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# Uses of Illegal Strikes by BC Teachers, 1919-2005

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**ABSTRACT**: This article examines the role of illegal and semi-legal strikes in shaping the political and organizational trajectory of the British Columbia Teachers' Federation (BCTF), with particular attention to the October 7, 2005 province-wide walkout. Defying both provincial legislation and a pre-emptive court injunction, teachers engaged in high-risk collective action against austerity policies under Premier Gordon Campbell. Situating this and four earlier strikes within a broader historical framework, the article argues that such actions marked key turning points in the transformation of teachers from professional employees into militant trade unionists. Drawing on E.P. Thompson's concept of the "moral economy," it contends that teachers' resistance is driven less by material deprivation than by perceived violations of social and professional norms. Illegal strikes, while risky, foster solidarity, politicization and organizational strength, ultimately expanding labour rights and reinforcing teachers' capacity to challenge state authority and defend public education.

**KEYWORDS:** Illegal Strikes; Teachers' Unionism; Moral Economy; Labour Militancy; Public Education

## Introduction

On Friday, October 7, 2005, with the Thanksgiving holiday ahead on Monday, every member of the British Columbia Teachers' Federation (BCTF) went on strike (Mickleburgh, 2018, pp. 260-263). Because they had a collective agreement, one that had been imposed on them by the sitting government, they were violating the BC *Labour Relations Code*. They were also defying a BC Supreme Court injunction that had been served even before the strike started, an unusual precedent. The teachers were risking fines and possible jail time in a battle with BC's austerity-driven premier, Gorden Campbell. It was not the first time the teachers had taken to the streets in an illegal strike. The BCTF had employed illegal strikes at critical times in its history to push back against policies teachers believed undermined public education and threatened their work lives.

Some of the most significant and long-term successes for BC teachers have come out of these strikes. As York University professor, Carlo Fanelli, writes, "throughout history, breaches of legal norms – sit-down strikes, factory occupations, and blockades – have often paved the way for the expansion of rights we now consider basic" (2025). This article discusses five strikes, some occupying the liminal space between legal and illegal and others clearly illegal. Each of these strikes was a political turning point for the BC teachers, as they advanced from non-aligned professionals to unionists prepared to take militant action.

Teachers care about the children they teach and in a very real way contribute to their futures of their students. Their resistance generally arises from what British writer, E.P. Thompson, describes as the moral economy, "a traditional view of norms and obligations, of the proper economic functions of several parties within the community" (Thompson, 1971, p. 79).Thompson takes the position that it is not "deprivation" but rather a violation of moral norms that most often triggers workers' direct action. In making the very serious decision to strike against the state, teachers identify their deepest conviction as their concern for their students.

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Strikes are complex endeavours with a high degree of risk for workers and their families. While the success of a strike is never a certainty, the loss of income during the strike is a foregone conclusion. In some instances, there is a risk of losing one's job or of being fined by the court system. Workers have always had to consider those contingencies casting a strike vote. Strikes achieve a number of objectives, some stated and some knock-on effects of workers coming together in a common cause. In the act of voting for or against a strike, members become aware of their class location and turn their attention to the structures, strategies, and goals of their union (Wright, 1977, pp. 392-393, 421). A strike emboldens and politicizes the rank and file and often becomes the motivation for the more activist members to become involved in the work of the union.

The direct consequences to the employer of a strike are obvious. The enterprise does not continue to operate or operates at a reduced level. But there are also unpredictable effects. Strikes put the employer on notice that workers have some agency in determining the confines of their employment and they have the means to resist the employer's demands. Most importantly, strikes are a challenge, however short-lived, to the capitalist system, a collective demand for a redistribution of power and resources, with no certainty of how far striking workers will go in their resistance.

Illegal strikes occur during the life of a collective agreement when the employer is believed to have violated the negotiated relationship to such a degree that workers have no alternative to but to refuse to work. Illegal strikes have occur when the state attempts to force workers to accept an imposed resolution through a back-to-work order, an injunction, or punitive legislation when such actions are perceived as a flagrant contravention of the bargain made between workers and the state (Glasbeek, 2025). BC teachers have been subject to numerous attempts by governments to remove their right to strike. Fueled by the often-acrimonious relationship between the provincial government and the province's teachers, the BCTF has been able to mobilize its members under some of the most restrictive conditions in Canada.

Illegal strikes, even those that are minimally successful, generate boldness in the ranks of workers. Militancy begets militancy, and fearless militancy breeds confidence to not only fight battles that workers know they have a good chance of winning, but to engage in the fight against perceived injustice for its own sake. An illegal strike is an ideological statement that can build alliances with other workers. In doing so, such a strike can raise the credibility and status of the striking union in the labour community and encourage its members to take leadership roles in labour councils and provincial labour federations. In the workplace, such strikes strengthen the union's position with members and with representatives of the employer.

