

**CRIME AND THE
COMMUNITY Part 2**

**THE NATIONAL HEALTH
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The
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CRIME AND THE COMMUNITY Part 2

THE MARXIST cannot achieve its aims unless it establishes a relationship with its readers. We want your views and experiences, your comments and criticisms. We want your suggestions for articles in future issues.

We want letters for publication and we shall devote as much space as possible to them. If your letters express criticism we shall welcome them, as we believe that argument is the responsibility of a Marxist journal. Even if you do not wish your letter to be published we shall welcome hearing from you. Letters or criticism or those making suggestions for improving our journal will be carefully studied and acknowledged.

Perhaps you will wish to become a contributor to our pages. We shall be happy to consider either outlines or articles.

We cannot deal with anonymous letters or contributions but if you indicate that you do not wish your name to be published we shall respect this.

We want to build a partnership with our readers. We shall do our part. Will you do yours?

In THE MARXIST, No. 40 we considered problems of law and order under capitalism. Many readers have asked how we see law and order being maintained under socialism.

No one can produce a blueprint of the future society, so it is a difficult question to answer. What we can do is to see how the problems have been tackled in states avowedly following the socialist road.

In this article we review the Soviet experience and in our next issue we will consider the penal policy of the People's Republic of China.

State, Law and Crime: the Marxist Viewpoint

Marxists hold that 'the state' first arises with the division of primitive classless society into antagonistic classes. Every state, be it feudal, capitalist or socialist, is an instrument of class rule conserving and strengthening the social and economic order which corresponds to the interests of the ruling class.

Law also has a class nature. As with the state, it belongs to the 'superstructure' of society. The content and form of laws depend upon the material conditions of life and the mode of production. In other words, economic relations are not ruled by legal concepts

but, on the contrary, legal relations arise from economic ones.

Crime is a concept that can belong only to class society. In primitive societies where state and law did not exist, nor could crime. (Deviant or anti-social behaviour did, of course, occur and was countered by measures ranging from ostracism to expulsion from the community.)

How are these concepts related to the socialist epoch? Socialism is the period of revolutionary transition from Capitalism to the Communist classless society. In this period all institutions which have come into being on the basis of private ownership of the means of production, distribution and exchange, must be destroyed.

For these tasks the proletariat must be organised as the ruling class. Marx defined socialism in the "Critique of the Gotha Programme" as

"a political transition period in which the State can be nothing but the revolutionary dictatorship of the proletariat."

(Dictatorship here is not the reverse of democracy but the reverse of the dictatorship of the bourgeoisie which holds sway under capitalism.)

According to classic Marxist theory,

the socialist state begins to wither away at the moment of its birth and disappears once and for all when classes and their remnants have been destroyed.

Law should also wither away during socialism and disappear completely in a classless communist society. As a body of compulsory rules of conduct enforced by the state it will be replaced by communist morality and self-discipline and, where necessary, coercion by the community.

In line with this, Lenin clearly anticipated that crime would wither away with state and law:

"We know that the exploitation of the masses, their misery and poverty, are the social roots of excesses consisting of violations of the rules of community life. With the elimination of this main cause the excesses will necessarily begin to wither away. We do not know how fast and to what extent, but we do know that they will wither away."

But the theory of 'withering away' needs revision. It just does not fit the facts. Not only have the state and law not withered away in socialist societies but crime appears to be on the increase.

Marx, Engels and Lenin could not foresee that the class struggle would continue within socialist states, let alone that it would sharpen.

The Soviet Experience

The development of Soviet society has never moved towards the 'self-administration of society' on the basis of the 'free association of direct producers' in classic Marxist theory. The state has become stronger.

In the immediate post-revolutionary phase, attempts by domestic reactionaries, supported by armed intervention by numerous capitalist states, to overthrow Bolshevik power rendered this development absolutely inevitable and necessary.

The preservation and strengthening of working class power was the primary function of the new state and its legal system. The dictatorship of the proletariat is, as Lenin described, an authority relying upon force, signifying untrammeled power and not bound by any law.

So Soviet criminal law and penal policy developed not only as a method to combat crime, but as a powerful political weapon for the suppression of opposition. In this way it mirrored the development of law in any class society. The suppression of class opposition is the primary function of the law.

In the early stages there was no uniformity of procedure or practice between the new revolutionary courts. The composition of the courts and the punishment which they could impose varied from district to district. But in general the members were appointed by the local soviets, and their period of office was short.

In order to realise widespread participation of the masses, cases were held in public and anyone present had the right to question the accused or to act as 'accuser' or defender. When the Decrees on Courts were passed, the courts were entrusted to act according to their socialist consciousness and their primary function was declared to be the protection of the established revolutionary order.

Material Definition of Crime, Analogy and Measures of Social Protection

In English criminal law the maxim is "no crime without a law". But in the Soviet State the necessity of protecting Soviet power led to the concept of 'material definition of crime'. In the Criminal Code of 1922 crime was defined as

"a socially dangerous action or omission threatening the bases of the Soviet system and legal order established by the worker-peasant authority for the period of transition to Communist organisation."

The material definition of crime was praised as revealing the class political nature of actions or omissions, unlike the formal, politically empty definitions of crime under bourgeois criminal codes ("a crime is an act forbidden under threat of punishment.")

The concept of 'analogy' followed logically from this. Basically it provided that actions or omissions which might not be covered by the criminal code could be punished if analogous to simi-

lar actions or omissions which were. The justification was that analogy ensured that threats to Soviet state power did not go unchecked on formal grounds alone.

Transgressors of the Criminal Code were punished by measures which ranged from reprimand to the death penalty (which is, of course, still in force in the USSR). But punishments were 'measures of social protection' in punishment in the true

The Guiding Principles of Criminal Law of 1919 declared that the Courts should protect the new social system from infringements on the one hand, and "reduce the personal sufferings of the offender as much as possible" on the other.

Article 10 stated, "Crime in class society is provoked by the structure of social relationships, in which the offender lives" and therefore punishment should not be regarded as "a retribution for guilt or as an expiation of guilt."

But, of course, to a certain extent this was a play on words. The sanction for the offender was indeed the punishment to be meted out. This is well illustrated by the book "Soviet Russia Fights Crime" written in 1934 by E.L. Koerber:

"The basis of the Soviet penal system is the political dictatorship of the working class Crimes against the working population such as theft of state prop-

erty, squandering of union funds, slackness in a public office, sabotage, etc. are severely punished. Methods of punishment in a bourgeois state differ so widely from those in the Soviet Union that one is astonished at the heavy sentences imposed for such offences."

Then, within a few pages:

"The penal system of the Soviet Union is not determined by the conceptions of punishment, reprimand and revenge. Measures ensuring the working population and its organisations have taken the place of punishment."

But even by 1934 'punishment' was being used in the official nomenclature and in 1944 the Supreme Court of the USSR recognised that the expression "Measures of social protection" was inappropriate for penalties then in force.

