

TWO ARTICLES FROM:

WORKERS VANGUARD

April 1977

1973-1974 Brookside Strike

Reprinted from WV No. 50, 2 August 1974

Bloody Harlan Once Again

HARLAN COUNTY, Kentucky— Amid scenes of picket-line violence reminiscent of the bloody battles fought here during the 1930's, the bitter Brookside miners' strike passed the one-year mark on July 26. Since picketing began at the neighboring Highsplint mine three weeks ago, two strikers have been shot by company thugs, a machine gun has reportedly been set up in the mine office and dozens of Kentucky State Police have been mobilized to herd out-of-state scabs into the pits.

The presence of one state trooper for every three strikers and the repeated arrests, despite a previous court decision ruling the picketing legal, led to widespread rumors last month that United Mine Workers (UMW) president Arnold Miller would call a nationwide coal strike in support of the Brookside miners. However, on July 16 Miller abruptly canceled a press conference which had presumably been called to deal with the possibility of a national work stoppage. Later in the week miners were led to believe Miller would announce the industry shutdown at a rally here on July 21.

At that rally, attended by more than 4,000 people (mostly miners and their families), Miller was introduced by UMW vice president Mike Trbovich as "the man who will tell you what to do." Yet the possibility of a national strike was not once mentioned from the speakers' platform during the meeting. Instead the union chief announced that he would meet the following day with Kentucky governor Wendell Ford "to see his response before giving you an alternative."

To date the response of the bosses'

government has been typified by the fact that, while dozens of miners have been arrested on trumped-up charges, nothing at all has been done in response to reports of a machine gun in the mine office. Strikers say they were fired at by this gun on July 8; moreover, state police admit that a company employee has applied for a license for an automatic weapon! As for the miners' "constitutional rights," one Brookside striker expressed the situation well: "What good is the right to picket if the state police can come in here and break the picket line?" (quoted in the *Mountain Eagle* [Whitesburg, Kentucky], 18 July).

At a brief press conference after the rally, Miller said he was "reasonably certain" he will call a national miners' "memorial period" focusing on mine safety and, in particular, on enforcement of the 1969 Coal Mine Health and Safety Act. (Under the present contract the union has the right to call such "memorials" for a period of up to ten days.) However, Miller refused to set a deadline for such a work stoppage, hinting only that it would be called "when it is most appropriate." He also said the memorial period would "not hinge on what happens here."

Miller's purposely vague speech was a disappointment to many of the union members present. Clearly the UMW bureaucracy intends to continue its "strategy" of refusing to broaden labor support for the crucial Harlan struggle. So far, in more than a year of bitter struggle, Miller's defeatist tactics have proven completely impotent.

Miller is trying to use his currently strong bargaining power vis-à-vis the

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Scene from the film: strikers take aim at scabs.

Cinema 5

Movie Review:

Reprinted from WV No. 144, 11 February 1977

Blood and Coal: Harlan County, U.S.A.

Bloody class warfare is a rare theme in American movies. Barbara Kopple's *Harlan County, U.S.A.*, which recently opened in New York City, is a documentary film about one of those battles, a 13-month strike in the Appalachian coal fields that ended in a limited victory for the miners.

The film is a first-rate documentary. It has impact because it is not only the story of a strike but also a compelling portrayal of the power of labor traditions. It is a historical document of union militancy and working-class solidarity.

It also records, but has no answer for, the treachery of the United Mine

Workers (UMW) leadership under Arnold Miller, which withheld active support to the Harlan County strikers for over a year and then sold out the right to strike over grievances in the 1974 national coal contract.

Kopple's use of historical clips from the 1930's never allows the audience to forget that this is Harlan County. This is bloody Harlan: "there are no neutrals here." Dramatic scenes of class confrontation in the 1970's are prepared by images of pitched battles in the past. The screen is filled by the government's tanks ripping through the streets on the way up to the mines. The troops form a corridor of the state's armed might through which scabs are driven.