**Before the BCTF: September 1870**

The first case of BC teachers leaving their classrooms took place in what is now Victoria, in September 1870, a year before British Columbia entered Canada. When most property owners refused to pay the school portion of their tax bill, school trustees announced they could not afford to pay the teachers their full salaries. Teacher, John Jessop, and his colleague exercised their final option and resigned their positions (Dunae, 1994). Their resignation letter stated that they left "in consequence of the non payment (sic) of the monies due to us for our services" (Wotherspoon, 1989, p. 113). Rather than a strike, it was the collapse of the school system, and the teachers, not receiving their full pay, simply abandoned the project. There was no union to represent them, no structured resistance, and the trustees did not have the power to address the teachers' grievances. The schools remained closed for the next two years.

Following the loss of his teaching job, Jessop became prominent among the province's school promoters. A "Methodist school master from Ontario," he supported an Ontario model of free education (Gleason & Barman, 2003, pp. 17-23). Many working-class parents in British Columbia wanted education for their children. Success at school promised to expand children's life chances as a contributing factor to employability, income level and a broader world view (Schissel & Wotherspoon, 2003, p. 3).

In the 1870s, one's class position largely determined which side of the public school debate a person supported. While school promoters claimed that schooling would instill British values in the citizenry, resist the importation of American republicanism, and provide social stability, the political elite of the city, who sent their children to private schools at their own expense, opposed free education. They claimed students and their parents would not value their education if they did not have to pay something for it (Gleason & Barman, 2003, pp. 21-22). Nonetheless, two years after Jessop resigned from teaching, school promoters won the school debate and British Columbia instituted an education system that included all children. Jessop became involved in writing the BC *Public Schools Act,* 1872, and then gave himself the position of the first Superintendent of Education. Although he had no influence in forming the BCTF, it was Jessop, a victim of the inadequacies of the 1870 BC education system, who was the principal architect of the public education system in which BC teachers work today.

**The "Recognition" Strike, February 10, 1919**

In the late nineteenth and early twentieth centuries, teachers in the BC interior were spread thinly over a huge geographical area with few occasions when they could come together. Predominantly young women, these teachers suffered working conditions that included inadequate school buildings, lack of heating, a requirement that they board with trustees' families, a lack of school supplies, and severe isolation (Barman, 1994). Teachers in the urban settings of Vancouver and Victoria formed local teachers' associations in the early 1900s. Recognizing the advantage of one representative body, these associations came together on January 4, 1917, to form the British Columbia Teachers' Federation (BCTF, 1917–1976, 1917, 4 Jan.). Teachers in the interior were invited to form their own associations and become locals of the union, or, if they were too isolated to do so, join the provincial body as individuals.

Unions form as a means of restricting management rights. Workers join unions to achieve a fairer wage, better working conditions, or improved benefits, such as pensions or health insurance. But there are also more existential strikes, such as first-contract strikes, to ensure the survival of newly achieved union representation. For the BC teachers, organizing themselves into a union in 1917, and having the trustees recognize the union were not synchronistic events. Until the federal Order-in Council, PC 1003, was implemented in February 1944, employers had no statutory requirement to negotiate with a union that represented their employees. Furthermore, no specific legislation defined labour relations in the BC education system in 1917. As BC teachers went into the 1918-19 school year, they had not yet decided whether they wanted a professional organization or a union. BCTF General Secretary, Harry Charlesworth, preferred the professionalist view. Jeffrie Cunningham, president of the Victoria Teachers' Association (VTA), viewed his local as a labour union.

The January 30, 1919 edition of the Victoria newspaper, the *Daily Colonist*, carried an article entitled "Salary Issue is Held Up Again: School Board Leaves It to Finance Committee–Teachers Air Views and Trustee Mrs. Andrews Objects" (p. 7). It reported that at a meeting of the trustees

and BCTF representatives to negotiate a new collective agreement, trustee, Mrs. Andrews, repeatedly berated General Secretary Charlesworth for criticizing her; an accusation he firmly denied. Andrews also found other statements made by Charlesworth to be objectionable, particularly the demand for higher wages. As expected, a few days later, the school board finance committee refused to pay the teachers more than the trustees had already offered, bringing negotiations to a standstill.

In his role as General Secretary, Charlesworth was the chief negotiator for the BCTF. However, he did not lead the locals; in 1919, that was still the job of the local presidents. When negotiations failed, Cunningham led his members into the BCTF's first strike. It began on Monday, February 10, 1919, and ended two days later (*Daily Colonist*, February 12, 1919, p. 1). The 165 teachers of the VTA voted to accept Minister of Education, J.D. MacLean, as sole arbitrator. The trustees promised that teachers' salaries would not be deducted for their two days on strike and agreed to convene a conciliation board if it was needed during contract negotiations for the following school year. Although some trustees were disgruntled, ironically, it was trustee Andrews who carried the day, supported by trustee Mrs. Spofford who stated, "We must establish the most harmonious relationship between the school board and the teachers" (*Daily Colonist*, February 12, 1919, p. 5).

