 221 ("Middle-class churches ultimately may be too deeply embedded in the dominant social order to challenge it very much.").

\[37\] Id. at 57, 6 ("For all its interest in the poor, the church in the United States is overwhelmingly a ministry to the middle class.").

\[38\] In the course of this study, Wuthnow gathered information from scores of clergy throughout the United States and from most of the major U.S. confessional and denominational traditions. Over a two-year period, visits were made to their churches, information was obtained about their congregations and about church finances and budgets and stewardship drives, and each pastor underwent an interview on a wide range of topics that in most cases took nearly three hours to complete. More than 200 of their sermons were also obtained....

\[39\] Id. at 8.

\[40\] See id. at 7 ("The clergy must do a better job of relating theology to everyday life, and they must realize that everyday life consists mostly of the work that people
In no area has the church's relevance to middle-class life diminished more than at work. At one time work was conspicuously stressed as a means to service, self-improvement, and a "disciplined orientation" to a Christian life. Money was only a means to satisfy duties owed to God, family, and community, not an end itself. Gradually, however, connections between the mainline church and middle-class work weakened. The spiritual emphases pastors place on employment has dwindled, with work now conceived as a largely secular arena. Pastors have become uncomfortable talking with parishioners about their jobs, not wanting to be seen as meddling in a topic that touches on personal finances, traditionally awkward for members to discuss. When pastors do address work, nearly all preach or counsel church members that it is primarily a venue to pursue personal happiness.

Wuthnow views this as problematic. The pursuit of happiness is both a deeply engrained American theme and drawn from a therapy culture, leading him to consider its invocation by clergy a spiritually empty grasp for relevance. Moreover, though simple enough, the advice to "pursue happiness" at work may be confounding to the average middle-class churchgoer, who likely finds himself or herself in a career, job, or wage hierarchy do in their ordinary jobs, not the work they do for an hour or two a week in the church basement.

41 WUTHNOW, CHRISTIANITY, supra note 34, at 200.
42 Id.
43 WUTHNOW, CRISIS IN THE CHURCHES, supra note 33, at 87; see also KEN ESTEY, A NEW PROTESTANT LABOR ETHIC AT WORK 2 (2002) ("Sermons or Bible studies rarely featured the issue of one's work. There were no public avenues to discuss problems at work or to organize for solutions. Whether one's work was somewhat satisfying or simply unbearable, church served only as a temporary haven removed from the stresses and strains of work life, which people were expect to weather alone.").
44 WUTHNOW, CRISIS IN THE CHURCHES supra note 33, at 80.
45 Id. at 90 ("[Pastors] assume . . . that God positively wants people to be happy. Thus, the right work, the career to which an individual could feel called, is work that makes him or her feel good about what he or she is doing."); see also id. at 91 ("The theme of happiness is clearly in evidence in the sermons clergy preach about work. Virtually every one of the sermons we examined, in fact, stressed that God wants people to be happy and that something is probably wrong if one's work is not a source of personal happiness.").
46 Id. at 99 ("The fact that clergy resort to words drawn from the worlds of advertising, therapy, and vocational counseling is symptomatic of the declining influence of theology.").
by circumstance, not design.\textsuperscript{47} It is also, Wuthnow notes, an unrealistic prescription that pushes aside scripture and traditions that connect labor with toil, strain, and social betterment.\textsuperscript{48} Most mainline clergy see only the church, not the workplace, as appropriate for pursuing social justice or service aims.\textsuperscript{49}

Wuthnow observes in total that the church “sets up few standards that might conflict with the functioning of the labor market[:]… It merely tells [members] to adjust their thinking.”\textsuperscript{50} That may be convenient for the labor market, but not for mainline church members, who “are not likely to go away with a more profound sense of how their work should be considered in the building of God’s kingdom.”\textsuperscript{51}

A church that, under cultural siege, fails to define its uniquely Christian borders and fails to connect with the problems of its own members may still be a Christian church. But it may not still be a Christian community. It may instead become an institution with members who just as easily turn to the Sierra Club for philanthropy or a neighbor for advice than to the weekly offering plate or pastor.\textsuperscript{52} Writes Wuthnow: “The question that faces us, then, is whether the church can still be a vital source of community, or whether it too is beginning to succumb to the impersonal forces that fragment our society.”\textsuperscript{53}

\section{II. \textsc{Walter Rauschenbusch and Reinhold Niebuhr}}

Wuthnow’s modern critique gains historical resonance when placed against the writings of Walter Rauschenbusch, the forbearer of the Social Gospel movement, and Reinhold Niebuhr, usually categorized as a Social Gospel critic but whose theology

\begin{footnotes}
\item[47] Id. at 100.
\item[48] Id. at 102.
\item[49] Id. at 98; see also ESTEY, supra note 43, at 2 (“Many workers in the United States also believe that difficulties in the workplace are only private matters. The widely used phrases ‘private enterprise’ and the ‘private sector’ are accomplices to the idea that workplace matters are not aspects of the ‘public realm.’ Rather they can be handled ‘internally’ by one’s immediate supervisor or the company’s human resource department.”).
\item[50] WUTHNOW, THE CRISIS IN THE CHURCHES, supra note 33, at 102.
\item[51] Id.
\item[52] See id. at 6.
\item[53] WUTHNOW, CHRISTIANITY, supra note 34, at 33.
\end{footnotes}
overlaps with Rauschenbusch in important ways. Given this fit, Part II suggests that the issues Wuthnow identifies should prompt a renewed focus on these early to mid-twentieth-century theologians.

A. The Shape of the Social Gospel: Walter Rauschenbusch

In his seminal 1907 Social Gospel text, *Christianity and the Social Crisis*, Walter Rauschenbusch argues that the character of society and the character of the church are inextricably linked, such that the “church community” cannot be considered in isolation from the civilization that surrounds it. The church’s financial state, he notes for example, is clearly tied to broader economic conditions.

