

An Open Letter to the Members of the Transportation Workers Solidarity Committee

As you know, a controversy has arisen recently over the TWSC's decision to ban our comrade Charles Dubois from TWSC meetings. This controversy, and the accusations against Charles that are circulating because of it, are hurting our reputation within the workers' movement, distracting us from our political work, and—worst of all—interfering with our ability to help the families of victims of police murder by forging links between the labor movement and the oppressed communities. We are writing to seek a mutual resolution of this controversy in accordance with the norms of workers' democracy, as well as a clarification of the TWSC's official organizational position regarding Charles's attendance at its future meetings.

First, we want to recap, objectively and factually, the sequence of events that generated the controversy. On October 1, 2013, Jack Heyman sent an email addressed to Charles and his son Toussaint, expressly encouraging them to attend the TWSC meeting scheduled for the following evening, October 2. Heyman explained that he was seeking support for his position that the TWSC should withdraw its support for the planned BART worker solidarity rally on October 8.

At the time Charles received Heyman's October 1 email, neither Charles nor anyone else in HWRS or LBB was aware that TWSC had ever proposed or discussed excluding Charles from TWSC meetings, much less that any decision to do so had been made. In retrospect, Charles realized afterwards that starting sometime in January 2012, he had stopped receiving notices of upcoming TWSC meetings. However, until recently, Charles had not attached any particular significance to this.

In the late morning of October 2, however, the members of HWRS, including Charles, received an email from our former comrade, Charles Rachlis of the CWG(US), with whom we have not been on cordial terms since his split from HWRS in mid-2012. Rachlis's email said that during a rally at Chevron in Richmond on October 1, he had “stumbled upon” indications that “the TWSC does not want to have [Charles and Toussaint] attending their meetings,” and appeared to have made a conscious decision not to invite them. According to Rachlis, during the rally, he asked three TWSC members (whom Rachlis did not identify) about an upcoming TWSC meeting they were discussing, and one of them appeared anxious to prevent Rachlis from learning about it. Rachlis speculated that the reason for this was that the person was under the misimpression that Rachlis was still a member of the same political organization as Charles. Rachlis told us that someone from the CWG(US) had written to the three TWSC members in question to clarify that Rachlis was no longer associated with HWRS or LBB, and that in that context, the CWG(US) had expressed disagreement with the exclusion of Charles from the TWSC. However, Rachlis indicated that he had not done anything further about the matter.

Charles and HWRS were skeptical of Rachlis's report that Charles and Toussaint were not welcome at TWSC meetings, particularly as Heyman had just expressly invited them to attend the one on October 2. In any event, Charles, Toussaint, and Dov W. from HWRS attended the October 2 TWSC meeting without incident. They expressed political disagreement with some of the statements and decisions made at the meeting, but they did not speak out of turn or conduct themselves inappropriately.

On Friday October 4, Charles was notified that a TWSC subcommittee meeting, which had been scheduled for that evening, had been cancelled, along with a planned rally at Fruitvale BART on October 8 which was to be the subject of the Friday evening meeting. In the late morning on October 5, Charles sent an email to the TWSC, Heyman, and several other individual TWSC

members, protesting the cancellation of the Friday meeting and the Fruitvale rally on the ground that the decision to do so was undemocratic. In the early afternoon, Heyman responded on behalf of the TWSC, explaining that Yuri Hollie, who originally had the idea for the Fruitvale rally, had changed her mind and decided it was not a good idea.

The last paragraph of Heyman's October 5 email read as follows: "By the way nearly all TWSC members have criticized me for inviting you to our last meeting without first asking approval. They are right and furthermore they've asked me to inform you that you are no longer welcome at TWSC meetings." Aside from Rachlis's email, of which HWRS members were skeptical, this was the first time Charles or anyone in HWRS or LBB had been informed that there was any problem with Charles or Toussaint attending TWSC meetings.

Heyman's email gave no reason why advance "approval" should have been required before Heyman could invite Charles to a TWSC meeting; no information about the identities of the "nearly all TWSC members" to whom Heyman referred; no indication as to when or how the decision to ban Charles had been arrived at; and no explanation whatsoever about why Charles was "no longer welcome" in the TWSC.

