

# workers' ACTION

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## HIGHER WAGES 35 HR WEEK

### BUT TUC SAYS 'FORGET IT'

RESPONSIBILITY was the keynote of this year's Trades Union Congress. Not responsibility to the working class, but responsibility to capitalism.

Speaking to the Congress, Jim Callaghan made it clear that his Government intends to continue wage curbs and to oppose moves for a 35 hour week, unless they are balanced by increased productivity (that is, unless they have no effect in terms of cutting unemployment!)

The TUC, on paper, opposes wage curbs and wants a 35 hour week as a priority. Yet the Congress voted to 'congratulate' the Government on its record. And that vote expressed the TUC leaders' real policy.

When the firemen struck against Phase 3 wage curbs, they got no support from the



TUC. Now that the Post Office engineers are fighting for a 35 hour week, their union leaders are trying to sell them out.

### WORSE

To underline it, the TUC retreated from its traditional call for 'free collective bargaining' to the formula 'responsible collective bargaining'.

The motion 'congratulating' the Government was moved by retiring AUEW President Hugh Scanlon. Just a couple of days before,

he had shown how serious he was about the 'responsible' policy by voting on the AUEW National Executive to expel 32 AUEW members whose strike action threatens to upset the AUEW's wheeling and dealing with the bosses.

Scanlon started out as a militant shop steward. Now he ends up congratulating the Government on wage curbs, huge unemployment, social service cuts, and all the rest of it.

To justify himself and the TUC, he had a Catch-22 argument. The Labour Government must be supported because of the difficulties caused by the economic crisis and because the Tories would be worse.

The argument that the Tories are worse gets us nowhere: does it mean we should wait until Labour is worse than the Tories before we expect any progress for the working class?

When capitalism was prosperous, Labour leaders told us that the prosperity meant that immediate socialist action was unnecessary. Now that capitalism is in crisis, they tell us that serious improvements are impossible until the crisis is overcome. Either way the message is the same: **the workers must wait and pay the costs of capitalist exploitation. Socialism is pie in the sky.**

Scanlon and the other TUC leaders are completely tied into the process of bargaining with the capitalists. For them, the first thing is always to establish the unions as realistic and responsible bargaining partners **within capitalism.**

### CRUMBS

A working-class vote for Labour on Scanlon's basis in the coming general election will be a sort of second-class Tory vote. It will be a vote that says: yes, we will wait, we will accept sacrifices, we will pay the costs of the bosses' crisis and just hope to get a few crumbs for ourselves when capitalism is in better shape.

That may satisfy the TUC leaders. It can't satisfy us. The **Socialist Campaign for a Labour Victory** will be fighting not just for a Labour vote but also for a condemnation of the Government's record and for the preparation of a working-class fightback against the next Government — Tory or Labour.

Politics is not just about voting. It is also, and more importantly, about organising inside the labour movement, against the TUC leaders' sort of "responsibility" and for the movement to be responsible to the interests of the working class.

## Zimbabwe

### SMITH'S DEFEAT MAY NOT BE THE PEOPLE'S VICTORY

THE SEARCH for a neo-colonial solution in Zimbabwe continues, as the transitional government set up under the 'internal settlement' suffers its long-predicted collapse.

The absence of any independent military or political base on the part of Smith's three black stooges, Chirau, Sithole and Muzorewa, and their consequent failure to win over or resist the liberation forces, has doomed the Government. Muzorewa's African National Congress (ANC) is disintegrating because of its inability to win any gains for its black supporters.

Now Smith has made clear, in his secret negotiations with Joshua Nkomo, his willingness to ditch the stooges at the first opportune moment. The weakness of the internal settlement lies in its failure to meet the demands of the black petty bourgeoisie and to integrate the black leaders who have real military and political power. That is why the internal settlement has been consistently rejected by both British and Ameri-

can imperialism, as well as the 'front-line' African states.

The collapse of the internal settlement is by no means the collapse of neo-colonial strategy. The Anglo-American proposals are aimed at passing power to Nkomo, and possibly Mugabe, but within strictly prescribed limits, which will secure the existing distribution of property and migrant labour system (allowing only the emergence of a small black bourgeoisie), and preserve the existing state apparatus during the critical transition period.

### NKOMO

Nkomo, David Owen's favoured candidate, is building up a regular army, withholding it from guerilla operations, and engaging in secret meetings with Smith, apparently without Mugabe's knowledge.

Pressure for a compromise comes not only from the imperialist powers but also from

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AUBREY, BERRY and CAMPBELL: as the trial of two journalists and an ex-soldier under the Official Secrets Act opened in London this week, TUC President David Basnett blocked moves to discuss the case at the Trades Union Congress at Brighton. On this issue as on others, Basnett wanted to avoid anything that could cause trouble for the Government.

Ex-soldier John Berry is charged with supplying information from his experience in Army Signals Intelligence to Duncan Campbell. Crispin Aubrey is charged with aiding and abetting Campbell and Berry.

The case includes charges under the catch-all Section 2 of the Official Secrets Act, which Labour promised to abolish in 1974.

OUT ON 22nd SEPTEMBER...

### SOCIALIST ORGANISER

Special newspaper edition of the bulletin of the Socialist Campaign for a Labour Victory. 16 pages for 15p; bundles at 10 for £1, post free. A paper to be used by all socialists in the labour movement who want to counter the Tories and also the right-wing record and policies of the Labour leaders. Help prepare the fightback for socialist policies. Order copies now from SCLV, Box 127, Rising Free, 182 Upper St, London N1

Also available: SCLV poster, in three colours — with the message: 'Keep the Tories out; Vote Labour; Boot out Callaghan's Tory policies'. 5 for 20p, 30 for £1; add 20% for post and packing.



AFTER 25th November 1975, it seemed that Portugal had suddenly become stable after a year and a half of revolutionary ferment. The Sixth Provisional Government, and the two constitutional Governments headed by Mario Soares, worked steadily to stabilise bourgeois rule and roll back the gains which the workers and peasants had made in 1974-5.

Now Portugal is entering a new period of instability. In 1975, governments were unstable because the workers were too strong for safe bourgeois rule, yet not strong enough to take power for themselves; now there is instability because the militant Right is strong enough to challenge governments, but not strong enough to take power.

On September 5th the new government, headed by Alfredo Nobre da Costa, presented its programme to Parliament. The Government is a curious mixture.

On the face of it, the right-wing parties should be satisfied. Nobre da Costa's ministers are mostly industrialists or bankers, and Apolinario Vaz Portugal, nominated to the key Agriculture Ministry, is a trusted right winger. The Socialist Party should be content, too: 12 out of the 15 ministers have served in, or served in high positions under, Socialist-led governments.

In fact the main big business party, the CDS, boycotted the Nobre da Costa Government's induction ceremony, and the SP's attitude is very cool. The only party clearly supporting Nobre da Costa is ... the Communist Party. Three of his ministers are supposed to be close to the CP.

It looks as if the new "non-party" government will follow a policy of balancing and compromise.

On one of the key questions which tore apart the previous SP-CDS coalition, the plan for a national health service, Nobre da Costa has declared firmly against the plan. On the other, more important question — land reform — he is more ambiguous.

In 1973, 29% of Portugal's active population worked on the land: the highest proportion in Western Europe. The agricultural workers played a major part in the revolutionary events of 1975.

After 11th March 1975 (when an attempted rightist coup was defeated), and continuing through the summer, the workers took over the land and formed cooperatives (UCPs). One million hectares (out of a total of about five million hectares of cultivated land in Portugal) were taken over by 480 cooperatives, involving about 25,000 workers. Large areas of previously uncultivated land were included in the seizures.

In July 1975 the Fourth Provisional Government (a coalition of the Communist Party, the SP, and the bourgeois PPD) passed an agrarian reform law which legalised some of the land seiz-

# PORTUGAL: revolt of the landowners



ures. The law lagged a long way behind the workers' struggle; by early April 1976 only 300,000 hectares of the one million seized by the workers had been formally legalised.

Often the seizures went beyond the law. According to the law, the landowners had the right to retain a "reserve" portion of their land. Land was to be assessed on a points system, taking into account both the area and the quality of the land, and the "reserve" was set at 50,000 points (up to 500 hectares).

A detailed survey was made of the southern district of Evora, and is quoted in the Portuguese Workers Coordinating Committee pamphlet *Land Reform in Portugal*. 57% of the cultivated land had been occupied by 154 cooperatives, with, on average, an area of 3,000 hectares and about 100 workers. The cooperatives are run by workers' committees.

Only 1.8% of the cooperatives' land in Evora had been seized illegally according to the July 1975 law. On the other hand, a further 100,000 hectares were covered by the agrarian reform law, but had not been seized.

At first the landowners did not know what to do, especially since the armed forces were backing the workers' occupations. In

Autumn 1975 they formed the CAP (Confederation of Portuguese Farmers), which quickly became the major mobilising force of the Right.

The CAP played on the sharp contrast between the North and South of Portugal. The South was an area of large estates, worked by wage-labourers; the north, an area of small peasants owning their own land. The Northern peasants had not gained from the land reform. On the contrary, they were worse off in 1975 because credit was more difficult. Many were organised by local businessmen and clerics in

support of the CAP and the Right.

The CAP had its major base in the central district of Santarem. Santarem has a large agricultural working class — 55 cooperatives were formed there — but unlike the southern districts it also has a large number of middle-sized landholdings.

After 25th November the Socialist Party rapidly made concessions to the CAP. In October 1976 the workers were evicted from 101 'illegally' occupied farms. In July 1977 the SP pushed a new land reform law through the Legislative Assembly: the

'Barreto law'.

The Barreto law raised the size of the landowners' reserve to 70,000 points, and extended it to landowners who were absentees or were held to have 'sabotaged production' (they had previously been excluded). SP leader Mario Soares had already announced his intention to see that compensation was paid to the landowners.

These policies have not been put into practice. The problem is the strength and solidarity of the southern agricultural workers, among whom the Communist Party is very strong. Even under the Salazar regime, these workers managed to organise a successful strike, in 1962, for the eight-hour day.

On top of that, Portugal's big capitalists do not even much want to reverse the land reform. Under the Salazar dictatorship Portuguese agriculture was stagnating and in crisis, and the 'technocrats' made many unsuccessful efforts to get a Government-organised land reform. Now that the land reform has gone through — although not in the way they wanted! — they are willing to leave it, so long as enough is given to the middle-sized landowners and rural middle-men of the CAP to keep them quiet, and as long as Capital takes its toll from the cooperatives in the form of interest charges on their debts.

The idea of compensation for the expropriated land does not mean very much. Portugal's deep economic crisis means that the Government could pay the compensation only in the form of Government bonds of very dubious value.

But the right wing is on the offensive. It was the CAP and the PSD (the party which most closely reflects the CAP) which forced the CDS to withdraw from its coalition with the Socialist Party. In the coming months the Right will be fighting hard to strengthen its position and create conditions for a strong right-wing government. In the course of the resulting clashes and conflicts within the ruling class, it is still possible for Portugal's workers and peasants to mount successful resistance to the right-wing offensive and go beyond that to reopen the prospect of socialist revolution.

## UN troops for Namibia?

KURT WALDHEIM, secretary-general of the United Nations, proposed to the Security Council on August 30th that a force of 7,000 UN troops be sent to Namibia (South West Africa).

If it goes ahead it would be the biggest UN operation since its troops helped prop up the pro-western Tshombe forces in the Congo in 1960-61. The proposed intervention is designed to enforce the western powers' plan for Namibian independence agreed to by the South African government (which now controls the country) in April and by the South West African Peoples Organisation (the major liberation movement) in July.