In these times when the slick bureaucrats of business unionism boast, as AFL-CIO head George Meany does, that they never walked a picket line; when "labor statesmen" like the Steelworkers I. W. Abel sign no-strike agreements; when "rebel" bureaucrats like Ed Sadlowski appeal to the bosses' government as a "neutral arbiter" between labor and capital, *Harlan County, U.S.A.* presents an unsophisticated truth and drives it home in graphic scenes: the class struggle is not dead.

The miners and their wives speak for themselves in this story of a year-long struggle at Brookside, Kentucky. Contemptuous and paternalistic, the Duke Power Company which owns the mine refused to accept the standard UMW contract, forcing the miners to strike in July 1973. Jailed en masse by mine-owning judges, beaten by state troopers, shot at by scabherding gun thugs, the strikers held out and finally forced recognition of the union by the mine bosses.

Kopple's camera allows us interviews of the older folks who remember the martyrs who died. For them the UMW slogan, "fight like hell for the living," is no abstract rhetoric. Throughout the

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State troopers arresting pickets at Highsplint Mine in July 1974.

Louisville Courier-Journal

Blood and Coal: Harlan County, U.S.A....

film are woven the miners' own songs, articulating their plight and their determination. At a strike rally, Florence Reese sings "Which Side Are You On?"—the song she wrote during Harlan County's labor battles of the 1930's.

Things are straightforward in Harlan. We see picket lines held by the wives on the highway because the mines are held by machine guns. Those who cross are scabs—there's no confusion here. We see the Brookside women lie down in the street to stop the gun-toting thugs. The cops drag them away, but they return. We see men and women defying court injunctions which would mean death to the strike. They have no illusions that the cops who arrest them or the courts who jail them are anything but an official extension of the company and its gunmen.

Over and over again Kopple sees the source of the strikers' courage in the memory of prior battles, in the class-struggle traditions of the coal mines of Harlan. After numerous confrontations and mass mobilizations, the miners are faced with the decision to defend themselves with arms against the guns of the union-busters and the cops. Workers self-defense is also a tradition in Harlan, and the climax of the film is



United Mine Workers Journal

Brookside miners' wives

surely when the strikers train their gun barrels on a convoy of scabs trying to enter Highsplint Mine.

The central figures of the movie are the miners' wives, whose Brookside Women's Club was in many ways the backbone of the strike. Their gritty defiance of gun thugs and state troopers sustained the picket lines through months of strikebreaking terror. For the Brookside women, as well as their husbands, the union meant survival. (See "Brookside Organized After 13-Month Strike," in *Women and Revolution* No. 7, Autumn 1974, for an on-the-spot report of the strike and the role of the Women's Club.)

The urgency of class solidarity undercut traditional racial and sexual prejudices. The powerful contradiction, pervasive throughout the U.S. proletari-



United Mine Workers Journal

UMW strikers at Brookside mine.

at, between militant unionism and reactionary social attitudes is particularly intense in the isolated mining regions. The West Virginia textbook-burning campaigns are an example. The appeal to god-fearing anti-communism has traditionally been the bosses' rallying cry in the coal fields. In the 1930's it was not only prosecution on charges of "criminal syndicalism" that defeated the Communist Party (CP)-led National Miners Union in Harlan and Bell counties, but also a hysterical scare campaign against "Marxist atheism."

Today UMW bureaucrats play on the same backwardness to harass militant oppositionists and try to purge "reds" from the union. Last September's Mine Workers convention turned into a virtual witchhunt as a result. In this respect Arnold Miller, Mike Trbovich and the rest of the bureaucrats follow in the footsteps of their anti-communist predecessors, from John L. Lewis on.

While the film is able to record the class-struggle traditions in Harlan, it fails to explicitly deal with the political reality of the bureaucratized labor movement which dragged out the Brookside strike and made it into such an agonizing struggle. As a political statement, *Harlan County, U.S.A.* never goes beyond the militant unionism it depicts. Acknowledging Miller's betrayals—and the miners' anger in response, as they burn his 1974 contract—the film shows nothing of the political roots of these betrayals.