For Rauschenbusch, recognizing this reflexive interplay between the congregation and society is not just of practical import to the church budget, it is a biblical necessity. The prophets, Rauschenbusch asserts, insist on a “righteousness [that] is not merely the private morality of the home, but the public morality on which national life is founded[,] . . . [saying] less about the pure heart for the individual than of just institutions for the nation.” He suggests that Jesus similarly views love as a means to refocus humanity on community and to reconstitute society on a “cooperative basis.”

Rauschenbusch also stresses that the social world confronted by Jesus and the prophets was not all that unlike the world of his own time, where nascent avenues of commerce and “mobile wealth” spawn new levels of inequality, an underclass of debt-ridden poor, and a system of legal justice reserved for the wealthy. He expresses grave concern, however, that “economic individualism” has so muddied the modern conception of

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55 WALTER RAUSCHENBUSCH, *CHRISTIANITY AND THE SOCIAL CRISIS* 192, 352–54 (Harper & Row, Publishers, Inc. 1964) (1907) (“The causal influences running back and forth between the civil and the ecclesiastical organization of the people are far more powerful than is generally understood.”).
56 See id. at 301–03.
57 Id. at 8.
58 See id. at 68.
59 Id. at 32.
60 Id. at 15 (“In time Israel drifted away from . . . [distributive] fairness and simplicity, just as we are drifting away from it.”).
“national life” that Christians have lost the ability to decode these and other core messages of Scripture.⁶¹ According to Rauschenbusch, these messages require Christians to commit to a life in relation with others that is “so radically different from the present that it involve[s] a reversal of values, a revolutionary displacement of existing relations.”⁶²

While Rauschenbusch assigns clergy, who can leverage the rhetorical and teaching powers of the pulpit, an important part in reforming society to this end, the primary “evangel” of the new form of social life is “the ordinary Christian.”⁶³ Rauschenbusch envisions a critical mass of Christians injecting a “diffuse[,] spontaneous moral impulse in the community,” leading to the creation of “humane customs” that can ultimately remake society first through habit and then through concrete legislation.⁶⁴ To illustrate, Rauschenbusch explains that, “Religion first created the custom of Sunday rest and the law then protected it. . . . If it was not already so firmly established in our life, it would be almost impossible to wrest one full day from the whirl of modern commercialism.”⁶⁵ That example reveals Rauschenbusch’s conception of state power, which is bottom-up and contingent upon the support of the people, who are in turn amenable to church influence.⁶⁶

Rauschenbusch specifically pushes Christians to focus their efforts towards molding customs relevant to the plight of the working class, such as securing an expectation of rest and

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⁶¹ See id. at 10. Rauschenbusch laments, for example: “We usually conceive of the community as a loose sand-heap of individuals and this difference in the fundamental point of view distorts the utterances of the prophets as soon as we handle them.” Id.

⁶² Id. at 90.

⁶³ See id. at 357.

⁶⁴ See id. at 374–75.

⁶⁵ Id. at 375.

⁶⁶ See id. at 375–77. Rauschenbusch further explains:

Any permanent and useful advance in legislation is dependent on the previous creation of moral conviction and custom. It is a commonplace that a law cannot be enforced without the support of public opinion, and that an unenforced law breaks down the usefulness of all related laws and the reverence for law in general. If the law advances faster than the average moral sense, it becomes inoperative and harmful. The real advance, therefore, will have to come through those social forces which create and train the sense of right. The religious and educational forces in their totality are the real power that runs the cart uphill; the State can merely push a billet of wood under the wheels to keep it from rolling down again.

Id. at 376–77.
bathroom breaks for retail workers.\textsuperscript{67} Indeed, just as Rauschenbusch holds communal institutions such as public schools, public parks, public festivals, and public utilities in high regard,\textsuperscript{68} he argues that working people as a class represent the greatest hope for national renewal along the lines prescribed by Scripture:

\begin{quote}
[T]he new Christian principle of brotherly association must ally itself with the working class if both are to conquer. Each depends on the other. The idealistic movement alone would be a soul without a body; the economic class movement alone would be a body without a soul. It needs the high elation and faith that come through religion. Nothing else will call forth that self-sacrificing devotion and life-long fidelity which will be needed in so gigantic a struggle as lies before the working class.\textsuperscript{69}
\end{quote}

If such partnership can indeed result in social progress, Rauschenbusch believes it should come gradually and progressively.\textsuperscript{70} The journey, however, will not necessarily be peaceful, as change is ultimately a struggle between opposing interests, and those with power will share it only when other options are foreclosed.\textsuperscript{71} But as Rauschenbusch assures, Christianity compels no less an end: "[T]he Christian temper of mind, the honest regard for the feelings and the welfare of others, the desire to make our life serve the common good, would get its first chance to control our social life in a society organized on the basis of solidarity . . . .\textsuperscript{72}

Rauschenbusch thus pins hopes for a flourishing church on the shape of the American middle class.\textsuperscript{73} Instead of a church that merely acknowledges and offers prayerful solace to workers' plight, he calls for a church that proactively improves it. The

\begin{footnotes}
\item[67] Id. at 375.
\item[68] See id. at 398–99.
\item[69] Id. at 409.
\item[70] Id. at 410 ("It is devoutly to be desired that the shifting of power should come through a continuous series of practicable demands on one side and concessions on the other.").
\item[71] Id. at 411 ("The possessing class will make concessions not in brotherly love but in fear, because it has to.").
\item[72] Id. at 398.
\item[73] See, e.g., id. at 297–98 ("[Churches'] perils increase as wealth accumulates in few hands and the social extremes draw farther apart.").
\end{footnotes}
church Rauschenbusch envisions spins outward into the world, morphing mores, customs, and minds so that American life will better fit Gospel aspirations and, in turn, the congregation itself.

B. Beyond the Social Gospel: Reinhold Niebuhr

Reinhold Niebuhr would not contest the importance of external congregational activities in strengthening the church and society. But he does not agree with Rauschenbusch's notion that the church can and should work toward the "reconstruction of society from the social teachings of Jesus." Niebuhr states that Christ's perfectionism "offers no basis for a social ethic that deals responsibly with a growing society," and urges that while there is indeed a very rigorous ethical ideal in the gospel of Jesus, . . . there is no social ethic in the ordinary sense of the word in it, precisely because the ethical ideal is too rigorous and perfect to lend itself to application in the economic and political problems of our day. Jesus, instead, serves at best only as a "vantage point from which to condemn the present social order."