The present independence settlement involves the holding of one-man-one-vote elections for a constituent assembly; they would be carried out under the control of the South African-appointed Administrator-General of South West Africa, supervised by the UN.

The conditions of the settlement are the abolition of race-law restrictions, the release of political prisoners and detainees, and the right of free, peaceful entry back into the country of SWAPO guerrillas and other exiles.

Further conditions on military activity are the restriction of South African and SWAPO troops to their bases, the phased withdrawal of South African troops (though 1,500 soldiers, in two bases, would remain till after the elections were completed) and the disbandment of South African-

organised local black police forces under the control of reactionary 'tribal chiefs' appointed by the Pretoria government.

While the UN has declared its intention to send some forces to the area, the settlement clearly states that the "Prime responsibility for maintaining law and order in Namibia during the transition period shall rest with the existing police forces ... who will be limited to the carrying of small arms in the normal performance of their duties".

The SWAPO forces, now able to operate openly in Namibia (though under tightly restricted conditions of legality) have now accepted the settlement under the massive pressure of South Africa's 26,000 troops armed with the most modern military equipment. But they remain highly sceptical of South African intentions.

A recent speech in Khartoum by SWAPO president Sam Nujoma expressed concern over South Africa's determination to hold onto the oil-rich Walvis Bay enclave, which is Namibia's only natural harbour suited to large-scale shipping.

The South African government is pressing for elections to be before the end of 1978, in an attempt to deny voting rights to Namibian exiles, thus helping the 'moderate' puppet parties that have mushroomed over the last few months to make some headway.

And South African troops have continued to attack guerilla

forces — they have gone into Angola and in the last few weeks into Zambia, to attack SWAPO bases.

SWAPO, and any other such forces genuinely fighting for the liberation of their country, have the right to make concessions and deals under the pressure of their enemies, accepting such arrangements as 'phased withdrawals' if they have to. But we in Britain must continue to maintain that South African and UN troops have absolutely no right to interfere in the affairs of Namibia. We must demand that the Labour government plays no part in sending troops there — troops who inevitably would be used to further imperialist interests.

The armed struggle of the Namibian liberation forces goes on: at the end of August, in a major engagement, they successfully attacked a South African army patrol in the Caprivi Strip. And this struggle will now be entering a most crucial stage, when it can decisively shift the balance in the conditions SWAPO has been forced to agree to. The next few months will decide whether Namibia wins genuine independence from South Africa or turns into another variety of puppet state. Our support is vital.

SWAPO Rally

Saturday 9th September, 2.30pm at Co-op Hall, 129 Seven Sisters Road, London N.7. Speakers from SWAPO, Patriotic Front, ANC and Bob Wright [Asst. Gen. Sec. AUEW] + film. Admission Free.

## 'Back to Stalin' says Vietnamese CP

THE conflicts on Vietnam's Chinese and Cambodian frontiers now seem to be leading to internal tension in the Vietnamese regime.

Since the July meeting of the Central Committee of the ruling Vietnamese Communist Party, articles have appeared in the Vietnamese press criticising mistakes by the government and attacking un-named "opportunists". "The traitorous elements", said the Central Committee paper *Nhan Dan* on 18th August, "are more dangerous than the imperialists".

Such violent language is unprecedented in Vietnamese internal polemics. There have already been purges since the driving out of American imperialism in 1975. Almost all the old leaders of the National Liberation Front in the South have vanished from prominence. Supposed "pro-Chinese" members of the VCP leadership were squeezed out at the 1976 Congress.

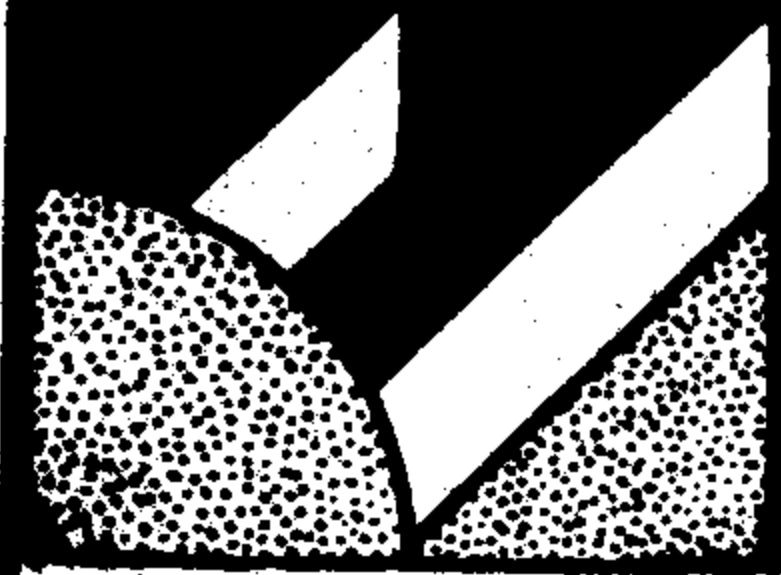
Early this year the Vietnamese press began referring to Stalin in an approving manner. The current press campaign aims much of its fire at 'liberalism', and it appears that a 'hard' faction responsible for such

measures as the drastic closing-down of thousands of small businesses in the South between March and May this year is gunning for a faction identified with the much more cautious and liberal policy pursued until then.

Economic problems lie behind the political tensions. Vietnam's armed forces are being built up again because of the conflicts with Cambodia and China. The flight to China of thousands of people of Chinese extraction formerly living in Vietnam has deprived the country of key skilled workers. Production is growing at only 11.3% a year rather than the planned 20%.

For a country facing enormous problems in overcoming the devastation inflicted by America's long war against the Vietnamese people, these new difficulties are acute. But the new 'hard' course will not resolve them. The workers and peasants of Vietnam will have to overthrow the ruling bureaucracy in order to face up to these problems without the distortions of nationalism, secret diplomacy and bureaucratic command in the economy.





# Parliament proposes, the Civil Service disposes... and the bosses decide

"The real power is very much with the permanent Civil Service official", says Jack Jones. According to him, the former head of the Civil Service, Lord Armstrong, "was at one time virtually running the country"

In a recent speech, Jones went on to cite examples of Civil Servants frustrating the attempts of the Labour Government to bring in new legislation.

What Jones says is true — but it's a cover-up too.

People like Jones always say "parliamentary democracy is working" when they are attacking militant left-wing critics — and then when the Labour record comes under fire, they declare: "The Government and MPs are powerless".

And what Jones said is only a small part of the story. The Rhodesia sanctions-busting scandal offers ample evidence that Ministers are given the run-around by senior civil servants. It also shows how ministers are easily bent to their will. It is not as if the Civil Service bureaucracy is a cage that ministers are screaming to break out of, rattling the bars, calling attention to their captivity.

For instance, when George Thomson was Commonwealth Secretary, he was told [according to the Bingham Report] that it was necessary to continue oil supplies to South Africa although some of these would go through to Rhodesia. The paralytic or pliable Thomson swallowed it all without any arm-twisting... although it was against the Government's policy and against the law.

And the policy the Civil Service was pursuing wasn't a whim of the bureaucrats of the Foreign Office, the Commonwealth Office, or the Ministry of Fuel and Power [all of which seem to have been in on the sanctions-busting], but the policy of a powerful section of the ruling class. And it is the capitalists who are ruling the country, even if they leave a good deal of the running to civil servants.

Symbolically, Frank McFadzean of Shell and William Frazer of BP were in the room when Thomson was being told what to think.

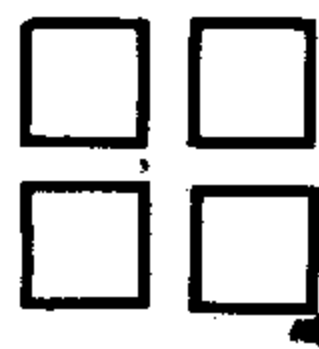
For socialists the issue is clear: in a capitalist society the bosses and bankers rule while the senior civil servants and army commanders run the show for them. Parliament is largely a charade played out

to make the system look as if it is the "people's will" that is being carried out. The main function of real socialists in Parliament, therefore, is to expose this charade, using Parliament as a platform for working class ideas.

It is no good moaning after the event that you meant well but the civil servants [or the bankers, or the IMF] blew you off course. A real socialist warns about these obstacles in advance, and works to mobilise the working class against them. Jones' speech against the miserable record of his 1964-70 Government.

Wilson found, he says, that "a newly elected government with a mandate from the people was being told, not so much by the Governor of the Bank of England as by international speculators, that the policies on which we had fought the election could not be implemented".

Wilson concludes lamely in his memoirs, "I recognised the force of his [the Governor's] arguments..."



IN THE SAME eve-of-TUC speech, Jones complained about the poor quality of Labour MPs. He thinks more of them should have experienced working class life, and the unions should do more to encourage officials to enter politics.

On the same day, the Sunday Mirror commented on a new book on British MPs. The book "shows that 46.7% of all MPs elected in the last ten general elections were educated at public schools. Among Tory MPs the proportion was a huge 77.8%. A staggering proportion when only 5.6% of children in Britain go to fee-paying schools..."

"There were 24 women MPs in 1945. Now there are 27... The proportion of manual workers becoming Labour MPs fell from 39.2% to only 4.6% at the last general election... [and] there is not one black MP".

But what is needed to improve the 'calibre' of MPs is

not the kind of industrial relations expertise that Jones prizes so much, nor just, as the Sunday Mirror puts it, people who are "more in touch with the lives of ordinary folk".

What is needed is MPs who fight for the interests of the working class.

Ray Gunther came from working class origins, yet he was one of the most anti-working-class Ministers of Labour we have seen. The upper-crust composition of Parliament is a fairly sure guarantee of pro-capitalist policies: but more worker, women or black MPs would not guarantee policies that would strike back against the capitalists in the interests of the working class and other oppressed groups.

The TUC leaders, after all, are almost solidly from working class origins, and they have been backing up the Government in its anti-working class policies. The capitalist class has acquired a fine expertise in converting workers' leaders, even former militants, to its purposes, through privileges, careerism, and a thousand subtle pressures.

The whole structure of Parliamentary representation — the lack of direct accountability, the infrequent elections, and the separation of the legislative from the executive organs of government — ensures that Parliament, even if a few fighting socialist MPs do get in, is very insensitive to working-class wishes and interests, and very much dominated by the permanent state apparatus.

The working class will get a government which really represents us only through a different system: workers' councils, in which the representatives are directly accountable to those who elect them, and are paid no more than the average pay for a skilled worker.

This is the answer both to the fakery of Parliament and to the dangers of remoteness, lack of representativity, and careerism. We can start the fight for it now by campaigning for democracy, accountability, and mass involvement in the labour movement, against the system of leaving things to the MPs and the union officials.

BOB FINE

## ZIMBABWE

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Nkomo's guardian, Zambian president Kaunda, who is guided by considerations of Zambia's massive copper trade with the west.

The threat of a neo-colonial solution which in no way meets the demands and aspirations of Zimbabwe's people, is as strong as ever. The collapse of the internal settlement, which was never supported by the US and Britain, should not be taken, at face value. The fall

of the transitional government can not be hailed as a victory in itself, in the way Socialist Worker did. The outcome of the struggle is still very much in the balance.

The worst effect of calling the recent developments 'victory' is to lull British workers into passivity and a belief that it is all over, instead of seeing the real continuing need for international solidarity with the forces fighting Smith.

The recent revelations about Shell and BP show how big business works, flouting the law if necessary, to pre-

serve its interests in southern Africa. The same sort of thing is going on in the manoeuvres for a neo-colonial settlement. Lonrho, for example, has been paying Nkomo's hotel bills and some of his staff salaries.

