

symbolism is entirely to the point. The symbolism of this present raid says: History is not on bin Laden's side. History is on the side of democracy and freedom. History will not be deterred. Yes, we should ask ourselves: Does it make sense to speak about abstractions like "history"? Does the relentlessness of a man-hunt contain any deeper meanings at all? But there is an answer to these questions. The abstractions express a meaning if we choose to endow them with meaning. Ten years of relentless man-hunting suggest that we have chosen to do so.

Obama's speech on Sunday night was magnificent—although I wish he had mentioned the Iraq war, which, once we had overthrown Saddam, became a war directed largely against Al Qaeda, specifically the branch that was led by bin Laden's man in Mesopotamia, Abu Musab Al Zarqawi. The war against Zarqawi and

his movement became, for a while, a central front in the larger war between Al Qaeda's version of Islamism and America's version of liberal democracy.

But I am quibbling about the past. The president spoke eloquently enough about America's victory over bin Laden himself. The symbolism is unmistakable. The fantasy caliphate is not going to be created. The power of a democratic republic cannot be denied. That was the message. We are winning. Al Qaeda is losing. This is not just a matter of circumstance or luck. We have reason to bang our drums, and people all over the world, and especially in the Muslim world, have reason to respond with a feeling of hope for themselves and for everyone else. Or rather, we are right to believe this, and other people are right to believe likewise, so long as we continue to choose to be relentless.

PAUL BERMAN

## Labor Intensive

*The most radical thing the Obama administration has done.*

ON APRIL 20, Lafe Solomon, the acting general counsel of the National Labor Relations Board (NLRB), issued a complaint against Boeing. Two years ago, the company had announced it was transferring the production of 2,000 airplanes from a unionized plant in Puget Sound, Washington, to a non-union plant outside Charleston, South Carolina. According to Solomon's complaint, what made this decision illegal was the company's motive. High-level Boeing officials had stated publicly that the move was being made in response to strikes—four over the previous two decades—led by the machinists' union at the Puget Sound facility. If Boeing had said the move was dictated by costs or by the weather, the NLRB would not have cried foul.

Forty or fifty years ago, these kinds of cases were common. Now, there are fewer of them—but not because companies are better-behaved. Ever since the Reagan administration, which crippled the NLRB, companies have been free to operate with impunity, moving plants or simply threatening to do so in order to quell organizing efforts. That's why Solomon's complaint, which might have gone unnoticed a generation ago, may be the most radical thing the Obama administration has done.

THE NLRB'S COMPLAINT has, predictably, provoked howls of outrage from

the Chamber of Commerce, the National Association of Manufacturers, and Boeing itself, which called it "legally frivolous." Nine Republican attorneys general have demanded that the NLRB withdraw the complaint, while others on the right have suggested darkly that the agency's real motives are political. "This is nothing more than a political favor for the unions who are supporting President Obama's reelection campaign," charged South Carolina Republican Senator Jim DeMint.

In fact, the President and the White House had nothing to do with the decision. As for Solomon, he is a 39-year civil servant with no history of labor militancy. His complaint stems from a fairly uncontroversial reading of the 1935 National Labor Relations Act (NLRA), and its subsequent interpretation by the courts, according to Karl Klare of Northeastern University's School of Law. Under the NLRA, employers are guilty of an "unfair labor practice" if they "interfere with, restrain, or coerce employees" in the exercise of their right to "form, join or assist labor organizations, to bargain collectively ... and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." That means it's illegal for a business to threaten or penalize workers for seeking to organize a union or going on strike.

According to Solomon's complaint, there is compelling evidence that Boeing did just that. Solomon cited five public statements by Boeing top executives

saying that they were transferring the jobs to South Carolina to avoid strikes. For instance, on October 21, 2009, Boeing CEO Jim McNerney posted a statement on the company's intranet, which is accessible to all employees, attributing the decision to "strikes happening every three or four years in Puget Sound." Such a comment can be seen as an attempt to interfere with the right to strike: It implies that if employees do so, they will lose work to non-unionized plants in other states.

Solomon's complaint is not a ruling, but is instead more akin to a criminal indictment, in that it merely seeks to establish whether there are reasonable grounds for believing an employer has committed an unfair labor practice. By that standard, the complaint is entirely fair. It sets in motion a trial by an administrative law judge in Seattle on June 14. The loser can appeal that decision to the NLRB, whose decision can in turn be appealed before a federal court.

