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I Was Against Card Check Before I Was For It

Arlen Specter's shameless flip-flop.

Amanda Silverman, The New Republic Published: Friday March 27, 2009

Republican Senator Arlen Specter [announced](#) this week that he will vote against the Employee Free Choice Act, a reversal of his position in 2007 when he was the only GOP senator to vote for cloture. Specter has been quick to defend his apparent flip-flop, [arguing](#) that his 2007 vote did not equate to support of the union-friendly bill, but was rather just an attempt "to take up the issue of labor law reform," out of an implied procedural respect for Congress--a claim, though cryptic, he did make at the time to both the *Lancaster New Era* and the *Pittsburgh Tribune Review*. He [claims](#) that the current recession is not the time to support a bill on debates for their own sake.

But the 24-page [statement](#) that Specter read on the Senate floor in 2007 belies a deeper support for the bill. In his opening remarks, Specter carefully avoids any words that would conclusively tie him to all those things that the GOP usually sneers at--unions, higher wages, worker's rights, etc.--emphasizing that he wants the Senate to "deliberate on this legislation" since it is the "world's greatest deliberative body." But the substance of the statement makes it difficult to believe that he didn't actually favor the bill. For example:

I have heard evidence indicating that employees are often denied a meaningful opportunity to determine whether they will be represented by a labor union. ... I am talking about threats, spying, promises, spreading misleading information, and other attempts to coerce workers and interfere with their right to determine for themselves whether they wish to be represented by a labor organization. Based on what I have heard, I have concerns that we have lost the balance of the National Labor Relation Act's fundamental promise--that workers have the right to vote in a fair election conducted in a non-threatening atmosphere, free of coercion and fear, and without undue delay. Workers should be assured that their decisions will be respected by their employer and the union--with the support of the government when necessary.

He then continues with a dozen or so specific examples of labor injustices to further his point--sounding like his support is much more than just procedural.

Specter was also a co-sponsor of the 2003 version of the bill, whose major pillars remain intact in the current bill. A sweep of newspaper reports at the time does reveal any substantive objections from Specter to the bill, nor any public attempt to limit his support to procedural terms; he genuinely seemed to support the bill without condition. The further irony is that he was then blasted by his 2004 Democratic challenger for backing the bill only for political gain; allies of potential GOP [primary challenger](#) Pat Toomey have begun using his opposition of the bill to make similar accusations.

Labor advocates clearly see this as a flip-flop. In a blog item on their [site](#), AFL-CIO's Seth Michaels angrily denounced Specter's waffling, and AFL-CIO president John Sweeney said in a [press release](#) yesterday that Specter's decision is "frankly a disappointment and a rebuke to working people, to his own constituents in Pennsylvania and working families around the country." SEIU has similar [sentiments](#):

In an essay Senator Specter recently wrote for the Harvard Journal on Legislation, he states that for people like himself, "finding a practical solution is more important than political posturing." That's why we're dismayed by those who say they support the democratic process, yet refuse to allow meaningful debate and a democratic vote on critical legislation like the Employee Free Choice Act.

Though a Specter spokesman would only point to his [official statement](#) when asked for comment on the issue, AFSCME's director of legislation Chuck Loveless attributes Specter's clear "change in position" to the fact that he "faces a serious [primary challenge](#) from the right" from Toomey. "I can't put words in his mouth," Loveless says, "but most people assume he felt he needed to be more responsive to Republican

primary voters in Pennsylvania."

G. Terry Madonna, the director for the Center of Politics and Public Affairs at Franklin & Marshall College in Pennsylvania, thinks that Specter would have risked alienating party loyalists by supporting the bill. "They're not happy with Specter's 65 percent *National Journal* average of voting with the party," he says. Madonna thinks that Specter's two-pronged explanation--claiming that the 2003 vote was procedural, and blaming his current opposition on the economy--will convince voters in the end. "Specter is Houdini," he says, master escape artist from any political jam.

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