Socialist Legality

The decrees on Courts promulgated by Lenin imposed on the Courts a duty to judge according to a socialist or revolutionary consciousness. In this way the Courts were subject to the supervision and intervention by the Communist Party.

This concept, like material definition of crime, analogy and measures of social protection can perhaps be seen as brave attempts to reconcile the needs of the revolution with the need for a stable legal system.

gal system.

On the other hand they clearly lend uncertainty to the legal processes and there is little doubt that many injustices were perpetrated in their name during the Stalin era:

".... In Soviet practice the material definition of crime has been transformed from the very beginning into the converse of what it was claimed to be in theory; it became a legal device which could be invoked at any time for justifying any arbitrary action

Lenin formulated the concept of "socialist" legality in conformity with his interpretation of Marxist ideology and even more, under pressure of circumstances. Under the rule of Stalin and his associates socialist legality became a cover for most horrible crimes and was transformed into a true system of lawlessness."

- Soviet Penal Policy: Ivo Lapenna 1968

This coincided with the strengthening of the internal security organs of the State. In 1937 Stalin declared that the State would wither away

"not as a result of weakening the State but as a result of strengthening it to the utmost, which is necessary for finally crushing the remnants of the dying classes and for organising defence against the Capitalist encirclement."

In everyday terms, this concept, as put into practice by Vyshinsky, the Soviet Chief Public Prosecutor in the 1930s, meant the abandonment of the doctrine 'innocent until proven guilty', the acceptance of confessions as sufficient proof, the reduction of the burden of proof to 'probability', and the intimidation of defence counsel.

While recognising these facts and the mistakes that were made, it would be idle to pretend that revolutionary change can be orderly, and without hardship and chaos. Revolution is not a tea party.

(The role of defence counsel is, of course, different in societies such as the USSR with an 'inquisitorial' system - i.e. where all who are party to proceedings are charged with the duty of establishing the truth, even if unfavourable to the client, to societies such as most bourgeois states with an 'adversarial' system, i.e. where the advocate's first duty is to the client.)

Vyshinsky's view of Soviet law prevailed during this era. It held that Soviet law had no bourgeois character but was a new socialist law playing an enormous, creative and organisational role.

This may have lent strength to the degree of experiment within the legal system. (In contrast, Pashukanis, who had been a Vice-Commissar of Justice in the 1920s, held that law is a bourgeois form related to commodity exchange and that Soviet law is no more than dying

bourgeois law. His views are given no credit within the USSR or elsewhere.)

Reform

In 1958 the Supreme Soviet of the USSR passed several new laws including the Fundamental Principles of the Criminal Legislation of the USSR. The two ideas purportedly behind this legislation were the achievement of the maximum degree of legality attainable in Soviet political conditions and a more advanced approach to educational and punitive measures aimed at prevention and repression of crime.

The material definition of crime, and hence analogy, was abolished. The principle of no crime and punishment without law was introduced. So also was the concept that there is no criminal liability without guilt.

The death penalty was confined to a small number of crimes. Maximum imprisonment was lowered from 25 to 15 years and the minimum from 12 to 3 months. (The justification for a minimum 12 month prison term had been given in Koerber's book as follows:

"The aim of the Soviet penal system is to educate every prisoner to be a useful worker, and therefore great stress is laid on collective and productive work in the prisons. Such an education needs time, so there are no prison sentences of less than one year.")

Finally, the minimum age of criminal responsibility was raised from fourteen

to sixteen years.

There were also a number of safeguards incorporated into criminal procedure to protect human rights and freedoms, such as: no innocent person shall be prosecuted or convicted; prosecution only on the basis of the law; inviolability of the person; inviolability of domicile and secrecy of correspondence; administration of justice only by courts; independence of judges and their subjection only to the law; publicity of hearings (save in sensitive cases); the presumption of innocence and objective examination of circumstances of the case.

However, it should be said that all these rights were already guaranteed by the Soviet Constitution of 1936 but of course this has not prevented their contravention before 1958 or since.

Crime and Punishment: The Current View

The programme of the CPSU adopted in 1961 did not repeat the thesis that crime should 'wither away' but stated:

"There should be no reason for law breakers and criminals in a society building communism. But as long as there are criminal offences it is necessary to severely punish those who commit crimes dangerous to society, violate the rules of socialist community and refuse to live by honest labour. Attention should be mainly focused on crime prevention."

The Programme presented the main ele-

ments of the present penal policy as being prevention of crime in general by social influence; repression of acts dangerous to Soviet society by punishments ranging from a fine to the death penalty; social pressure against minor offenders and re-education of all offenders, save those sentenced to death.

(This article does not deal with the abuses of psychiatry which undoubtedly plays a role in 're-education' and 'rehabilitation' in the Soviet penal system.)

Crime itself has been given two constituent elements - a material and a formal element. By material, an act or omission must be socially dangerous; by formal, it must be provided for in the criminal code. Unless both constituent parts can be proved, no crime has been committed.

A society which is, or purports to be, socialist should have a head start in the prevention of crime. Not only should the material standards of life be such as to discourage the formation of an 'under-class' whose livelihood depends on the proceeds of crime, it is also capable of a high degree of politicisation in its organisations.

So, for example, an important factor in the prevention of youth delinquency in the USSR is the 'Pioneers', an organisation for 9-14 year olds which aims to produce model citizens. Privileges and pleasures must be earned by good behaviour and attainment of expected standards.

Another factor in the preservation of public order and the prevention and detection of crime is the Voluntary Militia Units who enjoy special rights in the course of their work (enabling them to stop persons and check identification or to enter and search premises).

Besides the above, the 'collective' is expected to watch over the good behaviour and morality of its members and can 'pledge' for the member's good behaviour and thus secure release on bail while awaiting trial, early release from custody or even dismissal of the charges.

Although signs of the above are apparent in the 'Neighbourhood Watch' schemes in the US and now being popularised in Britain by Sir Kenneth Newman, they cannot really be adapted for capitalism. They can, at best, weaken the capitalist class monopoly of power and give people a taste of running their own affairs.

The Courts

The organisation of the Courts also lends itself to participation of the community in a way which would be unthinkable here. 'Comrades Courts' were established in the Soviet Union in 1921 to improve the discipline of workers and to raise production.

In 1928 their jurisdiction was extended to deal with minor hooliganism and petty pilfering. Although they diminished in importance in the 1930s and 1940s they regained powers in the post-Stalin era.

Comrades Courts are social bodies which can try a wide range of anti-social acts not subject to criminal prosecution and petty offences referred by the Police or Courts.

For example, they deal with breaches of work discipline or of rules of conduct in apartment houses. They can order the offender to make a public apology, pay a small fine, require demotion in his job, or commence eviction proceedings.

The Comrades Courts, which Lenin hoped would eventually render Criminal Courts unnecessary, are comprised of elected members whose work is voluntary. They sit locally and anyone can participate in the proceedings and express an opinion. In the last analysis they rely on the social stigma of censure.