If the case goes that far, Boeing stands a decent chance of prevailing. To win, the NLRB would need to show that Boeing executives intended their words to have a chilling effect on the machinists' rights—but sinister motives are notoriously difficult to prove, even when statements like those of McNerney are in the public record. Ultimately, the case's fate may rest with the political inclinations of the judges. In a 1982 case, *Weather Tamer v. NLRB*, judges on the generally conservative eleventh circuit threw out an NLRB ruling against an employer. The court had been presented with a record of a supervisor stating that if workers joined a union, the company would close the plant but ruled that this statement was not "sufficient to establish a motive to chill unionism."

BUSINESS GROUPS claim that if Boeing loses, no company will be free to hire or fire workers without second-guessing from the NLRB. But there's another, unstated, reason why Republicans and conservatives are so worried about this case. Since the passage of the Taft-Hartley law in 1947, which allowed states to pass right-to-work laws making union organization more difficult, the South and parts of the Rocky

Mountain and Prairie West have become a haven for private firms attempting to avoid unionization. That has had a profound political impact.

The popularity of New Deal liberalism—from the NLRA to Social Security,



ANTHONY RUSSO



*Sderot "looks like a dump, but there's so much creativity here."*

the minimum wage, and progressive taxation—was rooted in the unionized and primarily white working class of the North. That working class has been decimated by the movement of private manufacturing firms to non-union states and overseas. It has been supplanted politically by a private sector non-union working class more attuned to divisions of race and religion than of class. That, and the white Southern backlash to the civil rights movement, were major factors in the growth of a new Republican conservatism—and in America's tilt rightward over the last thirty years.

The Boeing case, then, isn't just about corporate prerogatives. It's also about the future of American politics. With Solomon's complaint, the NLRB has taken a small but definite step toward restoring an earlier America—one where politics wasn't dominated by the Chamber of Commerce or demagogues like Jim DeMint, and workers had rights that mattered.

JOHN B. JUDIS

## Town and Country

*Sderot and the future of Israel.*

**I**N APRIL, the southern Israeli town of Sderot hosted its eighth annual French film festival, which was an achievement more impressive than it sounds. Sderot is a small town, and it is also a poor one; it has only 20,000 residents, many of them immigrants from former Soviet Asian republics.

But Sderot's biggest challenge may be the missiles. For the past ten years, not long after the beginning of the Second Intifada in 2000, Hamas has launched thousands of Qassam missiles over the border from Gaza, barely a mile away. Qassams are typically homemade—70 pounds of steel inserted with nails and bolts, as in the bombs used in suicide attacks. When a strike is imminent, a calm female voice announces over loudspeakers, "Color Red, Color Red," giving residents 15 seconds to run to one of the many shelters around town.

Some two-dozen residents of Sderot

and the surrounding area have been killed in attacks over the past decade, and hundreds have been wounded. But the rockets' true threat is their ability to terrorize. Much of Sderot's middle class has left. Thousands of residents have been treated for trauma; a generation of children suffers from stuttering and bed-wetting. Sderot, then, is Israel's nightmare—the anti-Tel Aviv. Here there is no pretending you can avoid the siege.

After the Gaza war of 2009, the assaults became less frequent, but missiles still fall intermittently. When that happens, the Sderot Cinematheque moves screenings to a smaller theater with thicker walls and a steel roof. Invariably, attendance declines, sometimes for days or even weeks. Still, Benny Cohen, the Cinematheque's director, insists on running the theater as though it were in Tel Aviv. For him, the Cinematheque is part of Sderot's battle for survival, and so he is constantly devising new projects and inviting foreign directors to town, such as the Coen brothers, who are coming to Israel for all of one day this month. His next big event is a film festival about peripheral areas around the world. "It's the only free festival in Israel," he says proudly. "You must come—it will be a real celebration."

SDEROT HAS LONG HAD a history of improbable cultural vitality. "It looks like a dump, but there's so much creativity here," says Laura Bialis, a documentary filmmaker from Los Angeles who moved to Sderot almost four years ago. "Every teenager I met seemed to want to be a rock singer or an actor." She decided to make a film about Sderot's rock musicians, and fell in love with one of them, Avi Vaknin, who proposed to her in an air raid shelter. "There wasn't a Qassam attack," she explains. "Avi was just being dramatic."

The guiding spirit of Sderot's rock scene is Chaim Uliel, whose band, Sfayim (Lips), brought Moroccan music into the mainstream in the late 1980s and nurtured a generation of local musicians. They went on to found bands like Tipex (White Out) and Knesiyat Hasechel (Cathedral of the Mind), which created a fusion between Western rock and Sephardic ethnic music. Don't just mimic Western trends, Uliel urged his protégés, take the music you know from the synagogue and the home.

Two years ago, however, Uliel left Sderot and moved to a town near Tel Aviv. The news was so shocking that the country's largest newspaper, *Yediot Aharonot*, devoted the cover of its weekend magazine to an interview with Uliel, "the