Charles promptly responded to Heyman's email with an email protesting his exclusion from the TWSC, which Charles sent both to Heyman directly and to the TWSC's organizational address. However, he did not receive any response from either.

In the afternoon on the following day, October 6, Dov sent an email to Howard Keylor, Jack Gerson, and John Reimann, with a copy to the TWSC's organizational email address. Dov's message quoted the part of Heyman's email regarding Charles's exclusion from the TWSC; pointed out that no reason for the exclusion had been given; protested it as bureaucratic; and closed by telling the three addressees (Keylor, Gerson, and Reimann) that Dov was asking them "to intervene with Heyman and his clique to stop this exclusion," and that he was "writing to you because I think that you still have integrity." Dov's email also warned that HWRS "will not tolerate this treatment. If we are forced to, we will conduct an all-out campaign against the exclusion."

Keylor did not respond to Dov's October 6 email, and has not involved himself in this matter in any way, which is understandable in light of his age and personal situation. Both Gerson and Reimann, however, responded promptly, sending copies of their responses to all of the email addresses to which Dov had sent his email. Both Gerson and Reimann indicated that they disagreed with the exclusion. Reimann added that in his view, Charles had not acted inappropriately at the October 2 TWSC meeting. Neither Gerson nor Reimann requested that his email to Dov be kept confidential.

Even though both Dov's October 6 email, and Gerson and Reimann's responses of the same date, were sent to the TWSC's organizational email address, no one responded on behalf of the TWSC. On October 7, Dov sent an email to Gerson and Reimann, with a copy to the TWSC's address, thanking Gerson and Reimann for their opposition to the exclusion of Charles, and asking them to notify Dov of the next TWSC meeting.

By October 12, five days later, neither Heyman nor anyone else acting on the TWSC's behalf had responded in any way to any of the emails Dov or Charles had sent to the TWSC's organizational address regarding Charles's exclusion from the TWSC. For that reason, HWRS

concluded that in order to protest the exclusion effectively, we needed to communicate directly with the membership of the TWSC. However, we did not have any email list that we were confident would reach all, or at least most, of the people associated with the TWSC. For this reason, we decided to send our next communication to a list of email addresses that Heyman had used to send invitations to Keylor's birthday party, as well as an additional list of people to whom Heyman had sent a TWSC flyer about the BART dispute on September 26, 2013.

HWRS's email, which was sent out on October 12, included the text of Gerson's and Reimann's emails to Dov. It proposed that "the way to resolve this is to open TWSC's meetings to everyone who wants to fight for the victory of BART and transport workers, and that TWSC should have clearly defined points of unity and democratic workers' organizational procedures for membership in the TWSC."

HWRS's October 12 email generated a firestorm of heated discussion. Several people have sharply criticized HWRS for disseminating Gerson's and Reimann's October 6 emails without their permission, and for distributing the October 12 email to such a broad list of people. **It is not the purpose of this letter to contribute further to that discussion, which appears to have distracted everyone—ourselves included—from what is really at issue here.** Suffice it to say that HWRS has apologized, repeatedly, for the one mistake we acknowledge having made, which was to disseminate our October 12 email to a large list, without first verifying that each person on that list was an appropriate recipient, that is, someone we knew or honestly believed was associated with TWSC.

In any event, since October 12, **the real issue has become totally lost** amid the swirl of arguments about the breadth of the distribution list for HWRS's October 12 email, and its incorporation of Gerson's and Reimann's emails. **The real issue always was, and still remains, whether Heyman was justified in telling Charles on October 5 that Charles should not have been invited to the October 2 meeting, and would be excluded from further TWSC meetings.** Resolving this issue requires addressing such questions as the following:

1. When, how, and by whom was this decision was reached? Did the people who made the decision have the authority to act in this way on behalf of the entire membership of the TWSC, without bringing the matter to a vote of the entire organization?
2. What were the grounds for excluding Charles from the TWSC? Were they valid and sufficient?
3. Was it consistent with the principles of workers' democracy to reach the decision to exclude Charles from the TWSC without giving him any warning that this was being considered; without telling him what the reasons were; and without giving him any chance to defend himself?