When the movie was first shown at the New York Film Festival last fall a militant unionist commented in the ensuing discussion that the story of the strike showed the need to link the trade-

union struggle to a fight for power—for socialist revolution—or the limited gains would again be taken away. The audience cheered, and one "old-timer" commented, "Well, I'm glad somebody finally said it."

In the film, "Jock" Yablonski, the long-time UMW bureaucrat who founded Miners for Democracy and was killed by Boyle supporters, dies an untarnished martyr; Miller is seen as just one more personally corrupted bureaucrat. But in fact Miller's political behavior was utterly predictable (and Yablonski's would have been the same had he lived). Unlike their fans in virtually every allegedly socialist group in the U.S., the Spartacist League warned from the outset against illusions in these darlings of the liberals (see "Labor Department Wins Mine Workers Election," in *WV* No. 17, March 1973).

Miller's reliance on the capitalist government—through its courts and Labor Department—to climb to power in the UMW presaged his later collaboration with the class enemy in breaking wildcats, his stifling of the miners' right to strike and his heavy-handed suppression of internal opponents in the union. Today those who backed Miller—"critically" or otherwise—are fleeing like rats from his sinking ship, as the treachery of this "reform" bureaucrat has become obvious to all.

But there is one group of Miller enthusiasts which has remained loyal to the bitter end. The Communist Party's review of *Harlan County, U.S.A.* attacks "Barbara Kopple's limitations as a labor documentary filmmaker"... for putting Miller in a bad light! This, it

says, aids the "unholy alliance" of pro-Boyle forces "skilled at taking advantage of the disruptive attacks on Miller by some of the so-called 'leftist' sects operating among the miners" (*Daily World*, 2 November 1976).

The *Daily World* complains that, "As presented in the film, the UMW president is apparently turning out to be just one more labor bureaucrat. Actually in the real miners' world, it's a different situation." In the spirit of the Stalinists' "documentary films" of the Russian Revolution that "edited out" the role of Leon Trotsky, the CP would prefer a "documentary" about the coal miners in which Arnold Miller is not seen as a sellout. The problem is, Kopple's camera and microphones recorded what UMW miners thought of Miller's sellout contract; they reflected the fact that the membership struck for a month before he could shove it down their throats. That's what the *Daily World* doesn't want to see on film.

Kopple has limitations, but they are not that she shows what the angry miners thought of Miller's sellout. Unfortunately, the film's indictment of the UMW leaders is only implicit and incomplete. The director sees the strike through the eyes of the most militant miners in the area, who were frustrated by Miller's betrayals yet had no strategy to defeat them. Toward the end of the film one sees the Harlan miners trying to grapple with the Miller bureaucracy; there are arguments, a young miner talks of the need to continue the struggle. Here one hopes for an analysis of the role of the union bureaucracy, a call for constructing a class-struggle opposition in the UMW against all the labor fakers and an explanation of the need for a political struggle by the working class against the parties and state of big business. Instead there is an emptiness, at best platitudes of the kind that one can find in endless stories about Harlan in the pages of the Communist Labor Party's *People's Tribune*.

The strike is finally won—after a young miner is murdered, shot in the face—through the mobilization of 120,000 miners in a five-day "memorial period" which shut down every UMW-organized mine in the country. A subsequent NLRB representation election was lost at Highsplint Mine and Miller agreed that Brookside would be exempted in any contract strike later in the year. Above all, the necessary support—a nationwide coal strike—deliberately withheld by UMW leaders for months, could have won the strike in short order at the onset. The "reformer" Miller, however, was committed not to class struggle but to accommodation with the coal bosses.

For many in the movie theater audience, *Harlan County, U.S.A.* must seem a curious historical oddity. Not only bloody Harlan of 1931 but Harlan of 1974 must seem like ancient history, fighting labor traditions of days gone by. For the labor fakers—who have corrupted these traditions as much as they can, instituting the "informational" picket line, the "productivity clause," the no-strike agreement—this film must cause them to shudder in fearful recognition of the class militancy which built the unions they now lord over and which will one day drive them out of their cushy positions.