The BCTF was barely two-years old in 1919, with a conservative leadership in Charlesworth and no legislated right to strike. The Victoria teachers' strike had not been legally sanctioned, but no legislation banned teachers' strikes either. Until the Victoria strike, no teachers' union in the entire British Empire had initiated a strike, so legislation had not been deemed necessary (BCTF, n.d.). The Victoria school board did pay its teachers the salary increases recommended by the minister of education. The John Oliver Liberal government then amended the *Public Schools Act* to permit trustees and teachers to submit issues that could not be resolved during negotiations to arbitration, a *de facto* recognition of collective bargaining in the school system and the union as the bargaining agent (1919, c75, s116). However, the tenuous legislation did not provide a mechanism for enforcing collective agreements or arbitrations.

The Victoria teachers' strike was part of the worker militancy that swept the country following the First World War (Palmer, 1992, pp. 186-192). The One Big Union (OBU) movement had emerged in Western Canada and would culminate in the Western Labor Conference's decision in March 1919 to join the OBU (Mickleburgh, 2018, pp. 57-61, 65-74). On August 2, 1918, six months before the Victoria teachers' strike, the Vancouver Trades and Labour Council led a one-day general strike, the first such strike in Canada, to protest the murder of labour activist, Ginger Goodwin, by an officer of the Dominion Police. Four months after the teachers' strike, Vancouver workers would be in a month-long general strike in sympathy with the 1919 Winnipeg General Strike (Conley, 1989, pp. 19-20).

By participating in the militancy of the period, the teachers had achieved a very thin legislative right to collective bargaining. The New Westminster teachers would test the changes to the *Public Schools Act* by going on strike on February 14, 1921 (*Vancouver Daily Province*, Feb. 14, 1921, pp. 1, 7). In an effort to end the strike, the trustees agreed to arbitration but afterwards refused to honour the arbitrator's terms (*Vancouver Daily Province*, Feb. 14, 1921, 1; BCTF, n.d., pp. 7-10). The lack of an enforcement clause was the obvious weakness in the *Act*.

**The Long Road Through Professionalism**

Although the Victoria teachers had achieved legislation for a collective bargaining process, the provincial leadership insisted raising teachers' status as professionals would improve their

standard of living (BCTF, 1917–1976, 1921, p. 2, 1936, p. 3). In the future, their tight control of the purse strings would keep militant locals in line. The draw of professionalism was seductive, but teachers would find that their hoped-for increases in salary and reductions in workload promised by professionalism would remain unrequited.

The problem of unenforceable arbitrations would be addressed during the Depression. With unemployment devastating the province, workers support for the Communist Party of Canada and the US-based Congress of Industrial Organizations had grown (Jensen, 2014). The solution offered by the T.D. Pattullo Liberals was to strengthen the collective bargaining and arbitration processes. His government passed the *Industrial Conciliation and Arbitration Act* in December 1937. The only exclusions were agricultural workers and domestic workers, the most vulnerable and least protected. A revision to the *Public Schools Act* in the same year permitted arbitration for teachers at the request of either party and included an enforcement clause (1937, c253, s136).[2]

Yet the teachers still refused to entertain strikes as a means of achieving their collective bargaining goals. Six years after Pattullo revised the *Public School Act*, the Rural Teachers Association, a caucus of the BCTF, successfully advanced a resolution at the 1943 Annual General Meeting (AGM) to affiliate with the Trades and Labor Council, but their second resolution, calling for a province-wide strike vote, failed (p. 7-9). At the 1957 AGM, a resolution to establish a strike fund was also defeated. When the Vancouver secondary teachers wanted to strike in 1962, the provincial office refused them access to the emergency fund to cover their expenses (BCTF, 1962, p. 2). In 1965, negotiations ground to a halt in every local, resulting in 41 arbitrations with no strikes offered (Cull, 1965). The BCTF leadership was intent on creating a professional organization, one that eschewed strike action, and had the agreement of the majority of AGM representatives. In May 1969, the Powell River teachers had finally had enough. They went on strike for one day (*Vancouver Sun*, 1969, May 29, 14). It was the first militant job action by BC teachers since 1921. The 48-year fantasy of a professional organization was coming to an end and about to be shut down by teachers' fears for their pensions.

**The Pension Strike, March 19, 1971: First Province-Wide Strike**

In Canada, political strikes occupy a legal grey area that has come to be defined by court decisions. In a political strike, monetary issues are not directly attached to workers' resistance. A political strike is a "protest." This type of strike fits within the rubric of Thompson's moral economy. It is typically used to defend human rights, protect the vulnerable, or push back against state abuse. Canadian labour historians Yonatan Rastin and Sandra Reshef warn that political strikes are a more precarious undertaking than workplace sanctions enacted during collective bargaining (2003, pp. 34-45). Rallying the membership for a political purpose requires the leadership to convince all their members that their interests are at risk even though many of those members may have voted for the government against which the union is mobilizing.