Above the Comrades Courts are the 'People's Courts', roughly equivalent to our Magistrates' Courts. The judges here, too, are elected. Unlike Magistrates in England, they take a far more active role in the trial. In other respects, however, they probably function similarly to Criminal Courts here, although it should be noted that there is no right to jury trial in the USSR. Serious offences are dealt with by higher Courts.

The developments within the Soviet legal system over the past 30-odd years have, broadly, led to the strengthening of the rights of the individual and the stabilisation of the legal system. That much is welcome. On the other hand it is difficult to see how Soviet Courts

can avoid becoming bourgeoisified completely.

In 1961 the CPSU programme signalled the end of "the dictatorship of the proletariat" and declared that the Soviet State which

"arose as a state of the dictatorship of the proletariat has, in the new, contemporary stage, become a state of the entire people, an organ expressing the will and interests of the people as a whole."

Allied to this, the programme declared that the Party had become a "party of the entire people". Accordingly, from 1961 the Soviet Union has allegedly been a classless, all people's state where the dictatorship of the proletariat has disappeared before the state has withered away.

The concepts of 'state of the whole people' and 'party of the whole people'

are absurdities and can only obscure the class character of law. It would, perhaps, be too easy to ascribe the generally recognised increase in crime of all sorts which has occurred in the USSR over the past 20 years to this negation of Marxism-Leninism.

It is possible that rising crime is comitant with the rise in consumer ideology. People are encouraged to have expectations of material acquisitions far in excess of those which are realistically attainable. That certainly seems to be so in the last quarter of the twentieth century.

But we can say that a society which has lost its way in the political sense as badly as the Soviet Union will find it increasingly hard to reach a solution to the problem of rising crime. If Andopov's crackdown on official corruption proved anything, it was that, three generations after the Bolshevik revolution, there is still plenty to crack down on.

NHS Run Down While Patients' Expectations Rise

The NHS developed as a repair service and something like £130,000 million has been spent since 1948 in maintaining this huge volume of treatment.

This is often completely necessary because our industrial society is responsible for a great deal of recurring chronic disease.

It is certainly not the population's 'fault' that they suffer so much. They may be to blame in as far as they do little to promote a change to a society which will give them more chance for survival to a healthy old age.

Since 1976 treatment facilities on the acute and chronic side have suffered from huge spending cuts. Money that was 'removed' from the South was to be re-allocated to Wales and the North. These cuts have been deep. But little growth has occurred in the rest of the country. This occurred at a time when 'prevention' came before the public. At least they began to realise another way was possible.

Attitudes changed, public spending was reduced, more and more of the public had an insight into the potential of private health. Social Class I and II quickly saw this as they always have. Just compare the health patterns in the stock-broker belt with Railton Road in South East London or the huge unemployment areas of our old steel towns.

Anxiety Makers

So on the one hand people know that the NHS is less reliable - consultant waiting lists, NHS dentists choosing private treatments, family medical practitioners taking fewer NHS patients. At the same time they see that private insurance advertises with 'apparently' wide cover and no waiting time. Their employer may take out group cover. They see ill relatives and friends waiting for years for NHS treatment, or see them fobbed off with 5 minute appointments.

All of this is promoting a rising awareness of NHS failure and with it also an increasing anxiety of how to make sure these difficulties don't affect the immediate family.

Politics

Added to this is the ineffectiveness of the Labour and Trade Union Movement to give the population the feeling of reliability that one day some electoral activity will rebuild the welfare state. Not, by the way, with a 'handout' of the same as 1946-47 but a Health Service using first of all the modern prevention of ill health, research advice with a reducing commitment to treatment and repair. This will happen - one day.

Professional Crocodile Tears

Consultants (approximately 4,000) and other health practitioners (40,000+) are reaping a fat harvest because of this in-

THE NATIONAL HEALTH SERVICE

A contribution from a reader

Popular Myths

The media present a description of 'patients' choice' when in reality it is the medical professional who exercises choice.

Medical professional = hospital consultant who mixes public and private practice.

General medical and dental practitioner who mixes as well.

Also pharmacist who now sells herbal preparations and opticians who sell private specs and frames.

Then there are the 'alternative group' which tries to carry on where the 'orthodox' seem to fail, and those who sell health education, diet, exercise, etc.

creased anxiety produced in the population by the media and the Treasury reluctance to fund a socialist NHS. It is entirely human to wish to have medical problems dealt with speedily and accurately. In our society only Social Class I and II know enough to try to keep healthy.

With all these pressures it is not surprising that medical people are able to hold the population to ransom when individual patients' anxiety levels reach a point that private fees become payable.

It is the practitioner that exercises choice in a sellers' market. They decide how their time is spent, they set the fees. The patient has no choice as their worries increase. The public are then persuaded or blackmailed to pay the money or join the queue.

It has been said that waiting lists shorten slowly. But any wait of more than maybe 2 months for real treatment has to be too long.

SPIKING THE SPECULATOR

A few years ago a property speculator acquired two shops in Islington and also acquired an adjoining Council-owned property in an extremely devious manner, turning them all into a £100,000 house. He kept an option on the garden with the intention of building two more houses with garages.

In May, 1981, some neighbours, Rose and Jim, noticed that some gates had been

The only way to stop this is to tighten the public medical sector, and make the private sector unavailable to patients.

ONE FURTHER PROBLEM is the lack of confidence of the population in its political action against the health profession.

They all depend 100% on the public or private cash which they are paid to finance their life styles. Their position is not as strong as the public believes.

They all depend upon the goodwill of their banks as do all self-employed people and their rhetoric would quickly dissolve in any 'industrial action' that was threatened.

The Labour Movement actually makes the health professionals powerful by giving them political strength that is not deserved and could not be defended or sustained if the people decided democratically to deal with private practice.

erected over the weekend by the speculator, enclosing some adjacent Council land.

They complained to the Council, pointing out the illegality of this act and demanded that the Council should take action to rectify this. The officers of the Council made all sorts of excuses to fob them off and took no action against the speculator.

Jim went to see his M.P. who visited the site and saw the gates and the land. He agreed with Jim that the situation 'stank' and wrote to the chairman of the planning committee of the Council. He then faded out of the picture.

At the same time Jim and Rose contacted their local ward councillor, and she attended every meeting which was relevant to the case and pressed for action by the Council to remove the speculator.

An article about this matter in the local press aroused the interest of two more people, (Reg and Pat), who went round to see the property. They met Rose who explained the situation, and they joined forces with Rose and Jim.

From this point a more aggressive approach was taken. Checking the facts so far, they all attended a meeting of the recreation committee (who were responsible for the land concerned) and read out a statement attacking the attitude of the Council, and accusing particular officers of aiding the speculator.

This put the cat among the pigeons and after a 'lively' discussion the committee decided to instruct the Chief Executive to make a full inquiry

LEBANON

The continued strife between the warring factions in Lebanon has obscured recent developments there. These have altered the Superpower balance in the Middle East and therefore affect us all.

The next period consisted of constant lobbying of all the councillors who were in a position to influence the case. Jim and Reg met the Chief Executive at his request in his inquiry. They kept up the same attacking approach. It was only with those councillors who they knew they could rely on at any particular stage that they adopted a more 'friendly' attitude.