Harlan County, U.S.A. shows that the basis for class struggle is rooted deep in the capitalist mode of production itself. The old-timers recall the bloody battles fought a generation ago in eastern Kentucky, only to be fought again when the mine bosses drove the union out. But if today's militant young miners are to go forward they must go beyond the limits of labor reformism and the tenuous victories of defensive battles. It is through the fight to throw out the Abels and Sadlowskis, the Boyles and the Millers that the workers will recover their militant traditions, forge a class-struggle leadership and go on to make the revolutionary history of the future. ■

Bloody Harlan Once Again ...

major coal producers to put pressure on the union's adversary in Harlan, the Duke Power Company. As a result of the "energy crisis" steel companies are now down to a four- to nine-day supply of coal. Consequently even a short coal work stoppage could have powerful consequences. But Miller is not seeking to mobilize the union's strength to win the Brookside strike and immediately extend the victory through a massive organizing drive in Kentucky and Tennessee. Rather he wants to induce Duke Power to negotiate through a "judicious" display of power, emphasize to the Bituminous Coal Operators Association the UMW's favorable bargaining position and perhaps allow mutinous miners to blow off steam in a limited, legal walkout.

A History of Successful Union-Busting

The struggle at Brookside began in 1965 when Harlan Collieries, owner of the mine, decided not to renew the UMW contract. A long strike ensued, marked by considerable violence, with the company eventually succeeding in driving out the union due to the treacherous misleadership of the UMW's gangster president, Tony Boyle. In July 1970 the Duke Power Company, through its subsidiary Eastover Mining Company, bought the Brookside mine. (Around the same time Duke also purchased the nearby Highsplint mine and the Arjay mine in Bell County.)

Only five days later, while the UMW was in the process of an election card drive, the new management abruptly signed a sweetheart contract with the bogus "Southern Labor Union," a company scab-herding outfit. Naturally the contract was never voted on by the "membership." The wages provided by



WV Photo

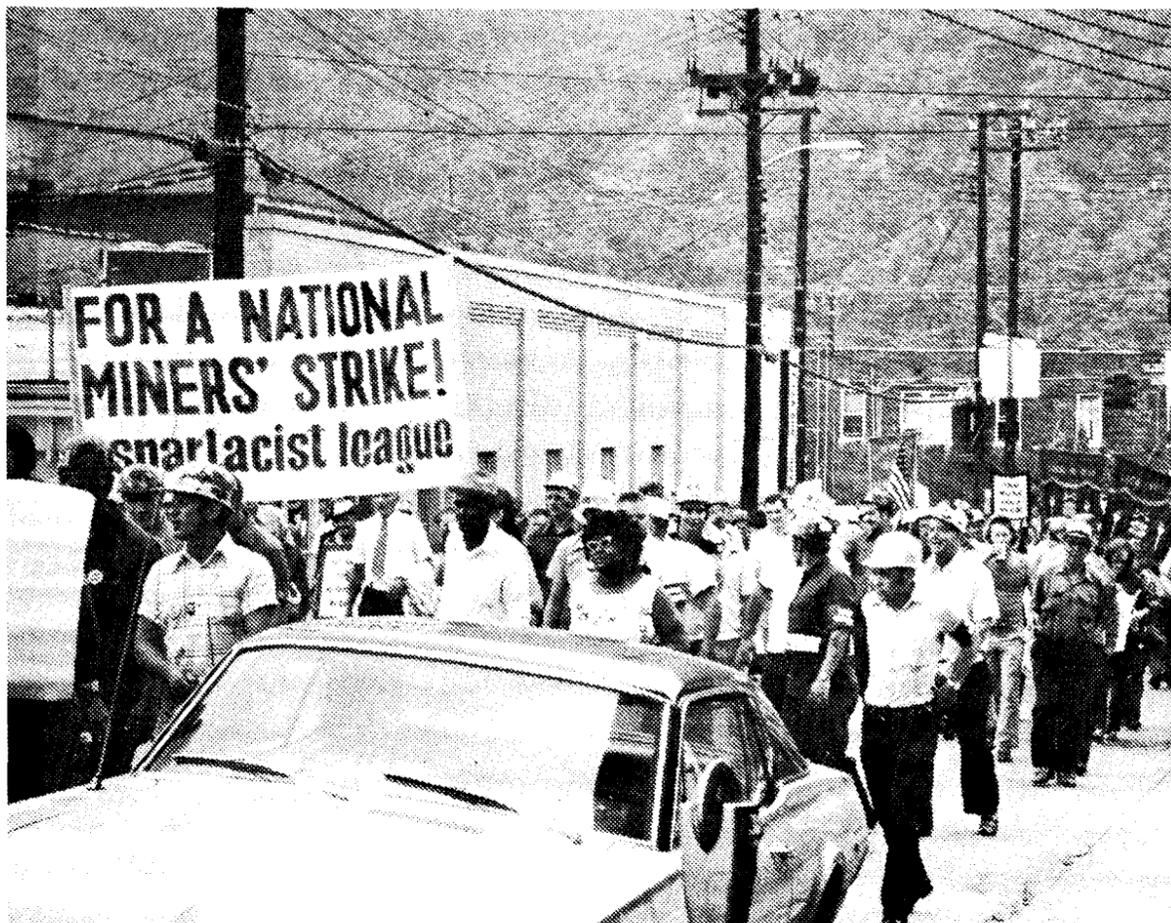
Despite NLRB ruling pickets legal, police escort scabs into mine.