In 1921, John Oliver's Liberal government designed a pension plan for teachers that school boards could voluntarily join. Few boards opted to do so. In 1926, Oliver agreed in principle to a more robust plan, but it took another three years and the election of a Conservative government before it was enacted (*BC Teacher*, 1926, 208). The British Columbia *Teachers' Pension Act* finally came into force on April 1, 1929. Similar to the pension plans in other provinces, investments were limited to government bonds. It proved to be a miserly scheme with no matching contributions from the state. In the late 1960s, rising inflation brought BC teachers face-to-face

[2] For a full discussion, see Mark Thompson and James Cairnie, "Compulsory Arbitration: The Case of British Columbia Teachers," *LRI Review*, 27,1 (Oct.1973), 3-17.

with the inadequacy of their pensions. With control of the teachers' pension plan firmly in hand, the province's fiscally conservative Social Credit government would not grant improvements.

In response, the BCTF used the 1969 provincial election to engage in its first political action campaign, identified as the Apple Campaign. The teachers, in an unusual alliance with the school board trustees, publicly denounced the Social Credit government's recent cuts to the education budget (BCTF, 1969). BC's longest serving premier, W.A.C. Bennett, known as "Wacky Bennett," was re-elected, but in a vindicative pique against the teachers, he introduced legislation ending automatic membership in the BCTF, set aside the Rand formula, and announced that despite the BCTF's lobbying efforts, there would be no changes to the unsatisfactory pension plan (*Vancouver Sun*, 1971, Mar. 2, pp. 1-2).

Despite their current collective agreements being in force, legally preventing them from undertaking a strike, the teachers responded with a "day of protest," a one-day political strike on March 19, 1971, in defense of their pensions (*Vancouver Sun*, 1971, Mar. 18, pp. 1-2; March 20, p. 8). One of the BCTF's key demands included a social justice component, already-retired teachers were to receive any improvements to the pension plan. According to the BCTF, 96.3 per cent of its members refused to work that day, the first province-wide strike by BC teachers (*Vancouver Sun*, 1971, Mar. 22, 9). That one-day illegal strike succeeded in forcing the Social Credit government to rewrite the pension plan. The teachers' major complaints were addressed, including an increase in the pensions of all teachers who were still working as well as those who had previously retired (BCTF 1971, pp. 2-7). However, Bennett limited his response to the stated purpose of the strike. Legislation removing the Rand Formula and ending automatic membership in the BCTF for all working teachers remained unchanged. The BCTF decided on a membership drive rather than a costly court battle with an intractable government.

The removal of automatic membership in the BCTF may have been intended to teach the union a lesson, but the effect was to compel every teacher to become conscious of their BCTF membership and to make a choice, join the union or not. For the BCTF, it became an exercise in building union consciousness. Responsibility for signing teachers was given to the locals with a local representative ensuring every teacher employed by their local school board made their choice (BCTF, 1971, Aug. 30). The sign-up campaign, coming immediately after the pension strike, collected the signatures of almost every BCTF member (BCTF *Newsletter*, 1971, Oct., p. 1).

When Dave Barrett's New Democratic Party (NDP) won the 1972 provincial election the following year, he immediately lifted the restrictions on teachers' bargaining imposed by Bennett's legislation and later reinstated compulsory membership (Slinn, 2011, p. 43). At the BCTF 1973 AGM, after much debate, the teachers endorsed their right to strike (*Pacific Tribune*, 1973, p. 12).

The one-day, province-wide, illegal strike resulted in improvements to the teachers' pension plan, a successful all-member vote for union representation, and the politicization of teachers who now knew they were in a labour union. It also helped elect the first NDP government in British Columbia. After 20 years as premier, W.A.C. Bennett retired from politics.

The goal of the BCTF's political strike had been to improve the lives of all teachers in their retirement. Their defiant response to the government's unilateral dismissal of months of negotiations rested on the BCTF merging professional responsibility with collective power. By assuming they had the moral right and the responsibility to protect their own retirement, as well as that of their already retired peers, the teachers used a labour response to defeat their more powerful adversary. That ended BCTF efforts to become a professional organization. Rather than the two ideological positions being at opposite poles, the BC teachers' fused professionalism with

unionism to create a labour-focussed, professional union claiming the right to withdraw their labour.

**The Wildcat Strike, February 15, 1974: Social Unionism in the BCTF**

The pension strike demonstrated the effectiveness of a short disruption to gain the attention of government. Although it was illegal, it was undertaken under the auspices of the provincial BCTF leadership. When some union members strike independent of their elected leaders, such action is referred to as a "wildcat strike." The first wildcat strike in the BCTF was undertaken by the teachers of the Surrey local.

The "wildcat" category indicates a rupture with the leadership of the union. Communications within wildcat strikes is generally informal and person-to-person. Labour historian, Bryan Palmer, has noted, "Wildcat strikes tend to be a combination of informal, but ongoing, organization and exuberant spontaneity, which marks them out from legal strikes. The latter are planned, coordinated, and announced by union officials well in advance. They have a timetable, which wildcat strikes never do…Wildcat strikes are far less likely to be about wages, pension, or what business unionists often see as the core issues of contract negotiations, than are legal strikes" (2009, 220). The BCTF had supported the NDP in the 1972 provincial election as part of their political action campaign against Bennett (BCTF *Newsletter*, Feb. 1972, p. 1). Although the campaign helped the NDP win that election, the relationship between Dave Barrett's government and the teachers was not always smooth.