We have to expose the record of British big business, and the Government, on southern Africa, and do all we can to make sure that the fighters in Zimbabwe do not find that everything but the empty husk of their victory has been stolen from them by deals between Smith, the imperialist powers, and Nkomo.

# RIGHT TO WORK MARCHERS ROCK BRIGHTON TUC

LAST SATURDAY (September 2nd) nearly 500 unemployed people, mainly youth, assembled at Bethnal Green hospital (where the staff are fighting against closure) for the third Right to Work march, jointly sponsored by the Right to Work Campaign and Rock against Racism.

This year's march was from East London to Brighton, to lobby the TUC conference.

On the first day the march wound through the streets of London, taking in areas such as Brick Lane and Brixton to express solidarity with the black communities of these areas, facing attacks from the National Front.

Also supporting this first day of the march were a handful of people from the Communist Party backed Campaign Against Youth Unemployment, clearly overshadowed by the SWP-dominated Right to Work campaign.

At the end of the 23-mile long second leg of the march, from Croydon to Crawley, we were welcomed by representatives of Crawley Trades Council and Crawley CP. The march took in the few Asian-dominated streets of Crawley to express, once again, solidarity against fascism and racism. Many of these Asian families were the target of the Malawi Asians hysteria two years ago, which was whipped up in an attempt to get tighter immigration controls and to make black people scapegoats for problems like unemployment.

On Monday, the third day, the march progressed from Crawley to a spot some seven miles from Brighton, and was joined by Tom

Robinson, who has appeared at several Rock against Racism gigs, including the 80,000-strong Carnival against the Nazis in London's Victoria Park earlier this year. About 30 marchers went on as an advance guard to join a CAYU lobby of the TUC.

When we reached Brighton on Tuesday, the anger of the marchers was focused on the TUC conference, in an attempt to turn the heat on the delegates to take up seriously the question of unemployment.

Throughout, the young marchers showed a fantastic level of energy and combativity.

At a meeting held on the second evening of the march, John Deason of the SWP addressed us, supposedly on the tasks facing the Right to Work campaign. Apart from speaking of the problem of racism and the growing strength of the State in Britain, he said little which was really useful. In fact the remainder of his speech showed how much the Right to Work Campaign is just a recruiting circus for the SWP.

He said that single issue campaigns could never really be successful in capitalist society, and so there was no great importance in discussing strategy and tactics for the Right to Work Campaign. The only way forward was to build a socialist organisation which could overthrow the system and which would not lose support once the heat had gone off a particular campaigning issue. So all join the Socialist Workers Party...

Behind the glib preaching of 'build the SWP' as the answer to everything, there was little real effort to raise political awareness.

NEIL COBBETT

## SCLV meeting at TUC - 'activists not preachers'

"THE TRADE Union movement in Britain proved on the Industrial Relations Act that it has the power to smash laws and bring down governments. The industrial struggle of the working class must be 'politicised'. The left today must not make the mistakes of the Bevanites, in rejecting 'industrial action for political ends'. We must unite left forces in the Labour Party and trade unions around the kind of campaign the Socialist Campaign for a Labour Victory is mounting..."

Ernie Roberts, retired assistant secretary of the AUEW and prospective parliamentary candidate for Hackney North, was calling for support for the SCLV at a 'fringe' meeting organised at the Brighton TUC.

Jonathan Hammond, a member of the National Union of Journalists Executive, also spoke. He pointed to two issues where the Tories' position appeared to be much more reactionary than Labour's, Ireland and 'law and order'. On Ireland, Labour has been following a 'bipartisan' policy with the Tories, against Irish self-determination; and in Britain the Government has built up the repressive state apparatus with the Special Patrol Groups and has clamped down on journalists like Philip Agee, Mark Hosenball, Duncan Campbell, and Crispin Aubrey.

Hammond attacked David Basnett's ruling against taking the NUJ's resolution condemning the Aubrey-Berry-Campbell case.

His conclusion was that we should campaign for a Labour vote, not because Labour is marginally better than the Tories, but because keeping Labour in power will deny Labour leaders the chance to posture as left-wingers in opposition, and thus provide a better situation for building a

real socialist alternative.

Ernie Roberts underlined the importance of socialist work in the trade unions, pointing out that left currents in the Labour Party like *Tribune* failed on this. Trade union block votes, cast against the wishes of rank and file members, have won Labour party conferences for right-wing leaderships, and a struggle for labour movement democracy needs to be fought.

In the discussion, veteran *Militant* supporter Dudley Edwards said that the SCLV appeared to be young and angry, as he had been in the '30s, but it didn't understand the way the Labour Party was going. He argued that there was a steady and inevitable move to the left in the Labour Party. The Prentices have moved out, and the true feelings of the workers are finding expression — "even at this week's TUC".

He saw this process leading to an inevitable decisive conflict with capitalism in the next ten to 15 years.

Ernie Roberts, in reply, pointed out that for activists in the labour movement, the confrontation with capitalism is a day-to-day struggle, and the movement needs, not preachers setting the date for the revolution in years ahead, but activists today. He stressed the importance of leading and learning in struggle — as has been done with the fight against racism and fascism in Brick Lane.

An appeal by Ernie Roberts for labour movement support for the campaign won the support of the secretary and president of Brighton Trades Council, a number of officers in the Labour Party in Brighton, and two Labour parliamentary candidates in Brighton and Hove.

Nik Barstow



RAPE IS ONE of the 'buried' issues which the women's movement has dragged into the open.

At the forefront of women's concern has been the courts' notorious leniency towards rapists.

When guardsman Tom Holdsworth raped 19-year old Carole Maggs last year, his sentence was suspended so that it wouldn't affect his army career. The judges commented 'understandingly' on Holdsworth's "enthusiasm for sex". But Noreen Winchester, who stabbed and killed her father when she could no longer take being repeatedly raped and humiliated by him, was jailed.

Joanne Little, a black American woman, was saved only by a major campaign after she killed a white jailer who was trying to rape her.

Men's violence against women is regarded as legitimate, in the same way that slaveowners' violence against slaves used to be. Thousands and millions of men take a positive pride in 'forcing' women to 'submit' to them. Judges, policemen, and prison warders share these standards. When women fight back, their violence in self-defence is straightaway defined as criminal.

Brownmiller's book, the major study on rape so far produced from the women's movement, starts from the assumption that: "When men discovered that they could rape, they proceeded to do it". "It is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear". She deduces that rape is the keystone of women's oppression.

Psychologically, there is a lot of truth in this conclusion.



Noreen Winchester

In a society that, in its law, ideology, popular culture and police practice all but encourages rape, every woman is affected. Women are not free as long as they must dread or experience rape.

The chains that this forges around women are the countless things that, hardly noticing any more, we 'just don't do'. As long as the attitude of society, the courts and the police is that women should stay indoors, stay off the streets, be careful not to 'act free' because that's provocative, then women will never be free to go wherever a man can go and in every way act as freely as a man.

And rape itself comes in different degrees, down to the daily verbal rape that every woman knows so well: the coarse proposals, the lip smackings, the touches and pinches, the jeering goad, 'mind you don't get raped'.

Historically and politically, however, Brownmiller's conclusion is false.

As the American Marxist Cindy Jaquith put it in a review of Brownmiller's book: "Brownmiller's simplistic theory is merely a variation of the theory that women's oppression stems from the presumed fact that men have always been stronger than women and thus able to physically keep them subjugated... The conclusion: biology determines our destiny as women and nothing we do can change it".

In fact in some early societies women took the leading role and were often considered to be stronger than men. There is no evidence of rape existing in those societies. Rape also does not exist among animals, as one would expect it to if it were biologically determined.

The oppression of women dates from the rise of private property

# THE MALE AS SLAVEOWNER

## THE POLITICS OF RAPE

by  
**ROS MAKIN**

and class society. Rape in its turn is a product of the general oppression of women, of property-based sexual relations (men 'owning' their wives), and of the violence which is inbuilt in class-divided society.

In earlier patriarchal societies, women were legally part of a man's property. Accordingly, the laws defined rape not as an attack on a woman's body, but as an attack on a man's estate, a crime of property.

The first concepts of criminal rape were restricted to virgins. A virgin daughter was a valuable piece of property, fetching a good price on the bride market, but rape damaged her value.

In Biblical times a virgin was not held responsible for a rape carried out against her, but a married woman was to be put to death as an adulteress along with the rapist. Rape was, however, quite acceptable against women of a conquered tribe.

In feudal society the law of rape still generally applied only to virgins. It was not until 1275 in England that rape of a married woman was made a crime carrying the same penalty as rape of a virgin. The noble classes retained extensive rights over the peasant class, which extended in practice to women's bodies. Even as late as the eighteenth century a nobleman was found not guilty after he had abducted and held prisoner for a week a commoner girl.

Rape has often been especially common in wars. It has performed the function of reward, revenge, punishment, terror, and brutalisation of the troops. It serves to reinforce the 'masculinity' of the victorious winner over the defeated enemy, and to further humiliate the vanquished by 'having' their women (often in front of their relatives).

Rape in war can also be used as a weapon of terror for keeping a subordinate population in fear. The victims of war rapes are often murdered too — brutally emphasising the way that the rapists see women as objects to be used and then disposed of.

### War

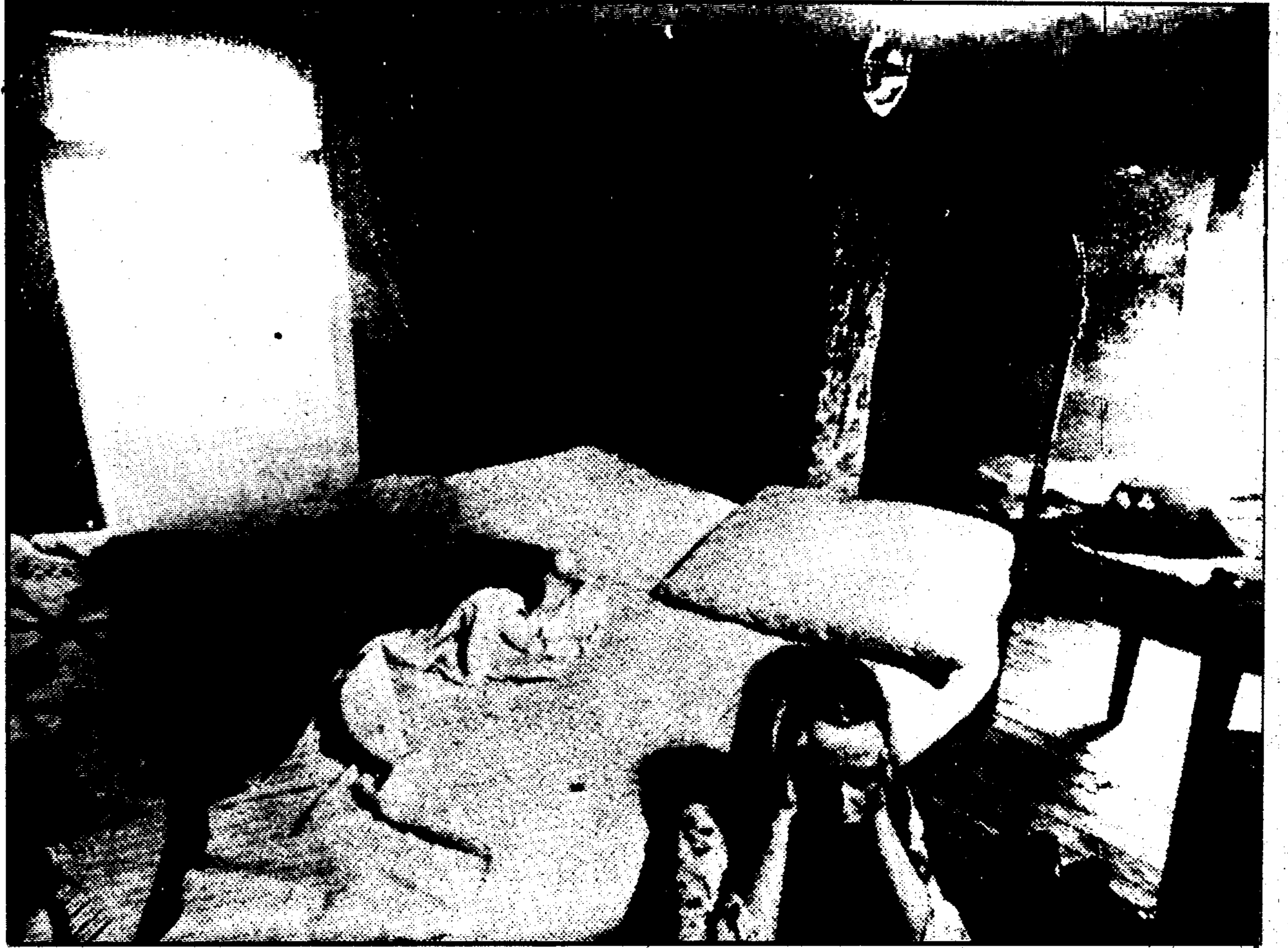
Susan Brownmiller points out that war-time rape is the logical extension of grouping together a large number of men in an army, separated from women, with the emphasis on the 'masculine' qualities of aggression, strength, loyalty, callousness, and all-male 'comradeship'.