The Inquiry report was a whitewash with mild criticisms of the speculator. The reaction was to increase the lobbying with circulars to even more councillors (delivered, where possible, to their homes).

The committee considering the report eventually passed a resolution forbidding the sale of the land to anyone.

The final stage was to press the Council to extend the gardens of neighbouring Council-owned houses, taking up the land and thereby preventing any future Council from selling it. Using the same tactics as before, this was achieved in February 1984.

This whole episode shows that even with limited forces it is possible to challenge and defeat apparently formidable enemies.

To understand the Lebanese quagmire one must know the basic social and religious divisions within the country. Lebanon is bordered on the north and east by Syria, and on the south by Israel.

Its population is divided pretty equally between Christians and Muslims. The largest grouping of Christians is the Maronites who are represented politically by the Maronite Alliance to which the current President, Amin Gemayel, belongs. The Christians broadly hold the reins of political power.

There are three Muslim communities - the Shia (led by Nabih Berri, the leader of the Shia Amal militia; the Sunni (whose political influence has been eclipsed since the expulsion of the Palestinians in 1982; and the Druze, who are far less numerous but led forcefully by Walid Jumblatt of the Progressive Socialist Party.

Tensions have existed since Lebanon's independence in 1945. For the past nine years the country has had a civil war.

In 1976 the government of President Suleiman Franjeh (a Christian) with the backing of the Arab League, invited the Syrians to send in their troops to end the war. The Syrians occupied Beirut, divided as to Muslims in the West and Christians in the East. The factions were disengaged but not disarmed. In 1978 the Christian Phalangist militia drove the Syrian army out of East Beirut.

West Beirut had become the operational headquarters of the PLO in the 1970s. The PLO in Beirut and elsewhere in Lebanon effectively operated like a state within a state.

In June 1982 the Israelis invaded Lebanon; operation 'Peace in Galilee'

was ostensibly to stop cross-border attacks by Palestinians in south Lebanon. The Israelis pushed forward with overwhelming superiority of arms, and with each new success their objectives changed until they reached and occupied East Beirut.

The Israelis hoped to turn Lebanon into a satellite and were encouraged in this not only by the Christians but by sections of the ruling class in America and their spokesmen such as Kissinger. The invasion was seen as a set-back for Syria (and hence the Soviet Union) and as an opportunity for America to get its finger into Lebanon.

To lend legitimacy to its aims America sent in US marines to supervise the PLO withdrawal from West Beirut. With the PLO fighters out of the way, the Israelis were able to watch their Phalangist allies massacre unarmed Palestinians in the refugee camps of Sabra and Chantila in south Beirut before pulling their own forces back to more secure lines in the south of the country.

The Reagan administration now became committed to imposing on Lebanon the right wing minority government of Amin Gemayel, which was correctly seen by Lebanese Muslims as a compliant tool of American imperialism and Israeli expansion.

In May 1983, with the blessing of the American Secretary of State George Shultz, Gemayel concluded an agreement with the Israelis. This legitimised the Israeli occupation of Lebanon (equating

it with the Syrian presence in the eastern half), provided for mutual recognition, trade and free movement of people, common security measures and an Israeli say in the composition of the Lebanese national army.

The agreement temporarily consolidated Gemayel's position. A Multi-National Force, comprising US, French, British and Italian troops which subsequently entered Beirut with a 'peace-keeping' role, in reality served to bolster the regime.

As is known, the MNF was too ineffective to police a cease-fire, and US and French troops were frequently the target of guerrilla attacks, including the simultaneous and spectacular suicide bombing of American and French garrisons.

By the beginning of 1984 the Lebanese national army, under Gemayel's command, had abandoned any pretence of impartiality between the communities. It was fighting alongside the Phalangist militia in east Beirut and answering sniper fire from the west with artillery bombardment.

The Muslims could see that Gemayel would not seek an end to the fighting until his army could dominate the militias in West Beirut.

Gemayel hoped to close the 'Schweifat Gap', a supply route for the militias from the Chouf mountains into southern Beirut. He had been constantly called on by Berri, Jumblatt and others to accept constitutional reform to enable Muslim power sharing, and when he reneged on his promises yet again in early February, the

Muslim Prime Minister and his three Muslim ministers in the Lebanese Cabinet resigned.

Gemayel then imposed a dusk to dawn curfew on Beirut and ordered the army to bombard the West. However, in the fighting that followed, a large number of units defected to the Muslim militias and yet more confined themselves to barracks. Within one weekend the militias won control of West Beirut from the army.

It was at this stage that Reagan, contradicting all his previous dire threats that US withdrawal would mean the end of Lebanon, pulled the Marines out from the MNF:-

"We are not bugging out, we are just going to a little more defensible position."

When the troops were 'redeployed' offshore the Americans proceeded to bombard the Druze villages in the Chouf mountains from the USS New Jersey in gratuitous revenge for the collapse of American policy.

Gemayel was now dependent on Syrian support for his survival and they made it plain that they would require the abrogation of the peace agreement with Israel. The President capitulated and at the beginning of March declared the agreement henceforth "null and void".

The subsequent peace negotiations organised by the Syrians in Lausanne, Switzerland, were thought to be abortive. Declarations of intent to form a govern-

ment of national unity were made, constitutional commissions announced and countless truces declared and re-declared, but the fighting continues. So in real terms, what progress has been made?

The abrogation of the Lebanese/Israel agreement was a clear defeat for America and its front man in the Middle East, Israel. It is thus a major advance for the anti-imperialist struggle within Lebanon.

America has burned its fingers in Lebanon. It alienated itself from its European allies, particularly France and Italy, by its uncritical support for Gemayel, by its vain determination to exclude Syria from the peace process, and by unilaterally withdrawing its troops from the MNF. (The Israeli Prime Minister has revealed that the Americans pressed the Israelis to expel Syria in 1983.)

Its debacle in Lebanon has been accompanied by a growing isolation from other Arab states and strengthening of ties with Israel. In March Reagan cancelled the sale of Stinger missiles to Jordan and Saudi Arabia. (Both Jordan and Saudi Arabia have made it clear that they will buy arms from the Soviet Union if needs be.)

In April it was announced that there would be expanded co-operation between US and Israeli defence establishments in R. & D. and trade. Under this new agreement US officials will no longer be able to veto arms sales to Israel.

Israel is back in the isolation it previously faced. Since the invasion (which has been paid for by America through subsidies of the Israeli defence budget) it has lost about 600 soldiers and probably six times that number wounded.

It is now locked in a guerrilla war it cannot win in southern Lebanon, not against Palestinians, but against Lebanese Shia Muslims. The city of Sidon is now the centre of resistance against Israeli occupation.

The war has opened great divisions within Israel, and among the serving soldiers, and these will be reflected in the forthcoming election in Israel. The opposition Labour Party platform includes a promise to pull all troops out of Lebanon.