In early 1974, the Surrey School Board was blaming the new NDP government's underfunding of education for Surreys' larger than agreed-to class sizes. Lloyd Edwards, the first Black president of the Surrey teachers' local, called upon his members to leave their classrooms on February 15, 1974, and take the ferry to the legislature in Victoria to protest the lack of funding. Although he did not receive the approval of the provincial body for this spontaneous work stoppage, his teachers readily joined him in Victoria. The one-day, illegal, wildcat strike ended with NDP Premier Barrett shaking hands with the provincial BCTF President, Jim MacFarlan, and promising to lower class sizes by 1.5 students over each of three years with the hiring of nearly 4,000 new teachers (CUPE). MacFarlan's presence at the strike confirmed that the BCTF, while it could not openly support strike action, was aware of the locals' activities. That small strike handed the teachers a major victory.

Professor Rhiannon Maton has suggested that social activists need to seize moments when they can "agentively manipulate [problem] frames in order to reap desired outcomes" (2018). Edwards' identity as a BCTF local leader and his identity as a Black male teacher in a white-rooted institution had always overlapped, but his success in Victoria raised his status as a union leader and offered him an opportunity to reframe the purpose of the BCTF to include a critical analysis of structural racism. Recognizing the moment, Edwards leaned on his newfound celebrity at the 1975 AGM to call for an anti-racism task force to develop anti-racism programs and supports for First Nations, Black, and South Asian students who were experiencing racist taunts, textbook bias, and neglect (Collins, 2022; BCTF, 1917–1976, 1975, p. 98). His resolutions were carried. In the future, the BCTF would employ an anti-racism lens (examining systemic racism) within its conventional class-based lens (representing teachers in the workplace) when considering policy.

The turn to social justice that had been introduced with the formation of the Status of Women Committee three years earlier was expanded by Edwards' demand to address racism in BC's education system and in the union itself (BCTF, Sept.19, 1972). The 1970s saw the beginning of the BCTF's advance into social unionism. Professor Stephanie Ross has defined social unionism

as an effort to "to mobilize the union's members in support of struggles outside their own workplace as well as to frame their own interests as those with which the wider society should identify" (Ross & Savage, 2012, p. 40). The BCTF would dramatically demonstrate its commitment to social unionism in the next decade.

**Solidarity, November 1983: Second Province-Wide Strike**

In 1983, going on strike during the life of a collective agreement was illegal under the BC *Labour Relations Act* (BCLRA) as it was in every province. While teachers were not yet under the BCLRA, striking while their collective agreement was in effect was not legally permitted. On July 7, 1983, Social Credit premier, Bill Bennett, the son of W.A.C. Bennett, threw open the gates of the province to the full weight of neoliberalism. Thirty-five years later, *The Tyee* would recall, "Fuelled by the radical conservatism of Ronald Reagan and Margaret Thatcher and Milton Friedman's economic neoliberalism, the Socreds took aim at all those elements in society they had never liked. With no advance notice, a total of 26 repressive bills came down the chute in a single day, along with a harsh government restraint budget that dramatically slashed social spending" (Mickleburgh, Jul. 6, 2018). The 26 bills attacked social programs, medical programs, unions, legal clinics, education, workers' rights, and tenant protections (Richmond & Shields, 2011).[3]

A week and a day later, Art Kube, President of the BC Federation of Labour, announced that a coalition of unions and broad-based community groups had united to form Operation Solidarity. It would become the most dramatic general strike in Canada since the 1919 Winnipeg General Strike (Palmer, 1987, p. 31-32). The first Operation Solidarity meeting took place on August 2, 1983. Immediately afterward, the BCTF, under President Larry Kuehn, contributed $50,000 to the campaign and began mobilizing teachers for an all-member vote on joining the proposed general strike (BCTF, 1983, Aug. 9; BCTF, 1983, Aug. 3). The vote was returned with nearly three-quarters of the locals supporting the Solidarity campaign (Solidarity Coalition, Sept. 30, 1983). Until this moment, the BC teachers had generally shied away from identifying as workers, preferring to hold themselves aloof as professionals even when using labour tactics. But with Bennett attacking social programs and all those who provided them, teachers suddenly found themselves included as public sector workers.

When the threat of a strike did not persuade Bennett to remove the worst effects of his legislative agenda, the BCTF served notice on November 8, 1983, that it would be joining Operation Solidarity. With the Canadian Charter of Rights and Freedoms only a year old, its application to the strike was still uncertain. Kuehn told his members, "There is simply no clear legal answers about the consequences of direct action to oppose it [the legislation] (BCTF, 1983, Oct. 14). In an effort to protect the union and its members, the BCTF called it a "political strike" or "protest." Not only had the BC teachers been hesitant about engaging in the tactics of labour, they had never been quick to support other workers' picket lines. Kube was justifiably ambivalent about the BCTF joining the strike. "The teachers are perceived as the weak link in the Solidarity chain," he confessed. "They are not trade unionists at heart…In the end, they won't stick with it…it may just be enough to crack the will of Solidarity" (Palmer, 1987, pp. 66-67).