That is true. What she does not examine is the various reasons for which wars take place — which always, eventually, centre round property questions — and why some armies are more brutalised than others.

Her own evidence on Vietnam shows that rape is not simply a product of men at war.

The American troops were trained as brutalised, dehumanised, racist machines of violence. Many US army camps had official military brothels. One incident described by a US deserter shows how sexism and racism merged in the American troops' violence towards Vietnamese women.

"We balled these chicks. They



were forcibly willing — they'd rather do that than get shot. Then one of the girls yelled some derogatory thing at the guy who'd balled her... He just reached down for his weapon and blew her away. Well, right away the other three guys, including myself, picked up our weapons and blew away the other three chicks. Just like that..."

The National Liberation Front was different. For them rape (as well as stealing and looting) was a political crime, punishable by execution. In the NLF forces women fought alongside the men as equals.

And the NLF troops were not mindless killers like the American

soldiers, but people fighting for the consciously-understood aim of the liberation of their country. In all the great wars of national and class liberation, brutality has played a much smaller role than in imperialist and counter-revolutionary warfare.

Rape is part of the armoury of the oppressor against the oppressed. For example, under slavery in the USA, the slaveowner regarded it as his right to rape his female slaves (his possessions), either regularly or as the desire took him. For female slaves sexual submission was part of their lives.

After the ending of slavery, rape was still used in the South

to keep the black population in a state of subordination. For the black woman, there was the fear of multiple rape if she stood up for her rights; for the black man, the fear of being accused of raping a white woman, for which many blacks were hung or lynched. Often the charge of rape was instigated by white men, not women.

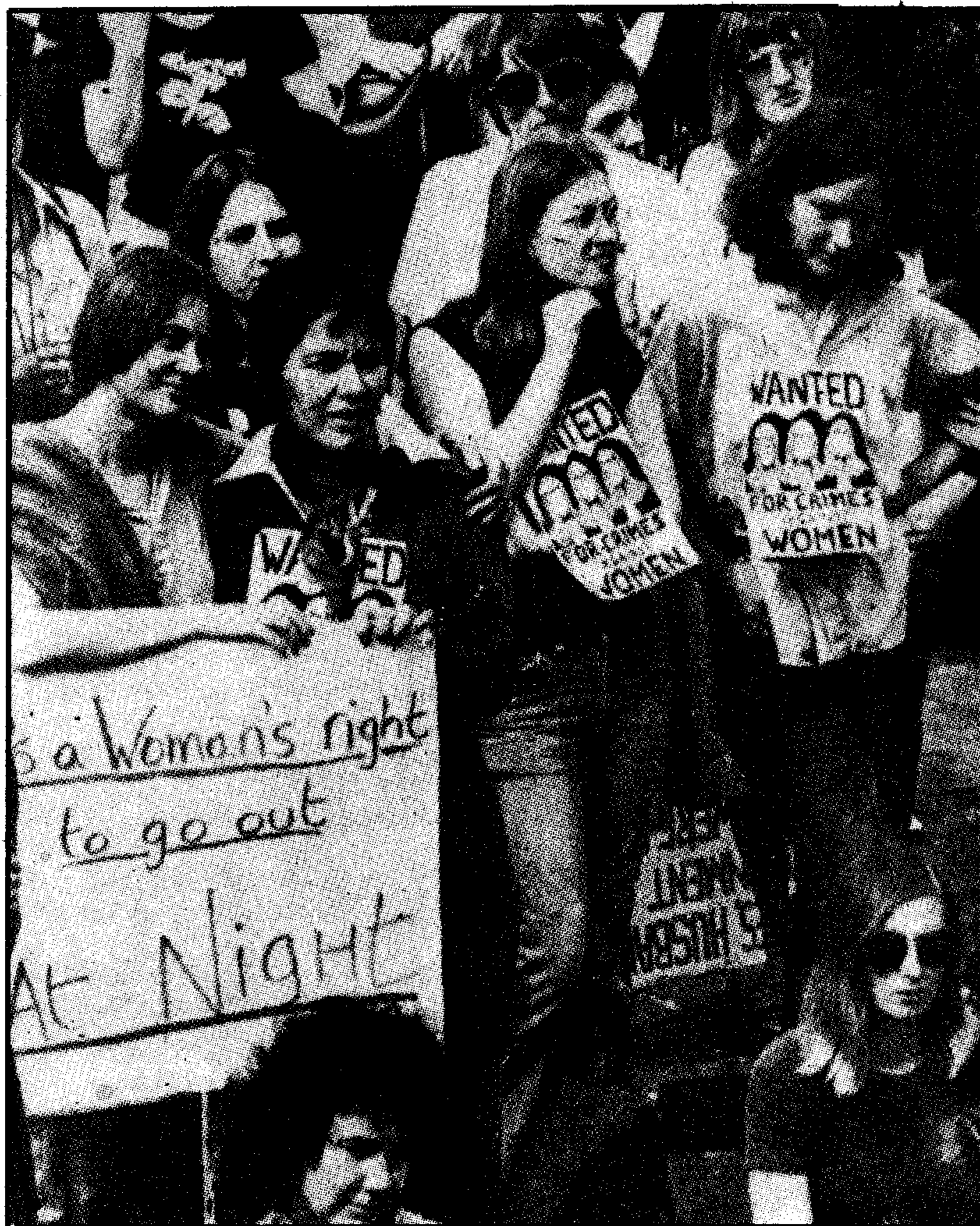
Who are the rapists? In literature, films and popular mythology, there are three set types: the rapist as the 'charming, witty, unscrupulous, heroic, sensual rake' (with the implication that rape is really an act of seduction, which the victim willingly complies with in the end); the rapist as a timid little man deprived of 'normal' sexual outlets; or the rapist as a superman possessed of uncontrollable 'natural' lust.

The reality is different. A precise picture is difficult, because many rape victims are so intimidated that they do not report the rape. But the popular image does not cover the overwhelming reality of rape as a weapon of class, racist and sexual oppression.

Brownmiller quotes a survey on rape in Philadelphia, and comes up with a profile of the average rapist as young, poor, and having convictions for other violent crimes. The problem is that the rapists of the wealthier classes will always slip through the nets of such surveys.

A poor black woman has very little chance of convincing policemen, jurors, or judges that she has been raped by a rich white man.

Many women do not bother to report a rape because of the shame associated with it. By some extraordinary twist of logic, a woman against whom a rape has been committed is held to be partially responsible. A court hearing often becomes a trial of the woman herself, with her character, sexual experiences, and relationships dragged in. The assumption is that it is impossible to rape a woman against her will, and that she must have changed her mind, laid back, and enjoyed it. This despite the severe injuries some rape victims suffer.



Trafalgar Square rally against Rape



**"A FEMINIST definition of rape can be contained in a single sentence. If a woman chooses not to have intercourse with a specific man and the man chooses to proceed against her will, that is a criminal act of rape"**

**Susan Brownmiller, "Against Our Will".**

If a woman has had a normal sex life, then as far as the courts are concerned she is a loose woman and deserves what she got. If a raped woman has had sexual intercourse on a different occasion with the man who raped her, the assumption is that it is the man's right to continue to have sex with her. A prostitute stands almost no chance of her attacker being convicted.

Within marriage the law still holds that a man has a legal right to sexual relations with his wife whether she agrees or not. The law on this has changed very little over centuries: a woman is not the property of her husband, with no corresponding rights to counter his 'rights'.

All the time women are treated with contempt and disbelief, both in the court and in the police station. The fact that the woman has lived through a horrifying, brutal attack is ignored. The woman can be accused of acquiescing in the rape if she doesn't bear the marks of a fight. Terror is no excuse!

When women demand that rape should be legally considered as the serious crime of violence which it is, that rape victims should be protected from inquisitions and harassment, that women should be more equally represented on juries and judges' benches, or even that they should give police women to deal with rape cases, they are only demanding their elementary democratic rights. They deserve support.

## Race

But this capitalist state will never give more than the most minimal protection against rape. The machinery of the courts and police is set in motion in rape cases, the results can be very different from what socialist women would want. There was a case in Aix, France, in May this year, where three men were prosecuted for raping two women, Anne and Aracelli.

Anne and Aracelli called for the men's movement to mobilise support them, which it did. When the rapists were given sentences of four and six years, both socialist women and Anne and Aracelli themselves pressed that long sentences had been what they wanted. Their aim was simply to get recognition of the fact that rape is a crime, without supporting the idea that stigmatic punishment is the best way to deal with crime.

There are cases where the man's advantage in rape cases is offset by racist and class factors. A rich white woman is likely to be believed by a court when she says she has been raped by a black man. Thus, in the

From a soldiers' magazine: how the British Army sees women.



Private Roger Search was found guilty of raping a woman while on patrol duty in Strabane. The woman was then raped by two other privates who got a maximum of nine months. The army welcomed all three back ceremoniously...