The problem, Niebuhr stresses, is sin. Because "complete selflessness" in human relations is not possible, Jesus's love can be practiced by the church only imperfectly. Attempts to translate Christ's love into the "collective relations of [humankind]" pushes Christianity toward irrelevance because the antidote—human love—is itself irreparably infected by the disease it seeks to cure—self-interest. Having failed to "deal[] realistically with the facts of human nature," Niebuhr laments that "[n]owhere has the liberal church played more false to its generation than in its optimistic and romantic interpretation of human nature," which has in turn "produced moral complacency rather than the spirit of repentance." Rauschenbusch's call to

75 Id. at 33.
76 Id. at 30.
77 Id. at 33.
78 REINHOLD NIEBUHR, Justice and Love, in LOVE AND JUSTICE, supra note 74, at 27, 27 [hereinafter Justice and Love].
80 REINHOLD NIEBUHR, The Ethic of Jesus and the Social Problem, in LOVE AND JUSTICE, supra note 74, at 29, 37 [hereinafter The Ethic of Jesus].
translate prophetic and Gospel love into society's institutions and structures, in other words, is not merely misguided but counterproductive to the church itself.

Yet Niebuhr does not advocate a church insulated or isolated from the outside world. Rather, the church can honor the unfortunate state of human nature by avoiding attempts to order society on a love ethic and embracing attempts to order society based on justice. Justice, emphasizes Niebuhr, both "admits ... claims of the self" and "requires that they be resisted." It is thus a "realistic" attempt to reconcile human sin with the Gospel's lofty ethical standards. Relative to a perfect love ethic, Niebuhr also deems it a "second-rate Christianity," a mere "approximation of brotherhood under conditions of sin," and "something less than love," because it exists within the "realm of tragic choices." That is, in pursuit of justice Christians are often left with difficult and complex decisions:

Sometimes we must prefer a larger good to a smaller one, without the hope that the smaller one will be preserved in the larger one. Sometimes we must risk a terrible evil (such as an atomic war) in the hope of avoiding an imminent peril (such as subjugation to tyranny).

But such is the reality of Christian work that accounts honestly for humanity's sinful character, pushing aside idealisms unlikely to provoke tangible change.

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82 *Justice and Love,* supra note 78, at 28.

83 *Id.*

84 Robertson, supra note 81, at 13 (citation omitted) (internal quotation marks omitted).

85 *Justice and Love,* supra note 78, at 28.

86 *Id.* at 29.

87 *Id.*

88 *Id.* ("[A]ny illusion of a world of perfect love without the[] imperfect harmonies of justice must ultimately turn the dream of love into a nightmare of tyranny and injustice.").
From Niebuhr's perspective, the church has no choice but to confront issues of social justice because the church itself is a cog in society's unjust machinery,\(^9\) and remaining neutral is effectively a choice to ally with a side.\(^9\) And like Rauschenbusch, Niebuhr believes that, in the struggle, it is the church's duty to cast its lot with working people: "A Christian ethical idealism that espouses the cause of proletarian groups and identifies itself with their political movements is, in short, as pure as any Christian movement that assumes a responsible attitude toward society."\(^9\)

But if the choice to aid the working classes is easy, the struggle itself is not. Niebuhr contends that the "struggle for social justice in the present economic order involves the assertion of rights, the rights of the disinherited, and the use of coercion."\(^9\) All, he acknowledges, are "incompatible with the pure love ethic found in the Gospels."\(^9\) Nonetheless, Niebuhr urges that both coercion and rights assertion are absolutely essential.\(^4\)

Within this framework, Niebuhr leaves definite space for the emergence—though not necessarily consummation—of Christ's love. He writes: "The fight for justice in society will always be a fight. But wherever the spirit of justice grows imaginative and is transmuted into love, a love in which the interests of the other are espoused, the struggle is transcended by just that much."\(^9\)

Thus, for Niebuhr the struggle for justice is a concrete step on the Christian's quest to establish Christ's love in civilization.\(^9\) In fact, for Niebuhr, justice's true potency rests simply in the journey toward it, where possibilities once thought unimaginable

\(^9\) Niebuhr writes: "[T]he social struggle is a reality in society and we will be contaminated by it" unless the congregation commits to leave society entirely. *The Ethic of Jesus*, supra note 80, at 40.
\(^9\) Id. ("[N]eutrality... really means alliance with the entrenched position[, for]... we are either on the side of privilege or need[, and no ethical perfectionism can save us from that choice.").
\(^9\) Id.
\(^9\) Id. at 34.
\(^9\) Id.
\(^9\) Id. ("[I]ntelligence and spiritual and moral idealism may qualify economic interest, but they do not destroy it... [W]e see no possibility of a group voluntarily divesting itself of its special privileges in society.").
\(^9\) Id. at 38.
\(^9\) Scholar D. B. Robertson notes that Niebuhr once "referred to justice as the plumbing between the ground and the superstructure [of love]." Robertson, *supra* note 81, at 13; see also id. (quoting Niebuhr as believing that the "desire for justice is one form of love") (citation omitted) (internal quotation marks omitted)).
suddenly seem attainable. Justice seeking, he writes, spurs a religious imagination, "in which the potentialities rather than the immediate realities are emphasized."97 Space is created to "disregard present facts and appeal to ultimate possibilities," unsettling Christians such that the "needs of the social foe are appreciated, his [or her] inadequacies are understood in the light of [the] situation, and [the] possibilities for higher and more moral action are recognized."98 In the end, whether love is actually attained is less important than the Christian's intention to achieve it. Christ, Nieburhr believes, can be followed in just the attempt.99

C. Economic Justice as a Gospel Imperative

Both Walter Rauschenbusch and Reinhold Niebuhr suggest that steady, intentional, whole-church efforts toward economic justice are not simply good Christian activities, they are Gospel imperatives. As a result, though Niebuhr is commonly thought of as a Social Gospel critic, he does not ultimately depart from a fundamental Social Gospel claim: To be a Christian is to ally with working people, and to be a Christian church is to be in part defined by that very work.