Kube was wrong. When their turn came on November 8, 1983, over 85 per cent of BCTF members went out and stayed out (Palmer, 1984). Teachers became the public relations heart of the movement. No one had expected them to support the strike in such numbers. Many teachers were intimidated by the injunctions that banned them from picketing their schools (Mickleburgh, 2018, 227). Not to be outflanked by Bennett, a call went out through the Solidarity Coalition's

[3] Richmond and Shields define labour's response as "defensive defiance."

network for supporters to arrive early at the schools. Community activists and parents began picketing before teachers arrived for work. That allowed teachers to refuse to cross the picket lines. While it was effective strategically, having parents doing what teachers should have done suggested Kube had reason to worry about the teachers' commitment. Although only half the schools actually closed and teachers did not always show up for their picket duty, as the week progressed, the Vancouver elementary teachers' local reported that the number of teachers who were out remained at 80 per cent (Vancouver Elementary Teachers' Association, VESTA News 1983, Nov. 13, p. 5).

In the second week of the strike, Kube became ill, leaving the vice-president, Jack Munro, in charge. At Bennett's invitation, Munro flew to Kelowna. There, a verbal deal with Bennett brought the strike to an ignominious end (Mickleburgh, 2018, pp. 227-229). Any terms the premier had agreed to at that meeting were later denied (*Vancouver Sun*, 1983, Nov.18, p. 1). Munro had gone into the meeting alone, while Bennett had made sure that he had Larry Spector, his trusted deputy minister, as his witness to repudiate any deals that he made. In the end, the collapse of the strike was a failure of leadership and planning. Munro was the president of the Industrial, Wood and Allied Workers, a private sector union, when it was public sector workers who were taking the brunt of Bennett's legislative attack. Munro was not interested in prolonging the work stoppage for his members, who had little to gain. The planning for Operation Solidarity had not put in place a voting system to end the strike. Instead, as it turned out, an interim president, acting alone, could make that decision with a handshake.

More importantly perhaps, the only response to Bennett's attack that the Solidarity movement could imagine was a perpetuation of Keynesian policies, state spending to sustain employment and protect social programs. It was a system under strain and heavily criticized as the engine of "stagflation." Ideologically weakened by a near-decade of federal and provincial wage controls, denied access to a Marxist analysis of class struggle by the unions' own purging of communist influence, the labour movement had no effective rebuttal (Marcuse, 1988). With the general strike behind him, Bennett did cut spending on education, reducing the number of teachers. BC's per capita spending on education dropped to tenth place in the country (Brief to the Curtis Hearings, 1984, pp. 2, 7). Every school board had to reduce staff. But there were small victories. The layoffs were not as ruthless as many had feared. Teachers' seniority was maintained. Bill 2, which limited teachers collective bargaining to wages and little else, was allowed to die on the order paper.

Operation Solidarity ended in defeat, but the teachers discovered class struggle was a dialectical constant. The Solidarity strike was a turning point for the BCTF. The teachers were no longer accepting a quiet conversation in the Minister of Education's office to solve problems. As professors Ted Richmond and John Shields have suggested, despite Munro's capitulation, "The [general strike] experience also developed a new level of collaboration and unity in the BC trade union movement, particularly between private and public sector unions" (226).

Having marched with other unionists, the delegates to the BCTF's 1984 AGM endorsed a policy of refusing to cross any other union's picket lines. The executive struck a task force with a mandate to lay the groundwork for "any BCTF province-wide job action" (BCTF, 1917–1976, 1984, pp. 4-5, 22, 30, 42-43). A fee increase was passed at the 1984 AGM to provide a Reserve Fund to support strike pay, paving the way for future strikes (BCTF, 1917–1976, 1985, Finance Committee Report, 34). Like the 1971 vote on union membership, taking part in the Solidarity campaign engaged teachers in a consciousness-raising exercise that reshaped their identity. This milestone in BCTF history transformed the organization into an activist labour union. The

Solidarity strike set aside the presumption of legality preceding militancy: strikes were creatures of the unions, not of the legal system.

While Bennett's shrinking of the education budget cost teachers' jobs, it also created the environment for strengthening the BCTF and its members' involvement in their union. His introduction of neoliberal doctrine showed little concern for those whose lives he was upending, but it convinced the BCTF members that militant protest was a necessity. In declaring their opposition to the Bennett government, BC teachers had become radicalized to class politics. They would continue to battle against Social Credit and Liberal provincial governments into the 21st century.[4] It was a very different union that would enter the new millennium – aggressive, militant, and confident, with ample experience in fighting government intransigence.