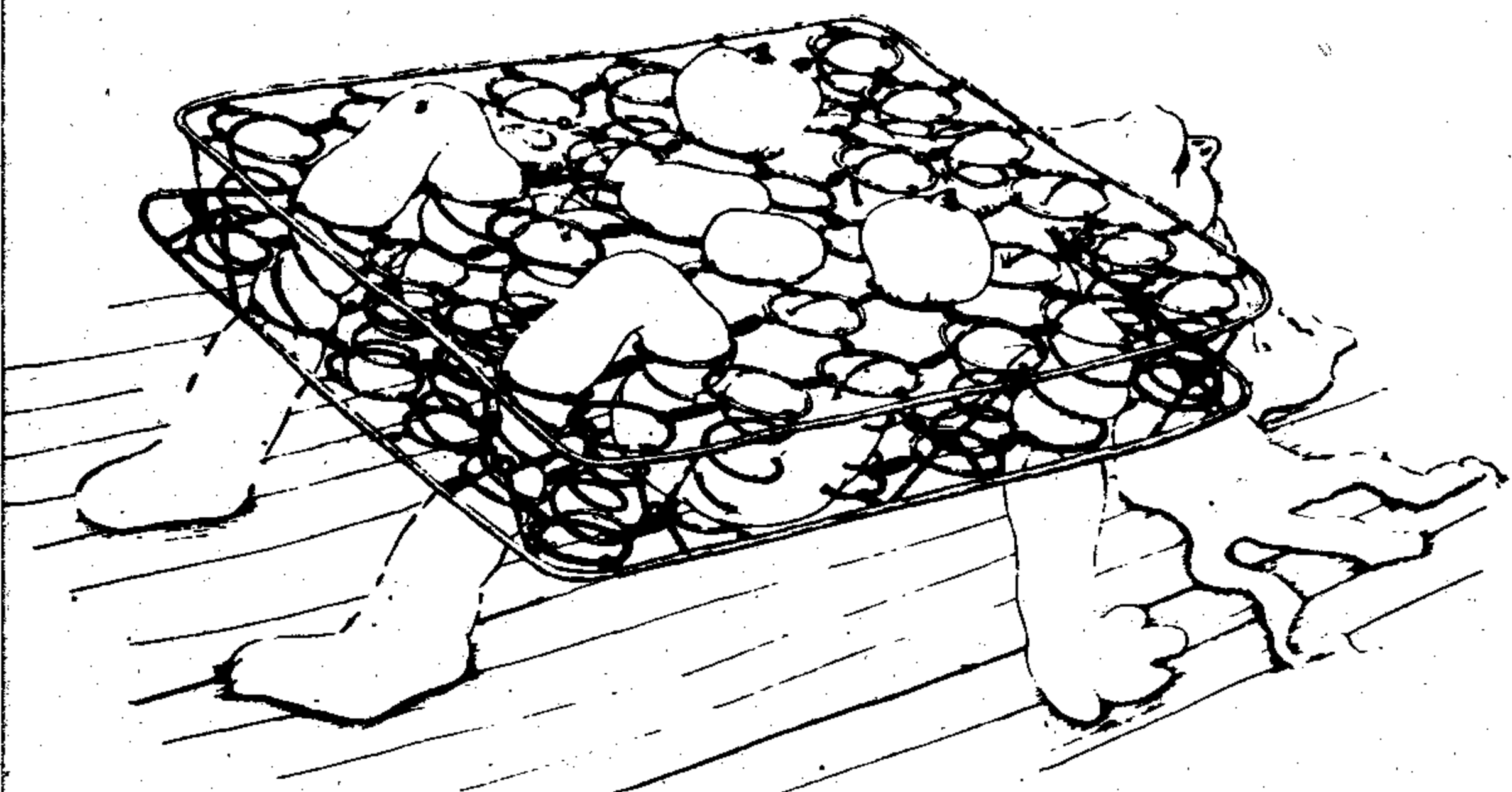
For imperialist armies waging war against oppressed nations, rape is part of the spoils of battle.



USA, 455 men have been executed since 1930 for rape. 405 of them were black.

Rape will cease only after the class society that breeds it is overthrown. Demands like more policing or stricter censorship laws on pornography, put forward by Brownmiller as answers to the rape question, are more likely to work against the movements in the working class and the black communities who are fighting to overthrow capitalism. No wonder Brownmiller was nominated as one of *Time* magazine's "women of the year" in 1975!

Both to combat rape, and to take part in the struggle for socialism, women need to build a strong working-class based women's movement. Because rape is not biologically inevitable, everything that raises women's self-confidence, breaks down male arrogance, and makes women better prepared to defend themselves and their sisters, is a measure to prevent rape. In that struggle women can get the support of everyone who wants to eliminate the rule of private property in human society.



# EXPERT CONTROL OF BREEDING ISN'T SOCIALISM

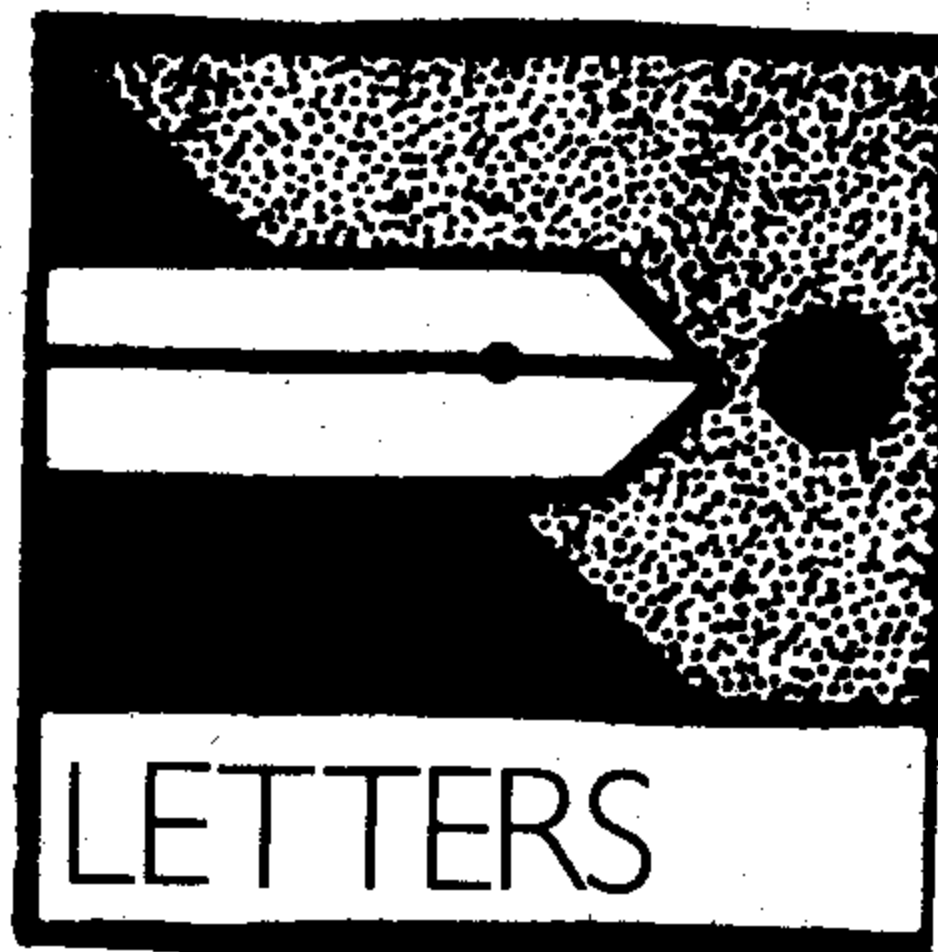
Dear comrades,

If Colin Foster's letter ('And after that, let's have test-tube pregnancy', WA 113) had appeared in a journal other than *WA* I would have taken it to be a rather tasteless and ignorant right wing caricature of a supposedly Marxist position. In fact the attitude expressed in it owes much to the technocracy and statism of the Second International, and indeed of Stalinism, and nothing to Marx or Trotsky.

There are two giveaways here. The first is the loose use of such terms as 'social control' and 'public', suggesting that irrespective of their class nature, advances in state control involve 'progress'. The second is the contrast he draws between the family, which produces battered babies as 'only the most extreme example of its viciousness' and the education system which 'gives the widest field to individual development' and which 'even the most hidebound Tory' has come to admit is a good thing.

Yes indeed! Many PhDs have been earned by bourgeois sociologists demonstrating that the working class family hampers or destroys all the good work of the school. The experience of working class children themselves is different.

For every battered child there are dozens who have found amongst their parents and relations, along with many destructive experiences, their first and most meaningful experiences of human solidarity and warmth. For every child who has managed to obtain from his school access to the history and the achieve-



ments of his class and of humanity, there are dozens of others who have only had their curiosity stifled, and their confidence in their own ability to create and to reason undermined.

In four or five years practically all children get from their parents what they need to enable them to master speech and basic physical skills. In double that time the highly trained professionals often fail to teach the much simpler skills of reading and writing. The patriarchal and claustrophobic bourgeois nuclear family of today must surely be replaced; but not by something which reduces the relationship of children to parents and other relatives, and certainly not by bourgeois-bureaucratic professional experts.

For Marx socialism was the realm of freedom, and Lenin specified that 'freedom equals subjectivity'. If all babies are to be 'test tube pregnancies', as advocated by Colin Foster, what room is left for the subjectivity and the control of the parents whose reproductive function has been taken over by the medical specialists? The situation is not helped by Colin's assurance that under socialism the experts will have the best of intentions.

It is not the intentions of the elite which distinguish socialism but precisely the control over their own lives practised by ordinary people.

When Trotsky wrote that under socialism the average individual would be of the level of a Marx, a Goethe, or an Aristotle, he certainly did not mean that the experts would be able to plan and programme such results. The engineering of a unique and creative (and so by definition unpredictable) genius was not the kind of inherently contradictory absurdity of which he was guilty.

He meant that when the obstacles of class society were all removed, and when the full heritage of humanity was available to all as a jumping off ground, then the full (self-motivated and subjectively controlled) flowering of the individual would become a reality.

There are other implications behind the letter which Colin might care to rethink. In shunning the motherhood mystique he has fallen into simple misogyny.

He clearly finds the very idea of women being pregnant and bearing children barbaric and repugnant. Motherhood is indeed neither a necessary destiny for all women nor an exclusive destiny for any. It is however a potential for all healthy women and a very important part of life for most.

A healthy pregnancy and a normal (wanted) birth is a very satisfying experience and we look to progress in medical science to see that it is like that in all cases.

I was lucky, and I look back on both my pregnancies with satisfaction. I think I find Colin's desire to eliminate this aspect of my being as offensive as no doubt he finds the suggestions of certain man-hating women's liberationists that the psychological and physical disorders and the oppressions associated with male sexuality could best be solved by general artificial insemination and castration.

**LEONORA MASSEY**

Colin Foster will be replying to the correspondence in next week's **WORKERS' ACTION**.

## Setting up Lenin as a clay pigeon

Dear comrades,

Rhodri Evans' polemic (WA 115) against Poulantzas' warmed-over left reformism did a good job of exposing the theoretical poverty, even downright ignorance, peddled by this intellectual luminary on the theme of socialist strategy. It is a refreshing change from the more reverent treatment Poulantzas gets from others, like *Socialist Challenge*.

Poulantzas' article is most remarkable for the almost total lack of any attempt by the writer to support his own slippery theses by any accurate references to the class struggle.

On one point Poulantzas should have been harried a bit harder. In his article he states that "taking state power is treated [by the 'dual power' strategists of the Communist International] as a preliminary to its destruction/displacement. Transformation of the state apparatus does not really enter into the matter: first of all the existing state power is taken, and then another is put in its place". This, as Poulantzas himself must know, is rubbish!

The Communist International in Lenin's day elaborated a programme of transitional slogans. The point of these was that used correctly they lead towards the creation of a workers' counter-power (with its seeds of self-aboli-

tion) before the overthrow of the old state.

For instance, revolutionaries demand that workers' representatives in the unions or workers' parties should be paid no more than the wage of the average skilled worker. One aspect of the function of the workers' committees is the schooling of the masses, which is one precondition for the withering away of the state.

The apex of this programme of transitional demands was formed by the slogan of a workers' government. In its tactical application this was not something simply to be constituted after the seizure of power, but to be fought for before.

With the "workers' government" the Leninists even envisaged a tactic where (in an unstable situation) the workers might take governmental power and use that to strengthen the proletarian power in its unavoidable violent clash with bourgeois power. But they never had the idea of 'taking over' the bourgeois state and then destroying it...

Poulantzas' picture of the Communist International's theory is nothing more than a clay pigeon thrown up for the not-so-Marxist marksman to shoot down.