To that last question, we believe principled members of the workers' movement can have only one answer: No. Whatever Charles may or may not have done in the past, it was clearly wrong to bar him from future TWSC meetings without giving him even the semblance of due process that is offered by the bourgeois system to those accused of wrongdoing—that is, notice of the "charges" against him, and an opportunity to defend himself.

Moreover, in the course of the controversy surrounding this whole sequence of events, Charles—and, either expressly or by implication, HWRS and LBB—have been accused of disruptive behavior, threats of violence, disclosing potentially damaging information to “the agents of the employers,” and acting in a manner “no different from what a provocateur would have done.”

The worst such accusations were those included in an October 12 email from TWSC member Peter Turner, which he later acknowledged was sent (inadvertently, he claims) as a “reply all” to the entire list that received HWRS’s October 12 email. In his email, Turner said the following:

“In late 2011, at several meetings at Local 10 for organizing a support caravan to travel to Longview, I watched Charles intervene repeatedly with criticisms that were not constructive, and which were instead distracting and provocative. The pattern increased in intensity until he came to one meeting with a younger supporter, possibly his son who I don’t know personally, and began speaking out of turn. Any semblance of democratic discussion or elementary personal courtesy was abandoned, substituting implicit threats of violence. The conduct was so extreme that I suspected Charles of consciously acting in the interests of the employing class. His argument was basically that since the TWSC, or Local 10, or whomever (his incoherence made his arguments unclear) would not charter buses, drive to west Oakland, and transport anyone and everyone who wanted to travel to Longview there at our cost, we were all racists. This argument was plainly irrational, race-baiting, and backed by an ultimatum: We agree to his demands or he would not let our meeting continue.

“After that I made my position known in an informal way: I believed that were we to continue planning for a caravan of supporters of Local 21, we needed to understand the need to exclude disrupters or agents of the class enemy (or those who effectively act in that role) from meetings. The Longview struggle was difficult, the federal government and its agencies of repression were using means to defeat us, and we needed strict discipline and an understanding of responsibility in situations where missteps would have undermined the struggle. Charles clearly was not qualified to continue in attendance. As a supposed revolutionary, he should have understood the ramifications of his conduct and controlled whatever demons are driving him. But he did not, or could not. I am not as forgiving as some, including Jack, who have cut him slack for too long. That episode convinced me, but apparently not others. However, it was representative of a pattern of similar examples, and continued afterwards. I only cite the last example because it’s what stuck in my mind most. I have seen him continue and studiously avoided him. At the last TWSC meeting, others present cited other examples of similar conduct that convinced most of us that the time had come to draw a line.”

Obviously, neither Charles individually, nor HWRS and LBB as organizations, are or should be required to accept this kind of calumny without defending ourselves. Moreover, there are those in the workers’ movement who are prepared to stand behind Charles. Many activists who know Charles would characterize him as a passionate, principled, and dedicated supporter of workers and the oppressed communities—one who may voice political criticisms in strong terms, but who does not disrupt meetings, threaten violence to other members of the movement, or otherwise conduct himself inappropriately, and who would never, under any circumstances,

“consciously act[] in the interests of the employing class”—a particularly vile accusation to make against a dedicated militant, especially without a factual basis.

For example, Black Riders Liberation Party member Ma’at Ra El Muhammad has this to say in response to Turner’s description of Charles’s behavior at the Longview organizing meeting, which she attended:

“I was present at the long shore protest planning meeting of 2011 with Charles, and his son. I am writing to make a testimony that the character assassination placed on Charles is completely fake and sounds willfully motivated to purposely discredit Charles and LBB. [Turner said] ‘I watched Charles intervene repeatedly with criticisms that were not constructive, and which were instead distracting and provocative.’ [T]his is nonsense, Charles spoke with a strong and noble stance that stood for the inclusion, extensive outreach, and organizing of the Black and Brown Labor working class workers and solidarity of working class labor workers along all races. ... [F]or you [i.e., Turner] to use these false terms to describe Charles’ position clearly translates that you suppose everyone’s way of communication should be hegemonic as yours, from what I watched Charles waited and listened patiently to speak after others, then he would motion to make a comment.”