Rauschenbusch and Niebuhr would therefore seem to inform Wuthnow's data suggesting that church membership declines can in part be attributed to institutional patterns of conforming to culture instead of challenging it and of failing to connect with the anxieties of middle-class members. Social Gospel theology and its variants, one might assume, would be primed to reemerge as avenues to energize today's mainline church.

III. THE ROAD HERE AND A BRIDGE BEYOND

Indications suggest that this theology has not, in fact, experienced any revival in American mainline Protestant religion. While Wuthnow's research does reveal that most mainline clergy generally encourage social justice efforts within their congregations, they tend to define the work so broadly that the activities do little to confront the economic power structures

97 The Ethic of Jesus, supra note 80, at 38.
98 Id.
99 Id. ("The love ideal which Jesus incarnates may be too pure to be realized in life, but it offers us nevertheless an ideal toward which the religious spirit may strive.").
of concern to Rauschenbusch and Niebuhr.\textsuperscript{100} This point has recently been echoed by others.\textsuperscript{101} Furthermore, few of the studied clergy are able to explicate why, theologically, churches should attempt to engage in this type of work.\textsuperscript{102}

Part III posits that union-building attempts offer a concrete venue for mainline churches to engage the Social Gospel productively and for the benefit of their congregations.

A. The Need for “Prophetic” Economic Ministry in the Mainline Church

In a modern context, Rauschenbusch’s and Niebuhr’s writings, along with Robert Wuthnow’s data-driven judgment that mainline church decline can be traced to a failure to address middle-class insecurities and remain culturally distinct, call out for the economic consciousness that currently dominates to be defined, acknowledged, and then challenged. Such work has been termed by prominent Biblical scholar Walter Brueggemann “prophetic ministry,” because it aims “to nurture, nourish, and evoke a consciousness and perception alternative to the consciousness and perception of the dominant culture around

\textsuperscript{100} See WUTHNOW, CRISIS IN THE CHURCHES, supra note 33, at 207–08.

\textsuperscript{101} See, e.g., JEFFREY K. KREHBIEL, REFLECTING WITH SCRIPTURE ON COMMUNITY ORGANIZING 7–8 (2010) (noting that the “vocabulary” of certain community empowerment techniques “is troubling to many church leaders” who are therefore reticent to become involved in such efforts).

\textsuperscript{102} WUTHNOW, CRISIS IN THE CHURCHES, supra note 33, at 217 (stating that clergy are often unable to form “distinct theological arguments about the special connections between biblical faith and social justice”). This is not true for all, of course. Wuthnow notes that some pastors argue that working for social justice is something that people should do in obedience to God, as part of God’s created order, and in rhythm with the inevitable cycles of decay and renewal of all systems. Even if one’s efforts are ineffective, the task is to stay committed and work for what is right. . . . [O]bserved one pastor[,] “The church is not called to do what the church does based on how viable it is and how great an impact it will make[,] . . . [s]ocial justice is part of the expression of the Gospel in the world.”

\textit{Id.} at 223–24.
us." Today, a prophetic ministry focused on middle-class economics might identify this consciousness as an idolatry of unrestrained markets.

Indeed, as a prominent legal journalist has written, a consensus has emerged among liberals and conservatives alike regarding the inherent goodness of free markets and general dangers of regulation. Economist Robert Kuttner calls this phenomenon "the elite consensus," which has become so entrenched that a different course would require "reject[ing] an entire...paradigm of how the economy works and of government's role in it." Among mainline Christians, theologian William Cavanaugh has identified a "profound sense of resignation to fate in attitudes toward the market." Among evangelicals, the prominent pastor Brian McLaren has recently underscored that the prevailing evangelical "framing story"

103 WALTER BRUEGGEMANN, THE PROPHETIC IMAGINATION 3 (2d ed. 2001) (italics omitted). Brueggeman explains prophetic ministry in the following way: The alternative consciousness to be nurtured, on the one hand, serves to criticize in dismantling the dominant consciousness. To that extent, it attempts to do what the liberal tendency has done: engage in a rejection and delegitimizing of the present ordering of things. On the other hand, that alternative consciousness to be nurtured serves to energize persons and communities by its promise of another time and situation toward which the community of faith may move. To that extent, it attempts to do what the conservative tendency has done, to live in fervent anticipation of the newness that God has promised and will surely give.

Id.

104 RICK FANTASIA & KIM VOSS, HARD WORK 3 (2004) ("In the United States the business press, along with a veritable army of journalists, academics, and politicians who are in thrall to business, have long been involved in the painstaking work of projecting an image of capitalism as much larger than itself, as something transcendent."); see also id. at 4 ("The one thing the so-called New Economy has seemed able to produce most abundantly has been tales about its own invincibility...").

105 Jeffrey Rosen, Supreme Court Inc., N.Y. TIMES, Mar. 16, 2008, at MM38 ("With their pro-business jurisprudence, the justices may be capturing an emerging spirit of agreement among liberal and conservative elites about the value of free markets. Among the professional classes, many Democrats and Republicans, whatever their other disagreements, have come to share a relatively laissez-faire, technocratic vision of the economy and are suspicious of excessive regulation and reflexive efforts to vilify big business.").

106 Robert Kuttner, New President, New Crisis, AM. PROSPECT, Apr. 2008, at 3; see also Simon Johnson, The Ruinous Fiscal Impact of Big Banks, N.Y. TIMES, Feb. 3, 2011, http://economix.blogs.nytimes.com/2011/02/03/the-ruinous-fiscal-impact-of-big-banks/ (writing, as the former chief economist of the International Monetary Fund, that multinational banks have "captured the hearts[,] minds, and, some would say, pocketbooks of the regulators").

promotes apathy and deters intervention in the face of wealth inequality. And even the recent collapse of the world’s financial markets has not seemed to tarnish faith in the notion that unbridled markets work best. As the New York Times reported in the wake of the 2010 World Economic Forum in Davos, Switzerland, the world’s leading regulators, economists, central bankers, and business leaders agree that the crisis would not result in any new requirements relevant to the business practices that actually caused the 2007–2008 global financial crisis.