**DAVE WALLIS**

## What about Britain's Gulag

WHO DO the British think they are kidding? At the moment they are calling for a Western boycott of the 1980 Olympics because, they say, of Russia's treatment of political dissidents. In a first class example of rampant British hypocrisy they shed crocodile tears, yet do they

think they are conning anyone? More important, are they to be allowed to get away with it?

How can Britain be critical of any other country's treatment of political opponents and prisoners when her security forces in occupied Ireland are waging a continuous campaign of oppression against Sinn Fein and other political groups opposed to them? At the same time Britain is maintaining the worst prison system in Europe here in Long Kesh, where 350 political prisoners are suffering what can only be described as horrific conditions.

Other examples of British oppression of political opposition are not hard to find: the harassment of members of the Relatives Action Committee is widespread, with almost daily raids on the homes of its members; the detention of Irish people in Britain simply because they are from Republican areas, the censorship of news and current affairs programmes. Add to this the torture of suspects and the attempt to suppress Republican News and you are left with ample proof that the British are not in any position to criticise the Russians.

The very audacity of the British is sickening. They try with obvious insincerity to show the world how they are peerless in their defence of democratic freedoms. Here in Ireland we know different and we must let the world know the truth.

In ending I would like to make one final point. If Britain is calling for a boycott simply because of the political oppression in Russia, how come a few months ago a British football team were allowed to play in the World Cup in Argentina? If I am not mistaken the Argentinian Government is a world leader in the use of terror and torture to suppress opposition, so why no boycott then?

**POW, Long Kesh**



"A worn-out piece of tyranny, this dragnet for compassing the imprisonment ... of men whom the ruling class does not like".

The conspiracy law permits any sentence up to life imprisonment for the crime of 'conspiracy' to do something unlawful. It may be that the unlawful act was never committed, was impossible to commit, could only lead to minor penalties if you were found guilty of it, or was not even an act that could lead to

criminal charges: still, 'conspiracy' to do it can get on top of that, the rules of evidence work so that 'conspiracy' is much easier to prove in court than actual criminal deeds.

In 1973 the Tory government brought conspiracy law into play as a major weapon in the class struggle, with charges against workers involved in flying pickets during the 1972 builders' strike. It was also used against the 'Angry Brigade', and today six anarchists

are in Brixton prison awaiting trial on conspiracy charges.

Under a new Tory government the conspiracy law could be used even more ruthlessly against trade unionists. But the labour government, too, has kept the conspiracy law and used it.

JOHN COSBY outlines the dangers of the conspiracy law, and describes how it was used against six building workers from North Wales.

# The Conspiracy Dragnet

CONSPIRACY was first established as a serious charge in the 17th century by the infamous Star Chamber Court. As a recent review put it, "the Star Chamber saw it as a way of bringing criminal charges against those combining to do anything the Star Chamber did not like."

During the 18th and 19th centuries conspiracy law was gradually extended. In 1832 Lord Denman defined conspiracy as an agreement "to do an unlawful act or to do a lawful act by unlawful means". Note: 'unlawful', not 'criminal'. The difference is important.

During the 19th century it was the growing trade union movement which suffered most from criminal conspiracy charges. It was illegal to form any combination which had as its aim 'the restraint of trade', so legally workers could only organise for such things as friendly society benefits.

But growing trade union strength forced legal reforms. The 1871 Trade Union Act exempted trade unions from the charge of being criminal conspiracies for the restraint of trade. Four years later the 1875 Conspiracy and Protection of Property Act removed much criminal liability from trade unionists for such things as conspiring to commit torts, breaches of contract and such petty offences as molestation, if they were 'acting in furtherance of a trade dispute'.

## FLYING PICKETS

The 1906 Trade Disputes Act and the 1974 Trade Union and Labour Relations Act have given trade unionists further protection from conspiracy charges by extending the legal definition of a 'trade dispute'.

But the 1973 Shrewsbury trials showed that conspiracy law was still a threat to trade union action.

The 1972 builders' strike had faced two problems. First, a large number of small sites that could not be picketed regularly; and second, the non-union 'lump' workers. The Union (UCATT) used the tactic of flying pickets, moving from site to site.

As the strike ended, in partial victory, Tory MPs began complaining about picketing laws, and the building employers presented dossiers of alleged violence during the strike. The gutter press launched a campaign against flying pickets and the *News of the World* ran an 'exposé' on Des Warren.

Warren, a militant from Connah's Quay, who was later to be jailed for three years, had obviously been singled out as a ringleader, though at the time of the picketing he had been congratulated by a police inspector for his handling of a meeting.

In October 1972 police inquiries began in North Wales and in the West Mercia Division. Over 800 people were interviewed, many being questioned for hours. The operation went on through November and then was dropped, with no arrests being made. But it resumed in February 1973 and then, some 5 months after the strike had ended, the arrests began.

In all, 24 building workers were arrested, questioned for hour after hour, charged with a variety of offences including unlawful assembly and conspiracy, and sent for trial: some at Mold Crown Court, some at Shrewsbury.

Shortly before the main trial opened, at Shrewsbury, the Lord Chancellor Lord Hailsham abolished the century-old right to know the occupation of prospective jurors. At the earlier Mold trial, the Defence had challenged 14 jurors and succeeded in

sentence were unsuccessful. Lord Widgery thought that "the deterrent effect of the original sentences has contributed to a period of relative peace".

Feelings ran very high in the trade union movement over the Shrewsbury trials, particularly after the jailings. The TUC and UCATT leaders kept activity down, urging people to wait for the various appeals (as they were to do at Grunwick) and urging a change in the law. Many thought that a Labour government would release the pickets and abolish the legal charge of conspiracy.

But the pickets served out their time in jail; and after four and a half years of Labour government 'conspiracy' is still a crime — with the exception of those who conspire (as did the police and the building bosses in 1972) to put innocent people behind bars.

What makes conspiracy so dangerous is that you can be 'guilty' without doing anything. As one judge put it, "The conspirators may repent and stop, may have no opportunity, or may be prevented or may fail. Nevertheless the crime is complete: it was complete when they agreed". For instance "If two lovers agree to commit suicide together, but promptly think better of it, nevertheless they are liable to an indictment for conspiracy". In 1890 an agreement to abort a woman who, as it turned out, was not even pregnant, was found to be criminal conspiracy.

The 'agreement' involved may also be very intangible. The prosecution at the Shrewsbury trial argued that there need be no meeting to make the agreement. All that was needed was to show that certain things happened which had a common pattern.

It is not even necessary to prove that anything has been said. The agreement can be made, as the prosecution in the Shrewsbury case pointed out, "with a nod and a wink". Legally, it is enough that there was a "tacit understanding between conspirators as to what should be done."

Moreover, a person may become a conspirator by merely projecting assent to the unlawful project even though it is not intended that they personally should do anything.

But there is a get-out for police agents and provocateurs. A 19th century judge exempted them because such a person would not "enter the conspiracy with the mind of a co-conspirator".

But as long as your state of mind is right, you can be charged with conspiring with someone now dead, someone immune from prosecution, or 'persons unknown'.

## SERIOUS CRIME

Another way the dragnet works is this. The most minor participants in a large, serious crime could be convicted of a conspiracy which includes actions which they had nothing to do with.

Thus 'plots' hatched by a group of people sharing a similar lifestyle and beliefs or by a political group can result in everyone in that group being prosecuted for conspiracy.

## Conspiracy to frame up by... the cops

"THESE PEOPLE are part of a group of idealists who would take positive steps to overthrow society". These words were part of the 'evidence' that got six anarchists remanded in custody on charges of 'conspiracy to cause explosions'.

The six are still on remand after over 12 weeks. And, being labelled Category A prisoners, they are still denied many of the rights of convicted prisoners.

At the last court hearing [24th August], police put on another big security operation, to give credibility to the idea that the six are dangerous terrorists.

After the hearing they arrested two members of 'Persons Unknown', the support group set up to protest against the arrests and treatment of the six.

The police addressed one of them in German. She looked blank, and soon afterwards they decided she was not the one they wanted, and released her. The other was German. She was picked up with the excuse that she had failed to pay a fine, and was strip-searched before being released.

It looks as if the police are anxious to build up a 'German connection', linking the six, if only by implication, with the 'Baader-Meinhof' group.

In a further attempt to build up a 'scare' atmosphere, three people standing outside the court had their bags searched, presumably for explosives...

getting a largely working class jury.

The trial at Shrewsbury opened on 3rd October 1973 and lasted 2½ months, with six men in the dock. All six were found guilty of unlawful assembly; Warren, Tomlinson and Jones, guilty of affray. Carpenter and O'Shea were found not guilty of conspiracy or affray.

On the conspiracy count, the jury eventually found Llywarch not guilty but Warren, Tomlinson and Jones guilty. Des Warren was jailed for three years, Ricky Tomlinson for 2 years, and John McKinsie Jones for 9 months for conspiracy to intimidate, whilst the statutory maximum sentence for intimidation is only 3 months.

In February 1974, at yet another trial of 8 of the 24, three more pickets were jailed.

Appeals against conviction and

This has happened in the trial of the 'Angry Brigade' and in some cases brought against Irish Republicans. It is an obvious opening for 'conspiracy' to be used politically, making people's beliefs and political associations into effectively criminal offences!

Another twist in the conspiracy law means it can be used politically against demonstrations and radical publications. In English law, 'effecting a public mischief' 'outraging public decency' and 'corrupting public morals' are not criminal in themselves. But conspiracy to do these things is a crime.

## LEAD TO CHARGES

In 1973 the House of Lords held that not all agreements to commit torts (civil wrongs), as opposed to criminal acts) were indictable offences, but civil trespass can be if it involves 'the invasion of the public domain' or an intent to inflict more than 'nominal damage'.

In a case where students occupied the Sierra Leone High Commission the judge said that



O'Shea, Tomlinson, and Warren leading a march outside Shrewsbury Crown Court.

'conspiracy' to carry out that occupation was a crime. The *Times* commented that the judgment "does little to ... allay the fears of those who believe that the conspiracy laws are being increasingly used against persons involved in protest of a political or civil liberties nature."

Almost any picket could lead to charges of conspiracy. In June 1975 the *Industrial Law Journal* pointed out: "There may be a pre-arranged display of threatening, abusive or insulting placards likely to lead to a breach of the peace, or a concerted shouting of such slogans..."

"Potential liability will be greatest where there is a mass picket, since the court will be more likely on the facts to conclude that the pickets' purpose went beyond the statutory purposes, and if a common design can be inferred, it is a short step to conclude that there is a conspiracy to watch and beset."

The Shrewsbury pickets were charged with conspiracy to intimidate. This is also a catch-all offence. Home Secretary Robert Carr declared: "the law as it stands makes it clear that sheer numbers attending can of itself

constitute intimidation".

Not only does conspiracy create new crimes and heavier penalties, it makes crimes easier to 'prove'. Where the police are not sure they can prove crime X, they can charge you with both 'X' and 'conspiracy to do X'. Then — as in the Shrewsbury case — they can offer to withdraw the heavy conspiracy charge in return for you pleading guilty to X.

Since the crime of conspiracy consists of an 'agreement' which need not exist in writing, in speech, or in any visible way, all sorts of evidence is admissible which could not be used for ordinary charges. For example, if a plot is proved, then any act subsequently done by any of the members in furtherance of the conspiracy is admissible as evidence against all of them, whether they knew anything about it or not. Also, all sorts of stories about the defendants' life-style, beliefs and so on can be dragged in.