**Bill 12 and Jinny Sims, October 7, 2005: The Model Illegal Strike**

For the BCTF, the riskiest strike involved the teachers' refusal to obey a court injunction forbidding them to strike. Union leaders have gone to jail for less. In British Columbia, injunctions have typically been issued once a strike was underway, not before it started. This strike would be different. In January 2002, the Gordon Campbell BC Liberal government tabled Bills 27 and 28 (BCTF, Issue Alert, 2005, Jan. 20). The two bills imposed a three-year contract on BC teachers and stripped key working conditions. In the months following, negotiated class-size limits were ignored, 113 schools were closed, and 2,500 teaching positions were lost. The BCTF chose a judicial path through the BC Supreme Court rather than confronting the Campbell government.

Three years later, that imposed collective agreement was set to expire. Campbell tabled Bill 12, the *Teachers' Collective Agreement Act*, forcing a second collective agreement on the teachers (BCTF, News Release, 2005, Oct. 3). The BCTF responded to the unfair, and some said illegal, legislation by preparing to strike. Two strike votes were taken, both giving President Jinny Sims approval for job action (BCTF, News Release, 2005, Oct. 5). With Jack Munro's handshake still a lingering memory, BCTF communications assured teachers that ending any strike would require an all-member vote. The BC Labour Relations Board ruled that under Bill 12, a strike by the teachers would be illegal (Mickleburgh, 2018, pp. 260-263). The BC Supreme Court granted the premier an injection making any strike action, even a work-to-rule, illegal. Despite these barriers, the teachers took up their picket signs on October 7, 2005, and walked.

Supreme Court Justice Brenda Brown was particularly incensed by the teachers' refusal to obey the court injunction. She found the teachers in contempt of court and froze the BCTF strike fund, with a reminder to teachers that the penalty could have been far worse (*Vancouver Sun*, 2005, Oct.15, p. 7). Why Justice Brown was so aggressive can be partially understood in terms of the shifting jurisprudence concerning the right to strike that was taking place at the time. The Supreme Court of Canada's 2001 decision in *Dunmore v. Ontario* acknowledged that the *Canadian Charter of Rights and Freedoms* protected the right to union representation, but the Court re-asserted the *Charter* did not protect collective bargaining. In 2003, *Health Services v. BC* had been decided against the nurses and health care workers by the BC Court of Appeal, maintaining that collective bargaining, and consequently strikes, were outside of the *Charter*. While the Supreme Court of Canada would reverse the *Health Services* decision in 2007, that was still ahead at the time of the teachers' strike.

The teachers did not end their strike despite the penalty Justice Brown imposed. Nor did it appear to discourage them. When a television reporter baited a young teacher by asked if the BCTF

[4] Although the BC Social Credit Party collapsed in 1996, many of its Members of the Legislative Assembly (MLAs) moved to the BC Liberal Party, carrying with them their neoliberal agenda.

was forcing her to be on the picket line, she faced the camera and answered, "I am the BCTF." (Sinclair, 2016). It became the slogan of the strike.

Sympathy strikes are illegal in Canada and are rare, yet a week into the teachers' strike, the BC Federation of Labour announced that its members in Victoria would be walking off the job for one day in sympathy with the teachers. The CUPE-BC workers promised province-wide, rotating, sympathy strikes (Camfield, 2007). With thousands of public and private sector workers striking in support of the teachers, Campbell finally capitulated. He summoned the well-respected mediator, Vince Ready.

Ready's recommendations were released on October 20. He harmonized teachers' salary grids across the province and gave all teachers a salary increase to take effect at the end of the fiscal year. He brushed aside Bill 12 and added $40 million to the teachers' long-term disability fund that they had been supporting entirely on their own. He lowered class sizes, added a $20 million allocation to special education, and established a Learning Round Table where the teachers and the government could work out their problems. Campbell agreed to all of it. The BCTF took time for an all-member vote on the package. The membership returned a 77 per cent yes-vote, not a huge approval rating, but enough (BCTF News Release, 2005, Oct. 23).

On October 24, the teachers went back into their classrooms. With the support of other unions, their two-week illegal strike had defeated Bill 12, gained the public's support, and raised their salaries. BCTF President, Jinny Sims would be named one of the "50 Most Powerful People in Vancouver" by *Vancouver* magazine. Unlike the Solidarity strike, which had involved the entire labour movement against the Bennett government, the 2005 strike was a response by the BCTF to a focused attack on education. Its success rested on the shoulders of the teachers and their allies in the public sector. The 2005 strike was a tutorial in how to conduct a successful illegal strike.[5] The teachers had taken time to develop their response. After the introduction of Bill 27 and Bill 28 imposing a collective agreement in 2002, the union had immediately called a one-day, illegal strike to protest the bills (Mickleburgh, 2002, p. A8). That had mobilized members and served to defang the threat of a future, illegal work stoppage.