Syria was anxious to prove it could produce peace where America had failed. The peace conference in Lausanne was regularly attended by the deputy Premier. The Syrian proposals on constitutional reform were, by and large, acceptable to the delegates and included a remodelled Army under the control of no single faction, a second parliamentary chamber, a constitutional court, and greater powers to the Prime Minister (who is, by tradition, a Sunni Muslim).

There is no denying that Syria wants a tame Lebanon. One need only recall the expulsion last year of Yasser Arafat's PLO from Tripoli by Palestinian dissidents loyal to Damascus. But Syria does want peace in Lebanon and does wish to disengage its troops. The vice President Khaddam has criticised the failure of the

parties to come to terms, saying that they have failed to grasp the reality of their country's predicament.

Syria has now called for greater involvement in the peace process by the Soviet Union, equal to the role played by the US.

The Soviet Union is now a major arms supplier to the Middle East and this role is likely to grow, given America's retreat. Gemayel's government has welcomed a Soviet delegation to Beirut since the MNF pulled out and his advisor on national security matters has now been replaced by a less pro-American figure.

Lebanon itself is a state whose infrastructure has been destroyed. In the past nine years at least two million people have been uprooted from their homes, half a million have been made homeless in the past few months.

There is no cash for essential relief works. Industrial production has fallen by 30% over the past few years and exports have been halved. Beirut has had no regular electricity supply since last August, sanitation is poor and the schools are closed.

The fighting in Beirut is not as fierce

as in February but it is recognised that the political leaders in Lebanon (dominated for decades by a few families on each side of the religious divide) do not have total control over the militias. There seems little chance of an end to the fighting while Gemayel continues to occupy centre stage.

Nor can there be peace while the just demands of the Muslims are denied. These demands for a unitary state with a national assembly, appointment of Muslim ministers, decentralisation of the state and reconstruction of the army should be supported. To deny genuine power sharing for Muslims will be to force Lebanon into a tenth year of civil war, and continued partition between Syria and Israel.

Gemayel's appointment of the Muslim militia leaders to the new national unity government is certainly progress but it arouses suspicions. The President has been guilty of duplicity throughout the conflict.

It remains to be seen whether or not Berri and Jumblatt can retain control of their own followers and win the support of other Muslim factions. Street fighting has become a way of life for many in Beirut.

DEFENCE

In Issue No. 36 of this Journal we expressed the view that nuclear proliferation would be preferable to allowing the superpowers to have the monopoly of nuclear weapons and delivery vehicles, for

the reason that it would inhibit them using that monopoly to intimidate the smaller states.

Although we underestimated the irrat-

ionality which could develop during the course of conflicts between the smaller states themselves, (we have in mind the current conflict between Iran and Iraq), we think that the principle holds good.

In the same issue we expressed the view that the deployment of Cruise in Europe would raise the odds against the use of such missiles by either side in that theatre. In that we were wrong because it was based on two wrong assumptions.

Firstly, we assumed that the countries of Western Europe would not agree to the siting of missiles on their territory without at the same time insisting on operational control over them.

The fact that they remain under American operational control means that they constitute a forward positioning of elements of the US missile system. For example, an ICBM fired from the United States would take about twenty minutes to reach the Soviet Union; a Pershing missile fired from Western Germany would take five to six minutes.

Furthermore, both Cruise and Pershing have warheads designed to explode underground and are designed to destroy super-hardened military targets such as control posts. This forward positioning gives the US a considerable advantage over its rival particularly if, as some observers believe, it is moving towards a first strike policy.

Secondly, we made the mistake of taking only missile delivery systems into account when reckoning the nuclear balance in

Europe. The Soviet Union, with justification, insists that aircraft with nuclear delivery capability must also be included in the reckoning.

In 1983 the Soviet Union had 473 medium range missiles and 465 nuclear capable aircraft in Europe, a total of 938. At that time NATO had 162 missiles and 695 nuclear capable aircraft, a total of 857. (The NATO missiles referred to are those of Britain and France.)

Reagan's so-called 'Zero option' was that NATO should retain the 659 aircraft and Britain and France their 162 missiles but the Soviet Union would have been left with 465 aircraft and no missiles.

In December 1982 the Soviet Union put forward proposals for nuclear parity in Europe. In the framework of a total of 300 nuclear delivery units the Soviet Union and NATO could equal sub-levels for missiles and aircraft. The Soviet Union would have the same number of missiles in Europe as those of Britain and France put together.

At the same time an agreement would be reached to reduce to equal levels the aircraft deployed in Europe by NATO and the Soviet Union. This came to nothing, ostensibly because both Britain and France refused to allow their missile systems to be taken into account on the grounds that they are strategic weapons.

It is right that both countries should retain control over their respective systems but the argument that they are of strategic importance suggests that the

countries concerned are intent on making their military presence felt in regions other than Europe.

If defence of Western Europe is the main concern, then British and French missiles and aircraft must be included in the reckoning.

In our view the Soviet proposals are a good basis for agreement. We have no illusions about the Soviet Union's desire to extend its hegemony into Western Europe, or that it will shrink from using its military strength to do so, but it would probably only use armed force if the political as well as the military situation was ripe - that is to say if the countries of Western Europe were in such a state of political turmoil that substantial social forces within them would welcome intervention and most of the other did not care either way.

The United States

US imperialism is under pressure and losing ground all over the world. Its attempts to involve its Second World allies in a global anti-Soviet strategy has, up to the present, been unsuccessful and contradictions with the EEC countries have sharpened as the struggle for markets intensifies as a result of the world slump.

The Pentagon has learned from experience that direct military intervention in every trouble spot would overstretch its military capabilities.

Public opinion at home also puts obstac-

les in the way of committing US ground forces in situations which may require prolonged involvement and possibly heavy casualties. This was underlined when Reagan was forced to withdraw his Marines from the Lebanon.

Although strike forces may be employed in situations where an easy kill is thought to be likely, the US seems to be moving towards a position where commitment of its ground forces will be limited to its own backyard, so to speak - South America, the Caribbean, and other countries adjacent to the US mainland.

Reports of a statement by Henry Kissinger suggest that consideration is being given to the disengagement of US ground forces from Europe in the not too far distant future. If that is so, it is inconceivable that US imperialism will allow Western Europe to be drawn into the Soviet bloc if only for the reason that the combined industrial potential would tilt the world balance of industrial power against the US.

It is arguable that, rather than allow that to happen, US imperialism would (reluctantly, perhaps) rather see Europe devastated by a nuclear war. President Reagan's remark about the possibility of confining a nuclear war to Europe shows that the prospect has at least been discussed.

The Soviet Union, on the other hand, would have nothing to gain by initiating a nuclear war in Europe, although it would not be averse to using its possession of nuclear weapons to strengthen

pacifist tendencies as part of the softening up process there.

In present circumstances we believe that nuclear parity in Europe would be preferable to a 'nuclear-free' Europe which would, apart from China, leave the superpowers with a monopoly of nuclear weapons.

* * * * *

Therefore we would propose the following as basic components of a Western European defence policy:

1. That the states of Western Europe (within NATO) should assume overall responsibility for their own collective defence.