There are all sorts of other twists. For example, Jake Prescott of the *Angry Brigade* was charged with conspiring with the 'Stoke Newington Eight' and much of the evidence against them was used against him —

though the others were tried later. Thus much of the evidence was difficult to challenge, because the defendants against whom such evidence was primarily admissible, and their lawyers, were not present. If the charge had related to a substantive offence rather than conspiracy to commit that offence, then such evidence would not be admissible unless there was a joint trial for that offence, with all the accused on trial together.

The *National Council for Civil Liberties* notes that "the tactical advantages reserved for the prosecution in a conspiracy case destroy the accused's right to a fair trial. ... The rule of conspiracy law ... is so uncertain that judges and prosecuting authorities act as pile-drivers staking out the bounds of criminality as it suits them from case to case."

And a lawyer wrote that the law of conspiracy "leaves so much discretion in the hands of judges that it is hardly too much to say that plausible reasons may be found for declaring it to be a crime to do almost anything which the judges regard as morally wrong or politically or socially dangerous."



# POEU leaders struggle to sell their sell-out

ALL OVER the country Post Office engineers are furious at the antics of their union executive. Scores of branches have sent in resolutions condemning their acceptance of a 37½ hour week with strings just when industrial action for 35 without strings was beginning to bite.

Many resolutions also call on POEU leader Brian Stanley and his National Executive Committee to resign. When the union's recall conference meets on September 16th, therefore, the NEC will face not only a challenge to its revised deal — 37½ hours but most of the strings removed — but also to its position.

The 37½ hour week will take two different forms: half an hour knocked off each day for about 60% of the membership, and a nine-day fortnight for the rest. Militants see this division as potentially dangerous.

The last time the POEU had a recall conference of this kind the union leadership lost the vote. This time they are busy trying to forestall that possibility.

On the NEC, Stanley and others demanded a secret ballot, and a recall conference was secured by a majority of only three. The conference will have before it only one motion... the NEC's. No other motions and no amendments will be allowed.

This is calculated to have two effects: firstly, the NEC hopes, many members might vote for the offer if there is no alternative in front of them; secondly, it will force the left to challenge the NEC right at the beginning on the question of the standing orders — something that will be very important but could put off a lot of middle-of-the-roaders.

The leadership has reconstituted a number of regional councils to organise support for its policy. They have also sent out leaflets through union journal distributors rather than through branch secretaries whom they suspect of being too militant. A mass south-east England rally at Brighton has also been organised.

The leadership will be arguing that the 37½ hours is a tremendous victory — and with a touch of bitter irony many members think it's fantastic that *this* leadership got anything at all!

The NEC will certainly argue that the POEU wage claim (let alone the various issues linked to modernisation) cannot be pursued if the hours struggle is to continue. The June conference of the union accepted 10% but then went on to demand an additional 20% by the end of August. So

far the leadership has made no mention of this claim.

Stanley and co. will also be quick to point out that the only strings attached at present are that maintenance cover has been extended. This means the introduction of a staggered start to the day — some starting early, some finishing late.

But this only serves to reveal that the NEC have reneged not just on the letter of the claim but entirely on its spirit. The whole point of the shorter work week was as a means of job protection in view of the impending modernisation programmes. What the NEC have accepted is a degree of work intensification along with

the cuts in hours.

The NEC's best 'argument', however, is their own treachery. Many delegates will vote to confirm the GPO's offer because they feel that it will be too difficult to generate the mood for industrial action now that it has been called off, and that in any case a victory will be out of reach as long as Stanley and his followers lead the union.

So the Left will be organising now to oust the leadership, particularly if the NEC loses the vote on policy. The Broad Left's meeting will be on the evening Friday 15th at the Digbeth Hall, Birmingham, and all militants are welcome.

# Don't ban NF, beat them

AT ITS August 15th meeting, Edinburgh and District Trades Council reversed its policy of reliance on state bans against the National Front, and accepted instead the series of proposals put forward by the Edinburgh South Hospitals branch of NUPE.

The new policy, campaigned for vigorously over recent months by the Edinburgh Campaign against Racism and Fascism and ANL, commits the Trades Council to counter any NF demon-

stration or rally by organising demonstrations with the purpose of preventing the NF gaining a platform. It rejects all state bans on public demonstrations, calling for the Trades Council itself to organise demonstrations against any such bans, in defence of the rights of the labour movement.

The Trades Council is to support all trade unions, student unions and tenants' groups who expel NF members and to campaign in support of media workers taking action to stop the NF gaining air time during the election.

Despite opposition from the Communist Party-dominated Executive Committee, the motion was passed by a sizeable majority. The EC attempted to get the NUPE branch to withdraw its motion on the basis that such a policy would "unnecessarily tie the Trades Council down". This bureaucratic attempt to avoid being seen to argue against the policy, and the total failure of the manoeuvre, is a sign of the CP's political demoralisation and loss of credibility within their former stronghold in the Edinburgh labour movement.

Delegates from Edinburgh South Hospitals NUPE, a branch which until recently was almost entirely dominated by the CP's top NUPE bureaucrat, Irene Swann, explained that they were in no position to withdraw a motion agreed by the overwhelming majority of a well-attended branch meeting at which the members were well aware that the NF would attempt to mount their continually postponed public rally in Edinburgh.

Previous attempts by the NF to hold rallies and press conferences in Edinburgh and Glasgow have been aggressively combated by sections of the labour, anti-racist and women's movements, and this has severely hampered their attempts to declare themselves a viable national force by building a strong base in Scotland.

The change in policy of Edinburgh Trades Council can be used to argue for a much larger official trade union presence to prevent future NF attempts to organise, and to make sure that the Trades Council and local ANL do not call for the police to do the job of the labour and anti-fascist movement.

JOHN MACDONALD  
Edinburgh South Hospitals NUPE

Anti-Nazi League supporters march through Birmingham



## 'Marxists' against gay rights?

THE GAY ACTIVISTS' Alliance has been running a picket of Hulme Labour Club (Manchester) for several weeks now in protest at the Club Committee's ban on gay discos there.

The local Constituency Labour Party, Moss Side, supports the GAA. At the GMC meeting on Monday 22nd August, a motion from a Workers' Action supporter for the CLP to back the pickets was passed. A few right-wingers voted against... together with the 'Marxists' of the Militant

tendency!

The Militant supporters bemoaned the effect that the "antics" of the gay activists (meaning the pickets) were having in making the Club Committee more obstinate. At the next picket, 10 or so Labour Party members were there — but no Militant supporters.

At a Young Socialists meeting the following week the Militant supporters explained the 'theoretical' reasons for their position. Agreeing with us "all

the way" on defending gay rights, they pleaded "tactical differences". A long process of education was necessary, and until then such things as pickets would only put people's backs up.

A fine education anyone is going to get from Militant's stand on this issue! Their lick-spittle attitude to the Labour establishment apparently extends right down to every bunch of petty bigots on a Labour Club Committee.

MICK WOODS

## ANL discusses election plans

THE SECOND Anti-Nazi Carnival, in South London on September 24th, will be top priority for the Anti-Nazi League in the coming weeks, with anti-NF activity in the General Election taking second place. That was the general line of the ANL Working Council in Birmingham on 26th August.

The second Carnival is planned to be even bigger than the first one, especially in terms of labour movement representation. If it is a success, it will of course be a big boost to anti-fascist activity during the election campaign which will probably be in full swing by the 24th.

But the ANL's line for the elections seems to be to focus on the areas that have bigger ANL branches and can organise more people for the Carnival — not necessarily the areas that will be facing serious NF activi-

ty. Wolverhampton Anti-Racist Campaign delegates, who complained about the difficulties they are facing with the prosecution of Dave Stevens (charged with assault and threatening behaviour after an anti-racist demonstration), were told that they were failing to have 'the right attitude' to drawing in masses of people.

At the election the ANL will be putting out leaflets (opposing both the NF and the Tories), organising to paint out fascist slogans, and obtaining statements from parliamentary candidates on their views on racism and fascism. It has no definite policy on whether the fascists should be allowed to gain a platform during the election period.

Over 70 Constituency Labour Parties have already ordered ANL leaflets.

Objections were raised at the Working Council about the

method of representation. 'Key' people in each area had been contacted to spread the news of the meeting and to decide which ANL groups should be represented. Delegates complained about inadequate representation (there were about 30 at the meeting) and lack of notice.

The choice of speakers for the September 24th Carnival was not discussed. Wedgwood Benn, the Energy Minister, is among those billed. The idea, presumably, is to draw bigger crowds, which is fine... except that there is no indication that the ANL will put a speaker on the platform who will point out clearly and sharply that the Government's policies, in implementing immigration controls and letting right-wing police chiefs impose sweeping bans on marches, have given substantial aid to racism and fascism.

If Benn is allowed to whitewash the Government's record on racism with a few pious declarations against the NF, then it will be a scandal and a setback for anti-racists in the labour movement.

No other ANL Working Councils are planned before the likely General Election in early October.

C.J.

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SEND TO WA, Box 1960, 182 Upper St, London N1.



# WORKERS IN ACTION

## STAY OF EXECUTION FOR AUEW STRIKERS

**EXPELLED FOR STRIKING.** The AUEW Executive last Sunday, 3rd, confirmed the Birmingham East District Committee's verdict on 32 toolmakers at SU Carburettors, a British Leyland subsidiary.

The Executive decision was unanimous. Supposed left wingers like Hugh Scanlon and Reg Birch went along with the new anti-strike law of President-elect Terry Duffy.

The Executive also decided there should be a stay of execution on the expulsions. The toolmakers are being given a "last chance", with a summons to attend a meeting with the District Committee.

The stay of execution has not been decided because of any traces of fair-mindedness in the AUEW leadership. Duffy and the others are afraid of the militant response if they go ahead with the expulsions.

The BL unofficial toolroom committee has said it will call a strike if the 32 are expelled. Inside SUs itself the supervisors' union, ASTMS, has instructed its members not to scab.

The dispute stems from the SU Carburettors toolmakers' long-standing demand for parity with toolmakers at Rover Solihull. In 1976 they got this agreed in principle. The bosses put off implementing it.

At the beginning of August the toolmakers finally struck, demanding £7 to bring them up to Rover toolroom wages plus a Phase Four 5%. The AUEW leaders told the strikers they were disrupting the unions' talks with BL bosses for an overall parity deal.

After instructing the strikers to return to work, calling on other SU workers to scab on them, and helping the firm to hire contract labour, the AUEW leaders finally threatened expulsion.

In the next few days AUEW officials will be working double time to get a compromise deal. They are likely to press for pay parity in BL Cars to be speeded up

to take effect from November 1978 rather than November 1979, as scheduled.

The deal should include bigger differentials for the toolmakers generally, and thus enable the AUEW leaders to avoid confrontation while also avoiding a humiliating climbdown. Duffy may hope to persuade the unofficial toolroom committee to drop the 32.

On Friday 1st BL bosses told the unions that they were willing to give parity from November 1978, on three conditions: acceptance of the bosses' proposed incentive scheme, increased productivity, and a no-strike clause. The union leaders will try to use the 'emergency' atmosphere to foist 'strings' like these on BL workers.

But the answer of the rank and file must be clear. The job of unions is to help and back up strikes, not to ban them! Duffy's attack on the right to strike must be defeated, clearly and completely.

## WESTERNS: THE JOBS CAN STILL BE SAVED

WORKERS from Western Ship Repairers, Birkenhead, are still continuing the fight to save their jobs.

600 workers at Westerns were made redundant on 7th July. The yard was closed because, according to management, there were no orders for it.

According to information the unions had received, there was work but it was being farmed out to other repair yards owned by the Cammell Laird group, to make it appear that no work was available for Westerns.