The beginnings of this consciousness might be traced to the early 1970s and the first dedicated corporate attempts to nudge Americans away from the presumption that certain forms of intervention are necessary to ensure that markets produce more or less even gains throughout the economy. The result has been what some have termed a “second Gilded Age.” Amid record-breaking corporate profits, workers’ real hourly wages

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109 See, e.g., Susanne Craig, Wall Street Gets Its Groove Back, and Big Pay, Too, N.Y. TIMES, Nov. 4, 2010, at B1 (“One does not have to look far to see that Wall Street has found its stride again.”); Susanne Craig & Kevin Roose, With a Swagger, Wallets Out, Wall Street Dares To Celebrate, N.Y. TIMES, Nov. 24, 2010, at A1 (“Two years after the onset of the financial crisis, the stock market is recovering and Wall Street’s moneyed elite are breathing easier again.”); Paul Krugman, Editorial, Wall Street Whitewash, N.Y. TIMES, Dec. 17, 2010, at A39 (“In the end, those of us who expected the crisis to provide a teachable moment were right, but not in the way we expected. Never mind relearning the case for bank regulation; what we learned, instead, is what happens when an ideology . . . confronts inconvenient facts. And the answer is, the facts lose.”); Floyd Norris, Want a Big Raise? Get a Job on Wall St., N.Y. TIMES, Oct. 23, 2010, at B3 (“Wall Street incomes are surging back.”).
have not experienced an increase in over thirty years.\textsuperscript{114} Given that during that time employee productivity has increased by eighty-six percent, the problem is not that employees are not working hard enough.\textsuperscript{115} The issue, rather, is that their hard work has increasingly benefited a smaller and smaller slice of America. In 1976, the richest one percent of the population earned nine percent of the nation’s income; today they earn twenty-four percent of it.\textsuperscript{116} This is a level of income inequality unmatched since the late nineteenth century—the first “Gilded Age”\textsuperscript{117}—with levels worse than those existing in Nicaragua, Venezuela, and Guyana.\textsuperscript{118} Combining this data with growing evidence that the United States lags behind other nations in various measures of social mobility, the Economist magazine concluded that the nation “risks calcifying into a European-style class-based society.”\textsuperscript{119}

B. Countering the Consciousness: The Unfulfilled Potential of the American Labor Union

There is nothing mysterious about an economy that boasts high productivity without an even diffusion of consequent prosperity. As detailed in the annual economic treatise, \textit{The State of Working America}, “while faster productivity growth creates the potential for widely shared prosperity, if that potential is to be realized, a number of other factors have to be in place.”\textsuperscript{120} Outside of governmental efforts like the minimum wage and progressive taxation, collective bargaining is a primary institution available to ensure the benefits of increased market productivity and growth are shared between economic classes.\textsuperscript{121}

\textsuperscript{115} \textit{Id.} (“Since 1978, productivity in the nonfarm business sector is up 86%, but real compensation per hour (which includes fringe benefits) is up just 37%.”).
\textsuperscript{118} Kristof, supra note 116.
\textsuperscript{119} \textit{Meritocracy in America}, supra note 117.
\textsuperscript{121} \textit{Id.}
Properly robust, the labor movement can be a "counterweight to the power of U.S. capital" and a "potential social defense" against inequality.\(^{122}\)

In fact, the 1970s marked not only a definite acceleration in various measures of American inequality and inaugural efforts to incubate a pro-business cultural climate, it also coincided with the beginnings of a steep and progressive decline in unionization.\(^{123}\) The authors of *The State of Working America* explain that, "Th[e] falling rate of unionization has lowered wages, not only because some workers no longer receive the higher union wage, but also because there is less pressure on non-union employers to raise wages (a 'spill over' or 'threat effect' of unionism)."\(^{124}\) More generally, unions can operate as an economic wedge, ensuring that the fruits of increased productivity flow down as well as up.\(^{125}\)

Factors contributing to the overall decline in unionization are diverse and well documented elsewhere,\(^{126}\) but one remarkably simple factor is overriding: It has become very difficult to form a union. A single federal statute, enacted in 1935 during the legislative frenzy of President Roosevelt's New Deal business reforms,\(^{127}\) governs workplace organizing. Called

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\(^{123}\) See Eduardo Porter, *Unions Pay Dearly for Success*, N.Y. TIMES, Jan. 29, 2006, § 3, at 4 (stating that today the percentage of unionized private sector workers stands at a third the level reported in the 1970s).


\(^{125}\) See id. at 204 ("Unions reduce wage inequalities because they raise wages more at the bottom and in the middle of the wage scale than at the top. Lower-wage, middle-wage, blue-collar, and high-school educated workers are also more likely than high-wage, white-collar, and college-educated workers to be represented by unions. These two factors—the greater union representation and the larger union wage impact for low- and mid-wage workers—are key to unionization's role in reducing wage inequalities."); see also Bruce Western & Jake Rosenfeld, *Unions, Norms, and the Rise in U.S. Wage Inequality*, 76 AM. SOC. REV. 513, 513 (2011) ("Accounting for unions' effect on union and nonunion wages suggests that the decline of organized labor explains a fifth to a third of the growth in inequality—an effect comparable to the growing stratification of wages by education.").

\(^{126}\) See supra notes 19–23.

the National Labor Relations Act (the "NLRA" or the "Act"), the statute provides workers interested in organizing the opportunity to rally colleagues to vote for union representation in a government-run secret ballot workplace election. By the early 1950s, millions of workers had taken part in such elections, union density peaked at over thirty-five percent of the private sector workforce, and businesses—though probably reluctantly—came to simply "accept[ ] labor unions as part of the institutional framework in which they operated."

The partnership did not last, however, as business was forced to adapt to a globalizing and increasingly competitive marketplace where a union was likely to be viewed more like an inefficiency than a value-added partner. Unions, for their part, often acquiesced to the management community's growing unease with the vagaries of collective bargaining by agreeing to concessions, compounding their plight by pulling resources from outside organizing efforts. Sophisticated corporate actors

Great Depression and the advent of President Franklin D. Roosevelt's New Deal spawned a political climate that was favorable to—or at least tolerant of—the major federal legislation thought necessary at the time to promote the growth of organized labor.