CORRESPONDENCE

The following is part of a letter from a reader in Manchester asking six questions. We answer three of them in this issue and the remaining three will be answered in our next issue.

Thanks for the recent delivery of back numbers I asked for of *The Marxist* 41. As a result of reading these and the other copies I have a few questions to ask regarding the political positions of your group. There are quite a few, so I will present them in a 'Shopping List'.

1. Is it correct to assume from your comments in *The Marxist*, and especially those on page 30 of No. 40 that you favour a defence strategy based on concepts

2. In particular, that all nuclear weapons and delivery systems must be under the operational control of the state on whose soil they are sited.
3. The strategy of flexible response should be repudiated and replaced with a declared commitment to a 'no first strike' policy.
4. West Europe's military role to be strictly confined to the defence of Western European territory.
5. All battlefield nuclear weapons must be withdrawn to the rear, pending agreement on their destruction.
6. The institution of negotiations between Western European states and the Soviet Union on the basis of these proposals with the aim of establishing and maintaining nuclear parity between the two parties.

such as Wintringham's idea of People's War, or the several versions of Territorial Defence currently operated by countries such as Sweden, Switzerland or Yugoslavia? If so, do you favour systems of Military conscription and the formation of Militia organisations?

2. Following on from the above, would it be true to say that if defence was based on Popular Forces this would mean that the bourgeois monopoly of force

would have been broken, and the way to a potentially peaceful - or at least minimally violent - transition to socialism would have been opened up? What I'm driving at is to ask whether you feel that arming the people has a political as well as defence rationale.

3. Finally on defence and related matters, I note that in *The Marxist* 41 you talk about two equally predatory superpowers (p.17). Would it be correct to draw from that comment the conclusion that your previous positions (in some of the back contents) in which you saw the Soviet Union as the more dangerous of the two have now been replaced? If so, do you feel that a defence strategy for Great Britain outside NATO might be necessary in order to safeguard National Sovereignty? Again, if so, should such a policy be non-nuclear?

OUR REPLY:

The short answer to your first question is in the affirmative - we are in favour of a defence strategy which incorporates 'People's War'.

Under that heading there exists a diversity of views as to the detailed application of the principle. The geography of the country concerned must largely dictate the tactics to be employed. The differences will arise on the issues of mobilisation, training and objectives.

The two basic factors, as we see it, are

a. that the advantages conferred upon those with intimate knowledge of the surrounding terrain, be it mountainous, forest, rural or urban, should be exploited to the fullest extent, and

b. that all forms of resistance should be employed, from armed struggle through sabotage to hindrance and simple non-co-operation.

This could and should involve the entire population in one role or another.

To facilitate the necessary training and to assist in developing the concept of, and belief in, People's War as a viable defence system, some form of conscription should be called for. This would also help establish the idea that the defence of Britain is the responsibility of all the people and not just conventional forces.

2. That such a form of defence has a political rationale is clearly demonstrated by the speed with which, as soon as it was politically expedient, conscription was dropped as a means of recruitment to the armed forces.

For whilst conscription played an essential role in the conduct of two world wars, history shows that armed forces recruited by that method during peace-time have proved unreliable when called upon to sustain the ruling class during periods of domestic upheaval.

How much more would a defence strategy based upon People's War be regarded as a

threat by the bourgeoisie.

In addition, if People's War is to provide an effective defence and therefore a credible deterrent to an aggressor there must be a deep and widespread conviction that the struggle and sacrifice would be worthwhile in the interests of the many and not just the few.

So it would seem that, whilst the chronological order is not foreseeable, some considerable changes would have to be effected before such a concept could become a concrete reality.

Nevertheless the idea constitutes a potential challenge to the ruling class and the extent to which that challenge can be realised is directly related to the support that can be won for that idea.

3. You were correct to draw the conclusion you did from the comment on page 17, Issue 41 of THE MARXIST. Our position on this question has indeed changed.

However we would point out that the greater threat does not always come from the superpower that is most predatory. A fear of waning power and influence, economic crisis, a growing and unfavourable imbalance in, for example, nuclear weapon technology or control of outer space, all are factors to be weighed in the balance.

Singly or in combination they can necessitate change in one's assessment as to where the greater threat lies.

But the fact remains that we have changed our viewpoint and consider that the US constitutes the greater threat at this time.

With regard to NATO we believe that, as with the EEC or any other alliance, national sovereignty must be the key. Therefore we must fight for an alliance of equals and, in the process, seek to weaken American domination.

Ideally such an alliance should be in a position to exert a stabilising influence upon both superpowers and that should be our aim.

Parallel with this endeavour we must work towards a non-nuclear defence policy which would be commensurate with our financial circumstances and which would provide us with a credible defence capability outside of NATO should it become politic to terminate our membership.

(The reply to your first question has considerable bearing on this issue.)

The pace and nature of this move has been and remains the subject of a protracted debate within the Group. Certainly the policy is for multilateral nuclear disarmament rather than unilateral.

PIT CLOSURES

The strike against pit closures seems set to become the bitterest battle of post war years. Insistence by the Thatcher government that market forces must be the main determinant of economic activity has put the National Coal Board in a position from which it will be difficult to budge without appearing to have suffered a defeat.

The National Union of Mineworkers had to make a stand somewhere and chose to do it by opposing the present round of pit closures.

Immediately, the dispute really centres on the amount of subsidy to be paid to the industry, but the outcome will have a strong bearing on the kind of energy strategy we will have in the future.

In general, the standpoint of the NUM corresponds to the needs of the people of Britain in regard to both energy and ecological considerations. The Government standpoint, on the other hand, is based on short-sighted market considerations, surrender to the nuclear power lobby, and a complete disregard of ecological factors.

Coal output was expanded on a world scale during the boom period in anticipation that demand would continue to increase. Now that demand has fallen off, due to the slump, there is surplus capacity and consequently the world price of coal has tended to fall, and at the same

time competition in manufactured goods has also increased.

As energy costs are an important element in the cost of the end product, and hence on profitability, great pressure is exerted on coal-consuming industries, such as electricity generation and steel making, to buy the cheapest coal available on the world market.

The NUM contends that British coal is the cheapest deep-mined coal in the world but that the price advantage that it should enjoy is nullified by the fact that it receives a smaller subsidy than other West European coal producers. For example, in 1982 British coal received a subsidy of £4.20 per tonne; West German coal received a subsidy of £24.87 per tonne.

That, however, is only part of the story. A considerable amount of coal on the world market is taken from seams which are much closer to the surface than is usual in Europe, and the cost of extracting it is less.

The difference can be partly narrowed by the extensive mechanisation of deep mines and the NUM has always co-operated in the introduction of new and more productive machinery.

The cost of mechanisation is high but it is made even higher by the large amount of interest that the industry must

lay on the money which it borrows to finance mechanisation. In 1982/83 the interest charge was £366 million, or nearly £2 million per pit, a huge deadweight around the neck of every miner.