Similarly, Richard Mellor, who formerly worked in the workplace as Charles and was in the same union (AFSCME Local 444), had this to say about Charles in an email sent to many TWSC members and other labor activists on October 26:

“We [Charles and I] have had fierce differences. I have not agreed with his approach on more than one occasion. I won’t go in to our differences as that’s not the point here but I would not disagree with many people about his approach. But I will say this. Although Charles was around the Spartacist League who had numerous people in my union, unlike them he actually fought the bosses, opposed them openly in his own right and through the Union. When Charles Smith, who is also on the Transport Committee aggressively and shamefully moved to kick John Reimann who had devoted huge amounts of time to helping Local 444, from one of our membership meetings, Charles Dubois rose and spoke against this strongly despite his disagreements with John. It was not the norm for us to bar visitors from our meetings.

“I would agree with those that Charles can be frustrating, believe me, I have a long experience with the brother. But he never went to the boss when he didn’t get his way in the union and he never used the union bureaucracy against union militants as Charles Smith, a vocal member of the committee did. Charles would write up his stuff and openly in front of you hand it out but that was his way, go to the membership and let the chips fall where they may.

“During the Rodney King affair, we had a white worker who was almost beaten to death by four black youth. Dubois was a most vocal and active member who was part of organizing a crew to help the man finish work he was doing on his home.

“I have seen union staffers and top bureaucrats at these [TWSC] meetings how can someone like Dubois be barred and not them?”

“I stress that there are times I dreaded the thought of going to a meeting and having to deal with Charles, I sympathize with some people about this, he can make meetings more difficult than they would be there’s no doubt about that. But I have never see him disrupt a meeting in a physically harmful or deceitful way. He always abided by the vote in my experience. He demands his say like everyone else. I think that to exclude is justified if the committee is clear about its program, strategy and goals—you don’t agree with this program and approach then this committee is not for you. But I am not sure the committee is clear on this.”

If the picture of Charles drawn by El Muhamad and Mellor is accurate, then Charles has done nothing that should warrants excluding him from participating in the TWSC and similar bodies. Yet, as we noted at the outset, having the kind of accusations against Charles made by Turner and others floating around unanswered interferes with our ability to conduct our practical work within the workers’ movement and the oppressed communities.

Indeed, we believe that by continuing to exclude Charles without giving any reason, and without giving Charles the opportunity to clear his name, **the TWSC is risking harm to its own reputation**. We are confident that the TWSC would not want to become known within the movement as a bureaucratic clique that responds to political criticism by silencing, smearing, and excluding its critics. Yet this is a conclusion many workers could draw, if they learned of TWSC’s exclusion of Charles and then read the statements by Mellor and El Muhamad that we have quoted above.

In short, as long as the dispute between the TWSC and Charles remains unresolved, it has the potential to tarnish the reputations, and thereby impair the effectiveness, of everyone involved, including the TWSC. We believe it is in the interest of all concerned, therefore, to put this controversy behind us and get on with our respective tasks.

Accordingly, by sending this email, **we are asking that the TWSC convene a meeting**, open to all TWSC members and all interested members of the workers’ movement, at which representatives of the TWSC will explain the factual basis for the decision to exclude Charles from TWSC meetings, and Charles and his comrades and supporters will have the opportunity to dispute these facts, and to defend their reputations against the accusations that have been made against them since October 12.

This email has one additional purpose. Charles was recently told by Stan Woods that his exclusion from TWSC meetings is no longer in effect. Charles has no way of knowing whether Woods’s statement is authoritative or correct. We would appreciate it if Heyman, or someone else with authority to act on the TWSC’s behalf, would inform us, officially, whether Charles will be able to attend future meetings of the TWSC.

Sincerely,

The Members and Supporters of HWRS