A Defense Fund had been established "to support the implementation of the Federation's Public Education Advocacy Plan" (BCTF, 1992 to 2010, 2002, Mar. 16-19, pp. 14-15, 24-26, 35-36, 44). Teachers were asked to consider their own time commitments before taking on extras such as field trips, coaching sports, or out-of-pocket purchases for their classrooms, creating an individual work-to-rule and establishing a self-referential identification with the union cause (Vancouver Elementary School Teachers' Association, *VESTA News*, October 2001, p. 1.) In the fall of 2002, the BCTF had begun hearings in 30 communities to draft a Charter for Public Education (BCTF, *Teacher* Nov./Dec. 2002, p. 13). The Charter panel included an Anglican priest, a former superintendent of schools, the former president of the Nuu-chah-nulth Tribal Council, and a parent of a student with special needs. The next year a Caravan Against Cuts was formed to travel around the province calling on the government to "Unfreeze education spending" (BCTF, 2003, Feb. 4). Both campaigns had involved grass-roots participation of BCTF locals in public meetings engaging with their communities. Other unions and community activists were welcomed as allies.

The BCTF had also filed a court challenge under the Canadian Charter of Rights and Freedoms and had taken its case to the International Labour Organization (ILO). The ILO report demanded that the government repeal or amend its statutes limiting the rights of workers

[5] See Jinny Sims speaking to the Chicago teachers about this strike, https://www.youtube.com/watch?v=p9k-Va5_rqE.

(Vancouver Elementary School Teachers' Association, 2003, Apr., *VESTA News*, 5). The report affirmed the teachers' position and expanded the support of labour. When bargaining again stalled in 2005, BCTF President Sims had responded with a strike vote. The teachers had answered with 88.4 percent approval (BCTF, *News Release*, 2005, Sept. 23). As the Campbell government began debating Bill 12, Sims had taken a second strike maneuverings in the legislature, 90.5 percent of the votes had come back in favour of a strike (BCTF, *News Release*, 2005, Oct. 5). The preparatory campaign had given Sims her members' support. Two days later, the teachers had begun vote. With teachers focused on the autocratic their illegal walkout.

The Charter for Education and the Caravan Against Cuts campaigns had built support. When the court froze the BCTF strike fund, sympathetic parents and community activists had responded with everything from Tim Horton's doughnuts to catered meals and $50 grocery vouchers. Other unions had provided the funds needed to continue the strike (Vancouver Elementary School Teachers' Association, *VESTA News*, 2005, Nov., p. 8). That kind of support reinforced the teachers' message. By building from the bottom up, the teachers had outdone the Campbell government.

**Conclusion**

As Joe Burns has argued, "The only historically proven method of union renewal–working class militancy" (Burns, 2019, p. 164). An effective strike radicalizes union members beyond simply politicizing them; strikes, particularly illegal strikes, are an experiential exercise in resistance. Each of the strikes being discussed demanded a response from the sitting government. The process of defiance progressively sharpened and refined the BCTF's tactical expertise and built confidence among members. In every instance, the BCTF emerged stronger. By 2005, the teachers were standing together, not as members of the union but as the union itself.

There is merit in Fanelli's suggestion that we expand the expression of "wildcat" to include other forms of strike action: "If we expand the terrain to include any strike action undertaken outside legal or contractual frameworks, whether or not initiated with union involvement, we begin to capture a wider spectrum of worker defiance that transcends the formal boundaries of collective bargaining. My sense is that such actions embody forms of direct industrial resistance that not only contest managerial and/or union authority but also expose the limits of institutionalized labour relations more generally" (2025, Nov. 12).

Certainly, the BC teachers felt that they were fighting the good fight "outside legal or contractual frameworks" and that their actions were justified. The imperative to resist a bullying state by stepping beyond legal boundaries has repeatedly found expression in the BCTF. State apologists have responded by labeling such campaigns "illegal," placing them outside of acceptable militancy, where workers' motives are suspect. During the Solidarity campaign, teachers articulated their resistance as a form of protest, challenging the containment effect of labour-relations legislation and judicial authority. Their collective response was disconnected from the legal/illegal binary, permitting a political expression of their dissent. Similarly applicable in 2005, that strike was not supporting collective bargaining goals but was challenging the legality of autocratic state actions. As such, teachers' response, viewed from their standpoint, was an obligation of citizenship. Perhaps that best summarises an expanded definition of "wildcat."

Populist, right-wing, governments in British Columbia have repeatedly used their majority, achieved through the limitations of BC's *de facto* two-party system, to restrict spending on education, at times impoverishing the school system. Teachers have been the only organized resistance able to defend against education budgets that reflect a diminishing social wage. The

BCTF has developed the means of mounting credible illegal strikes that are not reviled by the public they serve, but no one expects that the landscape will remain fixed. BC teachers have been willing to take enormous risks to fight antagonistic governments. Their solidarity was constructed over time and with deliberation. However, new generations of teachers need to be politicized before they can be mobilized.

Writing about large-scale, illegal teacher strikes in the United States, labour historians have noted that they instil in teachers an aura of fearlessness that rises above typical work refusals.[6] Member engagement and direct confrontation of state intransigence is an effective way that teachers' unions have sustained and grown their strength. In a time of weakened support for public education, strategically organized illegal strikes, demonstrating member solidarity and aligned with labour and community allies, can be a successful strategy in disrupting the state's narrative of the need to control teachers for the public good.

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[6] See in particular, Eric Blanc, *Red State Revolt: The Teachers' Strikes and Working-Class Politics*, London, New York: Verso, 2019.

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