The government has announced its aim to abolish the coal subsidy by 1987/88. To comply with that requirement the NCB must work towards a position where the cost of British coal equates more closely to the world price which includes that of coal taken from shallow mines. The only possibility of getting near to that objective is to concentrate investment in a relatively small number of super-pits, such as the one at Selby in Yorkshire, and the one being sunk in the Vale of Belvoir.

That is a fairly long term affair but the initial step has already been taken, with the decision to close all pits whose costs of extraction exceed £60 per tonne. If the NCB were to get away with that, it would entail the closure of 40 pits in a very short space of time, and a total of 70 pits and the loss of 70,000 jobs by 1988.

The strike to prevent pit closures, other than on grounds of exhaustion, deserves the support of the people of Britain and, more urgently, from the entire organised working class, if only to stop the wrecking activities of the present government.

There is apparently a problem of coal production (pre-strike) exceeding current demand which the NCB is using to confuse the public about its reason for proposing closures. If the NCB were to drop its

closure plans and have discussions with the NUM a solution could, no doubt, be found. It is the NCB's adherence to its long-term plan that is the cause of the trouble.

If it is allowed to go ahead it will mean not only the loss of many millions of tons of coal and the consigning of thousands of able-bodied miners to the scrap heap but also the wholesale substitution of nuclear power for coal. It is intended that, by the year 2,000, nearly fifty per cent of our energy requirements will be met by nuclear power stations. The opposition of the NUM to this also deserves massive support.

The government's preference for nuclear power stations is based on the assumption that it will cheapen the cost of electricity. That assumption - and it is a big one - is not shared by many people who are knowledgeable on the subject. Experience in the United States does not substantiate it, either, for the building of nuclear power stations there has been abandoned because they are not commercially viable.

Britain needs a non-nuclear strategy. The main components should be:

1. A programme for reducing energy usage, or at least preventing it from increasing dramatically.
2. An estimation of future energy demand, based on the needs of the people of Britain.
3. The development of tidal, wave, hydro, and other types of electricity generation.
4. The co-ordinated usage of all our in-

digenous carboniferous fuels so that they will be used in the most socially beneficial way.

5. The abandonment of the nuclear power station programme.

Of course, coal burning, like the burning of all carboniferous fuels, has drawbacks. Acid rain is a serious and urgent problem, but it is technically possible to burn coal without emitting poisonous substances into the atmosphere.

COMMENT

The election of the Thatcher government in 1979 marked the end of an era during which the mixed economy, preservation and extension of welfare benefits and services, and the NHS were regarded by all the parliamentary parties as basically non-controversial.

A very short time after the new government took office, moves were already afoot to sell off those parts of the State sector which were profitable; the obligation to relate old age pensions to average earnings was rescinded, and the earnings related element of unemployment benefit had been abolished.

Wage Councils, which had been set up after the last war to regulate wages and conditions in the almost unorganisable trades such as catering, were abolished.

More recently, the chairman of the Agricultural Wages Board has been sacked

The CEBG complains that it would be excessively costly to introduce the necessary equipment, yet it can find millions of pounds for nuclear stations. Perhaps those responsible hope that by keeping alive the problem of acid rain they will weaken resistance to their nuclear plans.

The problems created by coal burning can be overcome. Those created by nuclear energy will lay up problems for our children and our children's children.

"because he had lost the confidence of the employers" - which is another way of saying that he tended to side with the unions in the claim that farmworkers' wages are ridiculously low in an industry that is so profitable.

The cumulative effects of the government's actions has been to make those at the bottom end of the income range considerably worse off than they were a year ago.

Trade Union Legislation

There is no attempt by the government and its supporters to conceal the fact that the legislation being enacted is for the purpose of trying to shackle them. It has also been made clear that, if the present legislation is insufficient, additional changes will be made.

The fear which the law inspires in some

trade union 'leaders' like Murray and Duffy is sickening, even more so when they pay tribute to the Tolpuddle martyrs. The dispute between ASLEF and British Rail over manning was bedevilled by friction with the NUR, but that was no reason to throw ASLEF to the wolves.

The NGA dispute with Shah was again notable for the haste with which the TUC publicly distanced itself from illegal activity, the mass picketing of Shah's works at Warrington.

Both of these disputes could have been won if backing from the Trade Union movement had approached anywhere near the scale of that given to Shah by the employers and the government. Very wisely, the NUM leadership has told the TUC (albeit in diplomatic terms) to keep out, while appealing for support to individual unions.

* * * * *

The Police

The Police and Criminal Evidence Bill adds considerably to the powers which the police already abuse. They will acquire new powers to stop and search - by force - in the street; set up random road blocks; enter and search premises; arrest and detain suspects for 36 hours (up to 96 hours if authorised by a magistrate); and conduct intimate body searches of suspects in detention.

The police are, in many respects, a law unto themselves. They exercise considerable discretion in their investigation of

crime. The Bill widens this discretion by allowing (in simple terms) that which is 'reasonable'.

The report last year by the Policy Studies Institute condemned the Metropolitan Police for their arrogance, racism, sexism, and general disdain for the 'slag' of society. Such people are hardly fit to judge what is 'reasonable'.

Any measures which increase police powers in Britain today decrease the democratic rights of the people. The action of the police in the miners' strike shows that they don't bother to ask for additional powers, they just take them.

In Britain we do not have a national police force because, it is claimed, they are not forces of the state but of the community. With the exception of London each local authority has its Police Committee which is responsible to the appropriate Authority for the cost of policing.

Without apparent authority from anyone, the chief inspectors of Yorkshire, Derbyshire, and other areas affected by the miners' strike set up an organisation for the purpose of co-ordinating anti-picket activity, even to the extent of preventing pickets from crossing the border of their own counties.

The Courts, not unsurprisingly, ruled that it was within the powers of the police to do so.

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The Security Services

The decision of the government to ban employees at the GCHQ at Cheltenham from being members of trade unions may, as has been alleged, be due to pressure from the United States which, it is said, effectively controls the intelligence gathering associated with that particular establishment.

If so, the government believes that trade unionists present a greater potential threat to our national independence than a foreign security service.

There are growing indications, including two articles in the Guardian newspaper of April 17th and 18th this year, that the British security services are turning an increasing amount of their attention to suspected 'subversives' such as trade unionists, supporters of peace movements, political groups, etc.

It is possible that a lot of this 'inside information' is deliberately leaked to create the impression that the security organs are omnipotent and all pervasive so as to frighten off the timid and fainthearted, but the new information technology is undoubtedly being rigorously applied to the processing of information about individuals and building up files about them.

The authorities' fear of subversion comes from the knowledge that capitalism cannot live up to the expectations it fostered up to the time of the present recession.

Those expectations were created because they were an essential component of the consumer society which, until fairly recently, had appeared to be firmly and permanently established. The capitalist class has the difficult task of trying to reduce those expectations while, at the same time, giving the impression that it is only a temporary halt.

Although we are told that the economy is recovering from the recession, the actual signs are very slight. Output of North Sea oil is bumping up total industrial output but manufacturing output has not yet recovered to its 1979 level.