129 Id. § 159.
131 Fernando Gapasin & Edna Bonacich, The Strategic Challenge of Organizing Manufacturing Workers in Global / Flexible Capitalism, in UNIONS IN A GLOBALIZED ENVIRONMENT 163, 168 (Bruce Nissen ed., 2002). For a dissenting view on this so-called "labor-management accord," see LICHTENSTEIN, supra note 22, at 98–99.
132 See, e.g., Liebman, supra note 21, at 573–75.
134 See Stephen F. Befort, Labor and Employment Law at the Millennium: A Historical Review and Critical Assessment, 43 B.C. L. REV. 351, 376 (2002) ("The insular attitude of American unions also has interfered with their ability to attract members from a new generation of workers. A 1972 statement by then AFL-CIO President George Meany illustrates the problem: ‘Why should we worry about organizing groups of people who do not want to be organized? If they prefer to have others speak for them and make the decisions which affect their lives, without effective participation on their part, that is their right. . . . I used to worry about the size of the membership. But quite a few years ago I stopped worrying about it, because to me it doesn’t make any difference.’") (alteration in original) (citation omitted); JOHN J. SWEENEY WITH DAVID KUSNET, AMERICA NEEDS A RAISE 85 (1996) ("[B]y the beginning of the 1990s, the entire labor movement was spending less than 5 percent of its resources . . . on organizing.").
then turned to the budding “union avoidance” industry, a network of consultants, law firms, psychologists, and strike management firms dedicated to helping employers derail the union election process at every stage.\textsuperscript{135} Employers taking advantage of the NLRA’s remedial scheme—\textsuperscript{136} which offers penalties so paltry as to seemingly goad the economically rational employer into violating the Act—and largely unhindered by a slow-moving and increasingly “isolated and politicized” National Labor Relations Board (“NLRB”)\textsuperscript{139}—the agency tasked with enforcing and interpreting the Act—caused union density to plummet\textsuperscript{140} and a toxic cycle emerged: “Low union density [became] both a cause and a consequence of employer resistance.”\textsuperscript{141}

The shape of such resistance is portrayed in statistics depicting employer behavior in the lead-up to Board elections, a period that loosely resembles a political campaign with both union and management offering rationales for why workers should vote for or against the union.\textsuperscript{142} During this stage, studies

\textsuperscript{135} See John Logan, The Union Avoidance Industry in the United States, 44 BRIT. J. INDUS. REL. 651, 651 (2006); see also, Steven Greenhouse, How Do You Drive Out a Union? South Carolina Factory Provides a Textbook Case, N.Y. TIMES, Dec. 14, 2004, at A30 (“Companies have long used bare-knuckled tactics to fight unions. But now a surprisingly detailed roadmap to such tactics has emerged from an unusual court battle between EnerSys and its law firm over whose wrongdoing—the company’s or its lawyers”—led to a $7.75 million settlement that EnerSys entered into after federal officials accused it of 120 labor law violations in its seven-year effort to eliminate the union. The company has accused the firm, Jackson Lewis, of malpractice and of advising it to engage in illegal behavior.”).

\textsuperscript{136} Paul Weiler, Promises To Keep: Securing Workers’ Rights to Self-Organization Under the NLRA, 96 HARV. L. REV. 1769, 1787–97 (1983) (“[T]he failure of the system to prevent unfair practices is generally attributed to the weakness of the sanctions for even the crudest forms of retaliation against union supporters, and to delays in the administration of the law.”).

\textsuperscript{137} See Brent Garren, When the Solution Is the Problem: NLRB Remedies and Organizing Drives, 51 LAB. L. J. 76, 78–81 (2000).

\textsuperscript{138} Weiler, supra note 136, at 1795–98.


\textsuperscript{140} MISHEL ET AL., supra note 120, at 182 fig.3W.

\textsuperscript{141} Liebman, supra note 21, at 576.

\textsuperscript{142} See Sachs, supra note 20, at 664–66.
suggest that an average of one in five activists is fired for union support.143 Other forms of management coercion have also been documented, both anecdotally144 and empirically.145 Bribes, threats—including threats to close the business—forced meetings with supervisors, spying, and general intimidation are frequently leveraged by employers to persuade employees to vote against unionization.146 But whatever tactics management chooses to employ—legal or illegal—the efforts gain added potency simply because those who support the union are limited in their own attempts to build momentum for their cause.147


145 See generally BRONFENBRENNER, supra note 20; Kate L. Bronfenbrenner, Employer Behavior in Certification Elections and First-Contract Campaigns: Implications for Labor Law Reform, in RESTORING THE PROMISE OF AMERICAN LABOR LAW 75, 75–89 (Sheldon Friedman et al. eds., 1994).


147 Explains Professor Gordon Lafer:
While management is permitted to plaster the workplace with anti-union posters, leaflets, and banners, pro-union employees are prohibited from doing likewise. Union organizers are banned from ever entering the workplace . . . at any time, for any reason. Employees of the company are banned from talking about forming a union while they are on work time, and are banned from distributing pro-union information except when they are both on break time and in a break room . . . . [This] result[s] in an election environment that more closely resembles the sham “elections” of one-party states than anything we would call American democracy.

C. Spinning out and Looking for Allies: The Corporate Union Campaign

The uninviting NLRB election environment has led many unions to search for alternative avenues to organize workers. One such channel includes union building through private ordering, where workers and employers agree in advance how the parties will conduct themselves during the organizing and voting stages of the union drive. Harvard Law professor Benjamin Sachs shows how a privately ordered agreement allowed the Service Employees International Union (“SEIU”) to organize a group of Houston janitors:

[T]he 2005 agreement obligated each contractor to “take a neutral stance” with respect to the janitors’ decision regarding unionization and to recognize SEIU as the exclusive representative of its workers when a majority signed union authorization cards. For its part, the union agreed to refrain from any economic action directed at the contractors during the organizing campaign. Moreover, although the NLRA provides unions with the right to demand collective bargaining as soon as they organize a single employer, SEIU agreed to accept a novel “collective bargaining trigger.” Under the trigger, SEIU committed to delay bargaining with any employer until it succeeded in organizing a majority of the entire “Houston Area Market,” eliminating the possibility that a single firm’s competitiveness would be threatened by contractual gains secured by the union. Finally, in order to allow their approach to take root, all parties agreed explicitly to refrain from invoking any of the NLRB’s rules or procedures and from filing any petitions or charges with the Board.