safety committee elected by the workers and adequate hospital insurance to cover sickness and injuries. (Both are routine provisions of the contract in 1,300 UMW-organized mines.) In the standard Mine Workers' contract, a union safety committee has the power to close down the mine, any part of the mine, or any particular piece of machinery it determines to be immediately dangerous to life or limb.

However, if this occurs, miners are laid off without pay until the danger is fixed. Also, the UMW contract permits mine operators to remove members from the elected safety committees if an outside arbitrator decides that their

requires coal operators to pay a "royalty" of 75 cents per ton to finance the health, hospitalization and retirement benefits of the miners. At Brookside this would amount to approximately \$400,000 per year for the 180 miners and their families.

Wages have not been a main factor in the strike, as SLU members are now paid at rates similar to those of the UMW. However, portal-to-portal pay, standard in the UMW contract, is a major demand. At present, Brookside miners are forced to travel more than one hour from the time they enter the mine until they reach the coalface—all without pay. During this route they are



WV Photo

Miners march at Harlan, Kentucky in August, 1974.

the "SLU" contract were as low as \$1.89 per hour for some workers, and there were no health and safety provisions whatsoever.

Not until 1970 were Brookside miners able to vote in a secret-ballot election conducted by the National Labor Relations Board, for their union representation. When they finally got a chance they voted down the "SLU" and selected the United Mine Workers as their bargaining agent by a 113-55 margin.

The key issue in the Brookside strike is the miners' right to be represented by a legitimate union, not the company-front "SLU." Also in dispute is the need for a

actions are "arbitrary or capricious." In actual fact, the safety provisions of the contract are almost never used. Miller prefers to rely on the Nixon-appointed, coal operator-dominated Interior Department instead.

The second major issue is the necessity of real hospitalization coverage. Under the SLU "contract," Brookside miners paid one dollar a week into the union welfare fund. This fund totaled only \$10,000 per year, a pitiful sum inadequate to cover major illness or injury among the miners. Thus most hospitals did not accept the SLU card. In comparison, the UMW contract

forced to crawl over one third of a mile on their hands and knees. The same applies at the end of the shift.