Further, there does not seem to be any indication of that surge in investment in new plant which is a much better indicator of economic recovery. In any case, the most optimistic forecast is that this recovery will only last until 1985.

There has been a "growth in business confidence", another way of saying that higher profits are expected but unemployment, the real barometer as far as the working class is concerned, is never going to get back to 1979 levels. The best that the experts can offer is that it will remain high for the rest of the decade. Less optimistic forecasts say that it will continue to rise.

Hard economic realities, coupled with the preparations made by the state to stifle expressions of discontent, can only mean that the ruling class is not optimistic about the future, either.

* * * * *

The Labour Party

The Labour Party leaders still go on pretending that things would be much different if they were in office instead of Thatcher. Their policies are still based on variants of the under-consumption theory of capitalist crisis.

Recessions (or slumps) are manifestly caused by more goods being produced than the market can absorb. The view of the reformists is that this overproduction can be absorbed by an increase in demand (demand management).

The falsity of the argument can be seen most clearly in relation to wages. As Marx points out, every slump is preceded by a period in which wages are rising and profits are falling - that is to say, the workers are getting a bigger share of the social product.

The problem facing each company is how to maintain a level of profitability which is sufficiently high to continue to attract investment and to remain credit-worthy with the banks.

As it cannot raise the price of its products, due to the state of the market, and it has no means of increasing market demand so that prices can be raised to a more profitable level, its only option is to cut costs in order to improve its profitability.

It is also a fact that no government has ever brought a capitalist economy out of a slump by increasing demand (government spending).

Every government which has tried to put that theory into effect has had to admit defeat and return to the path of restoring profitability. The socialist government in France is the most recent example. Given the intention to maintain the market economy, there is no other way of getting out of a slump than by cutting costs in order to restore profitability.

Slumps can be overcome in other ways but that would require the progressive restricting of market forces, a process which will initially create a considerable amount of social upheaval.

The vast majority of people in Britain are still sufficiently wedded to the market economy to inhibit them from taking action against it in its entirety, although they may be prepared to rebel against specific aspects of it when their immediate interests are threatened.

Also, many people who profess to be socialists still believe that it is possible to effect a peaceful, orderly, smooth transition from capitalism to socialism despite the fact that every attempt to do so has met with defeat.

In view of these things it is almost certain that, initially, mass struggle will develop in a piecemeal fashion in response to the negative impact which market forces exert on sectional interests.

This will inevitably lead to greater social and political instability and disorder, to which the capitalist state will respond with further restrictions on democratic 'rights' and greater reliance on

the police, and ultimately the army, to establish its own form of law and order. Developments along those lines are already in evidence.

The most important thing to recognise is that the working class cannot defend its interests by relying on methods which the authorities from time to time deem to be constitutional.

Respect for law is a very important precondition for civilised society, but respect for laws which are for the sole purpose of protecting capitalist interests is tantamount to accepting that its interests will always remain paramount.

If that paramountcy is to be challenged, the laws designed to safeguard it must be disregarded when their observance is not in accordance with working class interests.

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Democracy and Unity

Thatcher's worst fears must have been realised when the miners stirred into action against pit closures. Could these be the same men who had allowed Joe Gormley and the right wing majority on the National Executive Committee to disregard a ballot which expressed opposition to pit closures, and settle for improved redundancy payments?

When matters came to a head as a result of the unilateral decision of the National Coal Board to implement closures, the government and the media seemed to assume

that the method of leadership by referendum - the national ballot - would continue to be employed.

There was a certain confidence that the media would be able to handle the situation so as to ensure that any opposition would be sporadic and isolated in the face of majority acceptance through the medium of a national ballot.

But the situation had changed. When Arthur Scargill stood for President of the NUM he made it clear that he was in favour of action to stop pit closures. Peter Heathfield took up a similar position when he stood for General Secretary. Both were elected with big majorities. Changes in the composition of the NEC also reflected a growing militancy, and the hitherto existing right wing majority was eliminated.

The Annual Conference in July 1983, and the Special Conference in September both committed the union to oppose pit closures and reductions in manpower. In addition, strikes had already taken place in some areas in response to closure notices.

Discontent with closures was obviously there, so it was a matter of how to turn it into active opposition. The two do not automatically go together, for a number of reasons.

A ballot on strike action to resist pit closures taken in February or March of this year would, by all accounts, have shown a majority against a strike. A no-strike decision would have hindered the

struggle against closures by those directly affected by putting them in the position of going against a majority decision. It would have increased their feeling of isolation, and made resistance virtually impossible.

To agree to a ballot under those circumstances is an abrogation of leadership.

The NEC exercised correct leadership by giving advance recognition to any strike against closure, thereby making it clear that action of that sort would receive maximum support. It was a means of reinforcing the militant elements.

The spark which set off the pit fire, so to speak, was the action of the management at Cortonwood colliery in Yorkshire in announcing that it would be closed at very short notice.

If it was intended as a surprise attack it turned sour because it enraged the miners, some of whom had been through the same experience before. They had accepted transfer to Cortonwood from other pits about to be closed on the clear understanding that there was at least fifteen years life left in the pit.

After only seven or eight years they were now being told that it, too, was to be closed - not on the grounds of exhaustion but because its costs of extraction were above the newly set definition of £60 per tonne.

A ballot of Yorkshire miners supported their Area Committee's recommendation to strike in sympathy.

It was obvious from the start that the Yorks Area could not stop pit closures alone. It is equally obvious that the leadership was of the view that, given a strong lead, Scotland, South Wales, and Kent would join in, and that their combined weight would bring in the majority of miners in other coalfields.

With the exception of Nottinghamshire, their evaluation of the situation proved to be correct.

The complaint that this method is undemocratic rests on the belief that democracy can only be expressed via the ballot box, yet the very people who profess to believe in it usually accept, without protest, that plants and pits can be closed, even wars declared, all without a ballot being taken of the people directly concerned.

The general purpose of a ballot is to ascertain the mood of the people at a particular time. It does not give much indication of the dynamics of the situation.

Before the strike began there was a general air of despondency. In the weeks since it started, there has been an increase in enthusiasm and an increased determination to halt the closures.

Well publicised attempts to secure a return to work have met with derision even in areas where support for the strike was initially weak. The temper of the working class outside the ranks of the miners has also increased.

The decision of the Executive Committees of the NUR, NUS, ASLEF, and T&GWU to publicly support the miners and, as far as practical, render them active support has sharpened the contradictions which exist within the Labour union movement between those who aim to challenge government policies by whatever means open to them, and those who are so steeped in constitutionalism that they are content to accept everything it does "until it is changed through the ballot box".

The decision of the NUM to make select-

tive approaches to other unions instead of to the TUC as a body was another blow to the 'moderates' both within the trade union movement and the Labour Party.

If, as it should, this alliance between the more militant manual unions continues to grow, the charge of operating a TUC within a TUC will, no doubt, be made by those who still command a majority on the TUC. Causing disunity is a serious thing for them when it is their kind of unity which is being disrupted, but how else can a new fighting unity be established without destroying the old kind?

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