148 Describing this phenomenon as the “hydraulic demand for collective action,” labor scholar Benjamin Sachs writes that, “[T]he NLRA’s failings have left the traditional legal channel for collective action blocked, but this blockage has not dissipated the demand for organization. Unable to find expression through the NLRA, the pressure from this continuing demand for collective action has forced its way out through . . . new legal channels.” Sachs, Labor Law Renewal, supra note 146, at 376–77.

149 Id. at 378; see also Adrienne E. Eaton & Jill Kriesky, NLRB Elections Versus Card Check Campaigns: Results of a Worker Survey, 62 INDUS. & LAB. REL. REV. 157, 157 (2009) (noting that an increasingly common type of private ordering includes “[t]he use of card check procedures, whereby employers agree to recognize a union based on a show of authorization cards signed by a majority of bargaining unit workers”).

150 Sachs, Labor Law Renewal, supra note 146, at 379.
Of course, few businesses are likely to agree to such an arrangement when first approached. As a result, unions sometimes conduct “corporate” or “comprehensive” campaigns to pressure companies into signing them.\textsuperscript{151}

At its best, a corporate campaign is unionism styled as a social movement.\textsuperscript{152} In particular, a hallmark of such campaigns is the attempt to “turn key parts of a corporation’s social network against it”\textsuperscript{153} by transforming what could be a narrow labor dispute into a community, state, or national issue.\textsuperscript{154} To this end, tactics employed commonly include litigation, regulatory complaints, political appeals, advertisements, press conferences, rallies,\textsuperscript{155} and even street theater to bring sympathy and attention to workers’ demands.\textsuperscript{156} Also key are alliances with civic, community, and other activist groups to broaden labor’s rhetoric, constituencies, and even goals.\textsuperscript{157} Notably included in this category are religious leaders and organizations, including synagogues and churches.\textsuperscript{158}

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\textsuperscript{152} \textit{FANTASIA \& VOSS, supra} note 104, at 130.

\textsuperscript{153} \textit{Id.} at 128.

\textsuperscript{154} Garden, \textit{supra} note 151.

\textsuperscript{155} See, e.g., \textit{Food Lion, Inc. v. United Food \& Commercial Workers Int'l Union}, 103 F.3d 1007, 1014 n.9 (D.C. Cir. 1997); Bridgesmith \& Gerth, \textit{supra} note 31, at 124–25; see also Bradford Plumer, \textit{Labor’s Love Lost}, NEW REPUBLIC, Apr. 23, 2008, at 26 (“In [SEIU]’s famous Justice for Janitors campaign, which has organized 225,000 janitors since 1985, the union allied with community groups to pressure building owners and cleaning contractors to stay out of the way if their janitors wanted to unionize. When gentle nudges didn’t work, [SEIU] would block traffic, storm private meetings, and file shareholder resolutions. In one campaign against a health care company, [SEIU] organizers told employees to report as many health and safety problems as they could, bogging the employer down in inspection hell.”).

\textsuperscript{156} \textit{FANTASIA \& VOSS, supra} note 104, at 142.

\textsuperscript{157} Garden, \textit{supra} note 151 (“[Comprehensive campaigns] move away from traditional labor rhetoric and include the concerns of the civil rights, environmental, and consumer protection movements, among others, ... sometimes conveying the impression that those organizations—and not the labor union—are the driving force behind the [activities] ...”).

\textsuperscript{158} Bridgesmith \& Gerth, \textit{supra} note 31, at 129. Though, as noted by sociologists Rick Fantasia and Kim Voss, churches are sometimes themselves pressured to become involved in comprehensive campaigns:

\textit{[A] union’s corporate campaign might begin by identifying church groups that have dealings with a company that may be fighting a unionization drive by its workers; the union would then develop a public campaign to expose the hypocrisy between the church’s principals and the company’s in}
D. A Challenge for Mainline Churches

Seeking allies and a collective voice, thousands of men and women are marching out from the workplace and into the world through comprehensive union campaigns. A challenge for mainline Protestant denominations therefore emerges: Will churches and their congregations come out to meet them?

They should. Prescriptions for mainline church renewal are legion and growing,¹⁵⁹ but few if any¹⁶⁰ are focused on developing ministries trained on good jobs and a squeezed and alienated middle class¹⁶¹—that is, the people filling the pews. Given the prospect of the first "jobless" recovery in American history,¹⁶² the

—an effort to get the church group to pressure the company to cease its opposition to unionism.

FANTASIA & VOSS, supra note 104, at 128.


¹⁶⁰ See generally MICHAEL GECAN, METRO INDUS. AREAS FOUND., EFFECTIVE ORGANIZING FOR CONGREGATIONAL RENEWAL 19 (2008) ("In almost every congregation . . . people express concern about the lack of growth or the persistent loss of members, but in those congregations no one is being taught how to initiate and create meaningful public relationships with existing and potential congregational members.").

¹⁶¹ Unemployed churchgoers await an economic "recovery" that, for the first time in U.S. history, is unlikely to create substantial increases in employment. Harold Meyerson, Business Is Booming, AM. PROSPECT, Mar. 2011, at 12 ("America's private sector economy is no longer structured to generate anywhere near the number of jobs it would take to return us to the levels of employment we had in 2007, before the crash."). As for the jobs that have been created, three-quarters are in the nation's lowest-paying industries, offering wages of less than fifteen dollars an hour. NAT'L EMPT LAW PROJECT, WHERE THE JOBS ARE: A FIRST LOOK AT PRIVATE INDUSTRY JOB GROWTH AND WAGES IN 2010, at 1 (Aug. 27, 2010), available at http://www.nelp.org/page/-/Justice/2010/WhereTheJobsAreAugust2010.pdf?nocdn=1? ncdn=1; Meyerson, supra. Employed churchgoers have had their wages decline and their health insurance premiums rise by almost fourteen percent while their employers enjoyed the highest year-to-year increase in quarterly profitability ever. Id.

