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Taxpayers have rights, too

Neal McCluskey

is associate director of the Cato Institute's Center for Educational Freedom and author of *Feds in the Classroom: How Big Government Corrupts, Cripples, and Compromises American Education*

Watching the coverage of the big Wisconsin standoff, you could easily get the impression that it's all about the trampling of workers' rights. And individuals do, indeed, have the right to band together in pursuit of better wages and conditions. The problem is, the taxpayers who pay those wages also have rights, and those are the ones currently being trampled. Which highlights the real problem: When government does things, someone's rights are always crushed.

National Education Association president Dennis Van Roekel exemplified the focus recently, declaring that Badger State Republicans are "just attacking workers' rights. . . . They want to silence the public employees."

Framing this as a one-sided attack on basic rights seems to be working for unionists. In a recently released New York Times/CBS News poll, 60 percent of respondents said they opposed "taking away some of the collective bargaining rights" of public employees.

Are Wisconsin Republicans, in fact, trying to take away collective bargaining rights?

The answer is yes and no. Under the law just passed by the state Legislature, public employees - the biggest group of whom is teachers - will be able to collectively bargain for salaries but not benefits. There will also be a cap on wage increases. Workers' ability to bargain collectively won't be eliminated, but it will be constrained.

What's crucial to examine, though, is the much-neglected opposite side of all this rights talk: the right of individuals not to deal with unions and collective bargaining.

For one thing, there's the forcing of people as a condition of public employment to pay union dues. The law will end this egregious violation of individual freedom - the right to associate or not associate with others - but not having to plow money into their coffers is one right the unions absolutely will not tolerate.

Then there is the broader right: that of any taxpayer not to employ workers under terms he finds unacceptable. In other words, just as potential employees have the right to propose conditions for their employment, those who hire them have the right to make their own

proposals and reject those they find unsatisfactory.

But don't elected bodies such as school boards represent taxpayers, putting them on an equal footing with unions?

It's hardly equal, thanks to concentrated benefits and diffuse costs. Public-sector unions have huge incentives to be involved in the politics of whatever their specific area is, while taxpayers have to deal with every single issue with which government is involved. The result is that in any given area, the employees have much greater power than their ultimate employers.

Even more central to equally respecting all people's rights, though, is that the best an elected body can do is represent the majority of taxpayers. Any taxpayers who disagree will have their rights to freely come to terms with those whom they employ violated.

Notably, the impossibility of protecting everyone's rights is a problem when it comes to not just public-school employment, but anything people can conceivably disagree about, whether it's the teaching of evolution, reading *The Adventures of Huckleberry Finn*, or choosing a school mascot. As long as government decides such things, people's rights to determine for themselves what their children will learn, or with what educators they will associate, will be violated.

The solution to this is freedom: Let people decide for themselves with whom they will do business and under what terms, and everyone's rights will be on an equal footing. It would be an especially easy thing to do in education, where private schools already educate millions of children and would proliferate if they didn't have to compete with "free" alternatives.

Unfortunately, there are two major obstacles in the way: education politics, and the teachers' unions that dominate it. To equally respect everyone's rights, politicians would have to end the public schooling monopoly, setting both educators and parents free. But that would decimate union power, and all their current rhetoric about rights notwithstanding, unions would fight madly to keep that from happening.

E-mail Neal McCluskey at nmclcluskey@cato.org.

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