Until recently picketing has continued at Brookside around the clock, with Eastover Mining making several attempts to recruit strikebreakers and resume production. However, the strikers, greatly aided by women from the Brookside Women's Club, have successfully prevented scabs from entering the mine. On the other hand, the strike has been unable to prevent Duke Power from obtaining the coal it needs for its generating stations in North Carolina. Duke, with total assets of \$2.5 billion, is

one of the nation's largest purchasers of coal. While its reserves have reportedly been cut from a normal 70-day supply to a 40-day level as the result of the strike and defaulting by commercial suppliers, Duke still claims to have available coal stocks in excess of those held by the Tennessee Valley Authority, the nation's largest utility.

Nineteenth-Century Conditions

Conditions in the mines and the dilapidated housing of many of the workers reflect the incredibly depressed conditions of Appalachia. Brookside miners live in the company-owned miners camp only because they are unable to afford or find anything better. Only three of the 30 houses in the camp even have indoor plumbing. Moreover, a report from the Harlan County Health Department in October of last year revealed that the drinking water at the Brookside coal camp is "highly contaminated" with fecal bacteria. The coliform count is 24, almost five times the highest permissible "safe" level.

Conditions in the mines are no better. Federal mine inspectors report numerous safety violations. In Brookside No. 3 mine proper weekly examinations for hazardous conditions cannot even be carried out because of water accumulations of 18 inches or more in four different parts of the mine. Federal statistics show that the Brookside operation had a "disabling injury rate" three times the national average in 1971.

There has been a determined company campaign to crush the strike and the union from the very beginning, although the bosses' violence has been stepped up lately. Early in July a 66-year-old retired miner was shot twice by a Duke security guard while walking a legal picket line. The company openly paid the bail for the gunman's release. A week later another miner was shot in the leg while picketing. On one occasion last October, three Brookside miners riding in a pickup truck, including some of the leading union militants, were shot at by a Duke-employed strikebreaker using a high-powered rifle. The bullet missed one of the strikers by two or three inches. The man who did the shooting was later promoted to foreman at another of Duke's mines.

The union's exposé of attempts to bribe leading union militants has been effectively used to discredit the company before public opinion. The UMW has obtained documented proof of an attempt to break the strike by buying off two strike leaders, who in turn were supposed to convince other men to go back to work. The strikers, armed with tape recorders concealed in their clothing, recorded the conversations of the bribery attempt. In addition, photographs of the meeting were taken with telephoto lens showing money being handed over to the strikers.

Local courts are naturally rigged in favor of the company. An initial restraining order limited pickets at Brookside to two. However, rather than have union picketers arrested, women from the Brookside Women's Club marched on the picket line, placing themselves in front of entering vehicles and successfully preventing scabs from entering. When a jury was convened in October to hear charges that these union supporters had violated the anti-picketing injunction, it appeared that the accused would be acquitted. Instead, Judge Byrd Hogg, a mine owner himself, summarily dismissed the jury! Hogg proceeded to fine the women, retired miners and strikers \$500 each, plus imposing a six-month suspended sentence. When they refused to pay the fine, the women were jailed. They brought their children to jail with them rather than leave them at home alone.

Intervention of the Bourgeois State

The first principle of class-struggle trade-union policies is independence of

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Bloody Harlan Once Again...

the workers from the bosses and their state. Thus the Spartacist League, unlike most of the ostensibly socialist left, gave no support to Arnold Miller in his campaign for the UMW presidency. Hiding behind the facade of the "Miners for Democracy," an opposition caucus that was disbanded as soon as Miller, Trbovich and their buddies gained control of union patronage, the basic thrust of Miller's campaign was to rely on the supposedly "neutral" Labor Department and bourgeois courts (see "Labor Department Wins Mine Workers' Election," *WV* No. 17, March 1973).

The 1972 elections were brought about because of a successful court suit against the union mounted by liberal lawyer Joseph Rauh. With Boyle thoroughly discredited and widely despised, the Nixon government was glad to step in to ensure that "reformers" like Miller would take over, thereby forestalling the possible emergence of a militant left-wing opposition in the union. From the Taft-Hartley Act in the late 1940's, to the Landrum-Griffin Act and Robert Kennedy's union-busting "investigation" of the Teamsters in the 1950's, to Labor Department intervention in UMW elections and the current spate of government "equal opportunities" court suits against the unions, intervention by the capitalist state into the internal affairs of the unions *always* serves to weaken the labor movement.