Since the closure there has been a daily picket on the gates to prevent the removal of plant and machinery. At the beginning of the picket maintenance men were allowed into the yard to prevent the docks from flooding, but when it was found out that the management had no intention of reopening the yard with all the workers being taken back on, the picket refused to allow the maintenance men in.

The management then made these workers redundant. The pump rooms of the docks must now be flooded and in need of extensive repair.

After so many weeks out of work, the old leadership from the yard gave up the struggle and accepted their redundancy. When this happened, it left around 200 of the old workforce prepared to carry on the fight. They decided to form themselves into the Western Shiprepairers Action Committee.

Since it was formed, the Action Committee has held a demonstration through Birkenhead (Saturday 5th August), a public meeting in cooperation with Birkenhead LPYS (Thursday 10th August), and a day of action (Saturday 19th August).

At the public meeting a call was put out for all Lairds group work that could have been done at Westerns to be blacked.

The Action Committee has, however, rejected occupying the yard. Their main reason seems to be a worry over legality. Unfortunately, if we tried to keep all struggles for jobs legal, they would never happen, because laws are not made to protect jobs and the working class but property and those who own it. If they wanted to, the police could use any number of laws to get rid of the picket!

Due to the influence of supporters of the newspaper *Militant* in the Action Committee, a lot of stress is being put on pressurising MPs to get the yard nationalised. This is correct as far as it goes, but the most important point must be to get rank and file support for the fight to save the jobs. The nationalisation of the yard will only be successful for the Westerns workers, as well as other workers, when it is realised that nationalisation is not a solution but only part of an answer to their problems.

The Government run nationalised firms like British Steel, not in the interests of the working class, but to support capitalism at the expense of the workers. The Westerns workers should take control of the yard, demand nationalisation under workers' control, and attempt from that standpoint to win support for their struggle.

LOL DUFFY

Messages of support and donations to: Western Ship Repair Action Committee, c/o 29 Gaywood Close, Birkenhead. Tel. 051-653 0254.

## PARITY WITH THE WORKERS - OR THE MANAGERS

**GUESS WHICH** group of 'workers' have just broken the pay limit? The full-time officials of the miners' union. The increases they voted themselves are between 6% and 20%.

The NUM Executive voted 16-7 to pay president Joe Gormley over £10,000, and area presidents between £7,395 and £9,400. Junior officials will get between £6,500 and £8,300.

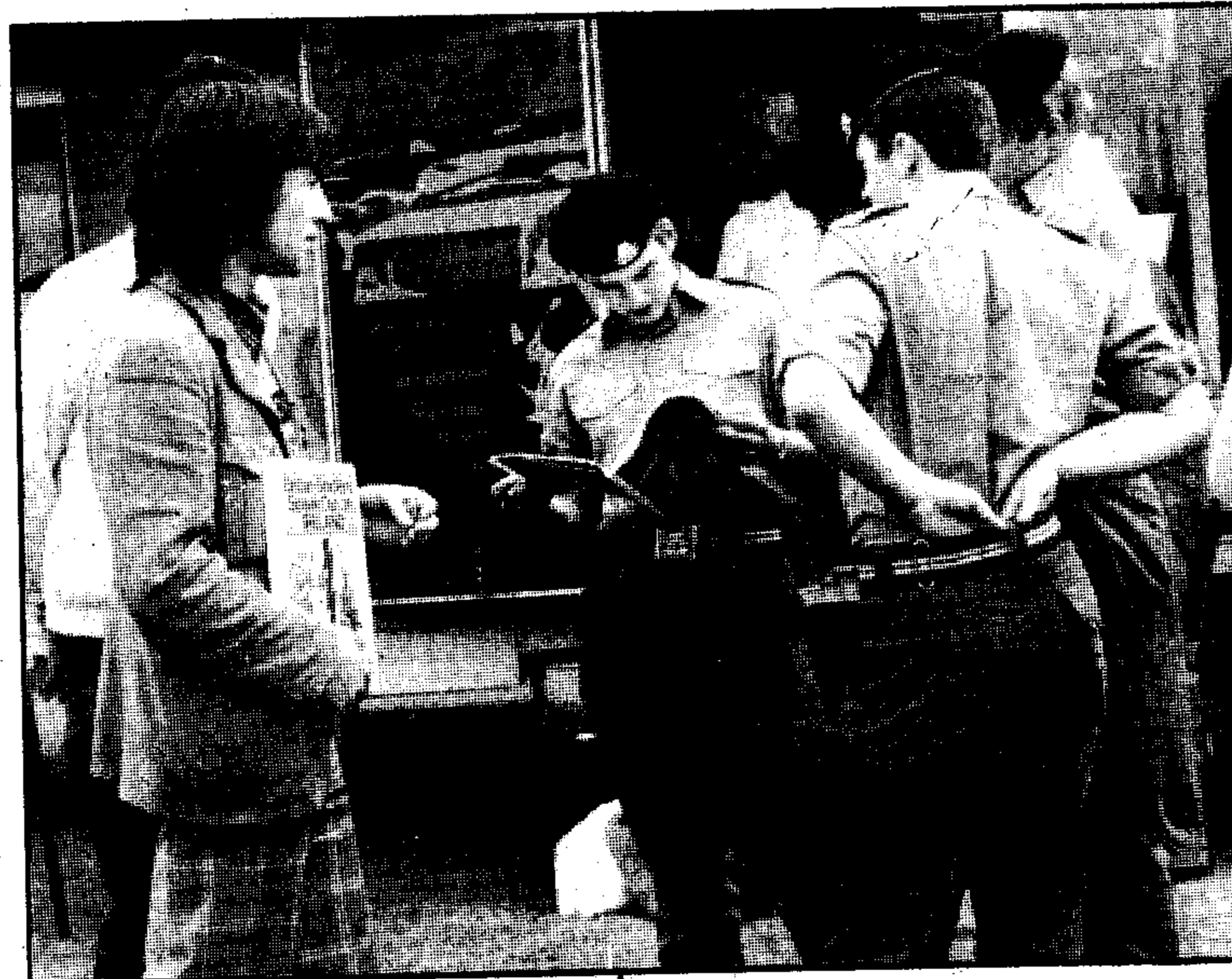
The main opposition came from the South Wales delegates. South Wales area president Emlyn Williams said that the officials should wait until the miners get their next pay rise and take the

same amount.

The argument for the big rise was 'parity'. Not parity with the workers they represent, in line with the socialist idea that officials should get no more than the average skilled worker in their industry, but parity with National Coal Board management grades!

The development of the trade union bureaucracy as a distinct social caste, remote from the mass of workers and drawing closer and closer to the professional and managerial petty bourgeoisie, is fuelled by just such decisions.

COLIN FORD



At a United Troops Out Movement picket of an Army display in Birmingham, a soldier buys the pamphlet, 'British Soldiers Speak Out on Ireland'.

## EVENTS

Small ads are free for labour movement events. Paid ads (including ads for publications) 8p per word, £5 per column inch — payment in advance. Send copy to EVENTS, Box 1960, Rising Free, 182 Upper St, London N1, to arrive by Friday for inclusion in the following week's paper.

**MONDAY 11 September.** Edinburgh Workers' Action meeting on "The Fight for Workers' Power: why we need a programme". 7.30pm at William Graham Memorial Hall, George IV Bridge.

**SUNDAY 17 September.** London Workers' Action meeting: "Why the Unions are Clamping Down on Strikers". Speaker: Jim Denham (TGWU, British Leyland, Longbridge). 7.45pm at the 'General Picton', Wharfdale Rd/Caledonian Rd, near Kings Cross.

**SUNDAY 24 September.** Anti-Nazi League Carnival. Meet 11am in Hyde Park. Carnival in Brockwell Park.

**SUNDAY 8 October.** London workers' Action meeting: "Socialists and the next Government". 7.45pm, 'General Picton', Wharfdale Rd/Caledonian Rd, N1.

### - APOLOGY -

The 'leaked' minutes of an internal National Front faction meeting, which we published large extracts from last week, was passed to us by the anti-fascist paper CARF. An acknowledgement in our article was inadvertently lost in the sub-editing.

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## SCLV MEETINGS

### - LONDON -

#### PUBLIC MEETINGS

**HARINGEY.** Thursday 14th September. "Fighting Racism". 7.30pm Tottenham Community Project, 628 High Rd, N17.

**SOUTH LONDON.** Thursday 14th September. "The Need for a Socialist Campaign". Speakers Ted Knight (leader, Lambeth Council), and Patrick Kodikara (Hackney & Tower Hamlets Defence Committee). 7.45pm, Surrey Hall, Binfield Road, London SW4.

**ALL-LONDON SCLV RALLY.** 7.30pm, Friday 22nd September. Friends Meeting House, Euston Road.

**ISLINGTON.** Sunday 24th September. Debate between Socialist Unity, Communist Party, and SCLV. 7.30pm at the Hemingford Arms, Offord Rd/Hemingford Rd, N1.

**ISLINGTON.** Wednesday 27th September. "Defend Direct Labour". Speakers: Paul Lowenburg (an author of the pamphlet 'Building with Direct Labour'), Cllr Jenny Morris, and a UC-ATT member. 7.30pm Caxton house, St Johns Way, N19.

### - OUT OF LONDON -

**LEICESTER.** Monday 11th September. "The Labour Gov-

ernment's record and the TUC". Speaker: Jim Denham (TGWU, Longbridge). 7.30pm, Secular Hall, Humberstone St.

**NOTTINGHAM.** Tuesday 12th September. "The Need for a Socialist Campaign". 7.30pm, International Community Centre.

**NOTTINGHAM:** Carlton East Branch Labour Party meeting with SCLV speaker. Friday 29th September, Burton Rd Community Centre, Burton Rd, Carlton. All Labour Party members & trade unionists welcome.

**STOKE ON TRENT.** Wednesday 13th September. "The Labour Government's Record". 7.30pm Cartwright House, Hanley.

**CARDIFF.** Friday 15th September. "The Government's Record and the TUC". 7.30pm, Four Elms pub, Elm St, off Newport Road.

**BIRMINGHAM.** Friday 15th September. "The Labour Government and Racism". Speakers: Patrick Kodikara (Hackney & Tower Hamlets Defence Committee), Raghib Ahsan (T&GWU shop steward, Rover Solihull). At Davenport's Australian Bar, Hurst St. 7.30pm.

**COVENTRY** Monday 18 Sep. "W(h)ither the car industry?". Speaker: Jim Denham (TGWU, Longbridge). 7.30pm Swanswell pub.

Monday 2nd October. "Ireland: Brits out!". Speaker: Richard Chessum. 7.30pm, Swanswell pub.

**MANCHESTER.** Thursday 21st September. "No to Wage Control, no to the 5% Limit". 7.30pm, Star & Garter, Fairfield St, Manchester.

## Six held in council workers' strike

SIX WORKERS were arrested on the picket line last week in Basingstoke council workers' strike to defend direct labour.

On Friday morning contractors moved in to clear the rubbish tip on Popley Way. Also present were about 50 pickets and 80 police. Later, when some of the pickets left, the police moved across the road.

Then the police swooped on the pickets. Six were arrested, though only two were charged.

Council workers in all departments are still standing firm in support of the demand that more maintenance workers be taken on to do repairs on council houses, instead of contract labour being used.

### Advertisement

"INTERNATIONAL COMMUNIST" no. 9 now out •• Socialist Campaign for the general election •• May 1968 in review •• Debates •• The I-CL and the Spartacist League •• Socialist Charter •• French Trotskyism 1923-33 •• Clara Zetkin on the First International and Women's Liberation •• 35p. Order from ICL, 98 Gifford St, London N1: add 10p for p & p.