¹⁶² See, e.g., Meyerson, supra note 161 ("Unlike any recession in American history—including the Great Depression—this one has come at a time when America's leading employers can return to profitability without rehiring large numbers of American workers."); Don Peck, How a New Jobless Era Will Transform America, ATLANTIC, Mar. 2010, at 42, 42 (explaining that the Great Recession may be over, but this era of high joblessness is probably just beginning); James Surowiecki, The Jobs Crisis, NEW YORKER, Jan. 3, 2011, at 19 ("The recession has
need for such work takes on a special urgency. Adrift in an
economy that no longer rewards more work with more pay or
more mobility,163 and without identifiable leadership or plans to
reverse that trend,164 corporate campaigns provide congregants
with a concrete outlet for expression and, at the very least,
something productive to do in an economy where so much feels
far beyond control.165 The campaigns help churches by offering a
pretext and a platform to engage and examine the American
economy and the issues facing working people in particular. As
Brian McLaren argues, to minister effectively churches must
present members with "frames" to narrate otherwise disparate
and unconnected autobiographical events.166 The union corporate
campaign offers mainline churches an immediate, fully formed
frame about economic agency in the midst of financial struggle,
loss, and fear.

Further, while the failure of mainline churches to adequately
compete in the religious consumer marketplace has prompted
many to adopt fresh, more culturally consonant "looks,"167 that
strategy has failed. What is needed, instead, are new,
consciousness-disruptive practices that bold church borders and
embrace what is alternative to that which dominates when
members make their exits.168 Union agitation—which aims for

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163 See supra notes 116–121.
164 See Robert Kuttner, Where's the Protest at Home?, HUFFINGTON POST (Jan.
30, 2011, 5:46 PM), http://www.huffingtonpost.com/robert-kuttner/wheres-the-
protest-at-hom_b_816035.html ("Where is the leadership connecting the
dots ... between the financial meltdown, the record profits and bonuses on Wall
Street, the continuing collapse of home equity, the joblessness, and the assault on
public services in the name of budgetary prudence?") (alteration in original); Andy
Stern, The Third Economic Revolution—Boom or Bust for America?, HUFFINGTON
POST (Feb. 2, 2011, 8:53 AM), http://www.huffingtonpost.com/andy-stern/the-third-
economic-revolu_b_817284.html ("America still has no plan to keep the American
Dream alive . . . .").
165 See generally, Jim Rutenberg & Megan Thee-Brenan, New Poll Shows
Darkening Mood Across America, N.Y. TIMES, Apr. 22, 2011, at A1 (describing the
nation's pessimistic outlook on the economy according to a recent New York
Times/CBS News poll).
166 McLAREN, supra note 108, at 5–6.
167 See supra notes 35–37; BUTLER BASS, supra note 159 ("Many books about
mainline Protestantism argue for change—how mainline congregations must change . . . .").
168 See supra notes 53–54; Jeffrey K. Krehbiel, Pastor, Church of Pilgrims,
Sermon, A Light Shining on a Hill, (Feb. 6, 2011), http://www.chuchofthe
collective justice in a culture where "my justice" pervades and defies the presumed business freedom to accumulate, command, control, and pay at will—is such a practice.

It is also, according to Rauschenbusch and Niebuhr, what the prophets and Gospels demand. "Healthful human relations seem to run only on horizontal lines," the former writes, and, "[c]onsequently true love always seeks to create a level." Niebuhr too is clear that Christian engagement with the world must seek a justice that, at its core, levels. Solidarity building, I suggest, does just that.

While it is unrealistic to think that many mainline churchgoers would initially be interested in taking part in a corporate campaign, if a specific campaign activity is highlighted in a church bulletin, a small number might. If those members report back to others on the experience, a few more might join next time. And if the following Sunday a worker visited to explain why having a voice in the workplace is important not just to his or her family but to the entire community, a group of members might just decide to become active.

Becoming involved in a corporate campaign, of course, does not necessarily require great time, effort, or even, frankly, activism. In Ohio, Presbyterian church members supported workers simply by attending hearings publicizing issues important to the campaign. Responding to immigration raids during the multi-year Smithfield Foods campaign in North

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169 Brian McLaren has suggested the existence of a national culture of individualism in detail and through the lens of evangelical theology. MCLAREN, supra note 108, at 67–70. Perhaps the most well-known study of American individualism can be found in ROBERT N. BELLAH ET AL., HABITS OF THE HEART (1985).


171 The Ethic of Jesus, supra note 80, at 40 ("A Christian ethical idealism that espouses the cause of proletarian groups . . . [is] as pure as any Christian movement that assumes a responsible attitude toward society.").

Carolina, a Catholic church hosted an educational forum to help employees plan for family care if they were detained or deported.173

It is similarly unrealistic to think that facilitated involvement in union building is likely to result in definite church attendance gains, at least in the short term. It is, however, a first step in reorienting churches toward the economic anxieties of their members, nurturing a distinctly Christian community in the process.174

CONCLUSION

While the shrinking rolls and resources of America's mainline Protestant churches and America's labor unions highlight a shared vulnerability, the comprehensive union organizing campaign signals a shared opportunity. Unions need allies, and churches need avenues to connect with the economic apprehensions of their mostly middle-class members and visitors. Through Rauschenbusch, Niebuhr, and others, a theology supporting a partnership between the two already exists. The work now awaits.


174 Though beyond the scope of this Article, it has also been suggested that the skills useful to community—and potentially union—based activism are directly relevant to the work of strengthening church communities. See, e.g., GECAN, supra note 160, at 5 (“If you want [your congregation] to reorganize, the tools used for over fifty years by organizations under the umbrella of the Industrial Areas Foundation[, a community change organization,] can help.”). Comprehensive union campaigns are thus a potential training ground for tools that might later be transferred to express church transformation efforts.