A Class-Struggle Program for Miners' Victory

After winning the 1972 UMW election with the aid of the Nixon government, Miller spent the next months sending his lieutenants through the coal fields to put down a wave of wildcats over dangerous working conditions. Rely on government safety inspectors, the miners were told, and abide by the Boyle contract until we can negotiate a new one. When gasoline-starved West Virginia mine workers walked out this spring to protest an arbitrary state rationing law, UMW leaders at first ignored this "illegal" strike, then told the men to go back to work.

The reform UMW leadership is so subservient to bourgeois public opinion, trying desperately to appear as "responsible labor statesmen," that it has not even made use of weapons which were *legally* available to it. Thus the Mine Workers is one of the few U.S. trade unions to have negotiated contractual provisions for union safety committees able to shut down production in the face of dangerous working conditions. But when does the UMW ever utilize this power? Another example: even though the NLRB ruled last fall that picketing at Highsplint mine was legal, not until July did the union attempt to carry out such picketing. In the meantime, Highsplint mine was delivering 3,500 tons of coal daily to Duke Power!

In addition to subservience to bourgeois legality and bourgeois public

Brookside women led picketing in Harlan County in October 1974.



United Mine Workers Journal



Cops arrest strikers.

Harlan Daily Enterprise

opinion, Miller has consistently preached a Chavez-like pacifism in the face of blatant company and police violence. And, rather than industrial action to achieve victory for the Brookside miners, the UMW strategy has been to talk with the governor and organize an impotent consumer protest campaign against Duke Power's request for an electricity rate increase in North Carolina as a substitute for such action.

What is needed is a militant policy to unite the tremendous potential power of the labor movement in support of the Harlan strikers. The way to prepare for bituminous coal negotiations in the fall is not to demonstrate "reasonableness" (i.e., capitulation) now, but rather to call an *immediate nationwide coal strike* to achieve victory for the Brookside strikers and launch a massive organizing drive in non-union Southern coal fields. To answer the unrestrained police and company violence against the strikers, a class-struggle union leadership would organize systematic *armed defense of the picket lines and occupation of the mines*. (If they were concerned lest their mines and expensive equipment be

harmful, coal operators would certainly be more inclined to negotiate.) Instead of reliance on pro-company government bureaucrats to correct safety violations, militants must demand that the UMW *shut down production in dangerous mines*.

Miners' problems are no different than those facing the rest of U.S. workers and, moreover, even with a militant UMW leadership they could not hope to achieve lasting gains without a generalized working-class upsurge against capitalism. Thus in the face of runaway inflation and mounting unemployment it is necessary to call for a full cost-of-living escalator (sliding scale of wages) and a shorter workweek with no loss in pay—make the bosses pay for the economic crisis. And against the union leaders' support for the twin parties of capital and impeachment of Nixon (i.e., put Ford in the White House), militants must call for immediate elections and a labor candidate opposed to both Democrats and Republicans.

How can the ranks of labor be won to a program of working-class independence? About this there are wide divergences among ostensibly socialist groups. The vast majority of the U.S. left has repeatedly demonstrated its instinct for tailing after whatever is popular. In the case of the UMW, this means giving "critical support" to Miller, despite his use of the capitalist courts and Labor Department against the union. What these tailists got was Miller's subsequent campaign to suppress wildcats and enforce the Boyle contract.

As opposed to these various reformist and centrist tailists, the Spartacist League calls for the construction of national class-struggle opposition caucuses in the union, based on a full program of transitional demands, which seek to defeat (and not merely pressure) the pro-company bureaucracy. Similarly, while many left groups seek to avoid any demands which are even remotely

political, the SL emphasizes that the struggle for a new militant leadership in the unions is fundamentally political and cannot be separated from building the Trotskyist vanguard party, which must centralize and lead forward the entire working class to a lasting victory over the capitalist system of exploitation. ■

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