

**CRIME AND THE
COMMUNITY Part 3**

RATECAPPING

STAR WARS

CORRESPONDENCE

THE COAL DISPUTE

Number

Forty - three

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MARRXIST**

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CRIME AND THE COMMUNITY Part 3

In Issue No. 40 of THE MARXIST we looked at problems of Crime and the Community under capitalism in Britain today. In our last issue we considered how crime is perceived and dealt with in an avowedly socialist state; specifically how the administration of justice and penal policy has developed in the USSR since the Bolshevik revolution.

This final article compares the experience of the People's Republic of China since 1949, and it looks at the similarities between patterns of crime within capitalist and socialist states.

To summarise the Marxist view: crime is contravention of the laws issued by the ruling class through the medium of the state. The primary purpose of the laws, whether in feudal, capitalist, or socialist states, is the protection of the class in power. Hence crime - as distinct from anti-social behaviour - presupposes the existence of a state and the division of society into antagonistic classes.

The establishment of working class state power was foreseen by Marx, Engels, and Lenin as the bridgehead for the 'withering away' of the state and of laws. Hence crime would gradually cease to occur.

As the social pressures of poverty and deprivation receded, so the violations of rules of community life would diminish.

Deviant behaviour would come to be curbed by self discipline and control by the community generally.

We have seen how this has not come about in the USSR. China's legal system was modelled on the Soviet Union, but its development has been very different.

Two Models

The concept of community control was, in fact, accepted in China long before the Communist Party of China (CPC) seized power in 1949. The informal model, depending on popular participation and enforcement through education, had been promoted by followers of Confucius. People should assimilate the rules of good behaviour internally. To rely on the rule of law was to recognise the breakdown of moral education.

The formal model, characterised by procedures and regulations, was propounded by the Legalists who stood for 'rule by law' and 'reform through law'.

Throughout Chinese history the two concepts contended and the informal model was seen as the more influential. In China, of course, there was no era of bourgeois democracy or pretence of access to and equality before the law. The law was the preserve of the rich. Lawyers were law in the public esteem.

It is easy to understand the disdain

for a systematic legal system held by the Communist Party of China and its allies. It was low on the list of priorities facing the CPC in 1949.

Current analysis within China describes five stages of the development of 'China's socialist legal system':

1. The period of the establishment of the legal system (1949-1953)
2. The period of development of the legal system (1954-1956)
3. The period when legal construction was subject to interference and ceased to develop (1957-1965)
4. The Cultural Revolution, when the legal system was severely undermined (1966-1976)
5. The period of the restoration of the legal system and its further development (1977 to date)

This categorisation is accurate in so far as it portrays the two line struggle within the CPC, the contention between the formal and informal models.

But we must bear in mind that the current leadership under Deng Xiaping is very much wedded to the formal model. We shall explain why this is so later on. The leadership, therefore, has a clear interest in undermining the informal model so that changes in society are brought about only according to law.

Therefore we invite the reader to challenge the current interpretation of the role of law in China since 1949. This interpretation is evident from the many passages from current publications cited

below.

1949-1953

The main function of the state in the PRC with respect to law and justice in this period was to demolish the old and establish a new legal system. In quantitative terms it did little towards the latter. Only 148 important new laws were passed. No criminal code or criminal procedure codes were adapted. Like the Soviet Union before it, China permitted the use of 'analogy' in deciding whether a crime had been committed.

All People's Courts and prosecutors were organic parts of the government. As intended, both the Courts and the procuracy were controlled by the Party. There were few Communist trained legal personnel.

In 1952, to strengthen the CPC's control of judicial work, a mass movement was launched against principles such as "no punishment without law", "judicial independence" and "law has no class character". The old Nationalist personnel were removed from judicial organs. The Courts were not required or expected to cite the law applicable in giving judgements.

Much criminal punishment was meted out outside the regular courts by People's Tribunals.

"In the early years of the People's Republic, the Communist Party initiated several mass movements on a nationwide scale. Direct mass action rather than the force of law fuelled

these tempestuous revolutionary movements. These mass movements were absolutely necessary because the reactionary forces riding on the backs of the people were still very powerful when the old society was being superseded by the new."

Beijing Review 12.1.1979

1954-1956

In September 1954 the PRC adopted a formal constitution. This included provisions concerning a judiciary and people's rights. There were four chapters, one devoted to the "Fundamental Rights and Duties of Citizens."

* Article 78 provided: "In administering justice, the People's Courts are independent, subject only to the law." Article 80 made the Courts responsible to the People's Congress rather than to the administration as before. Article 89 provided protection against arbitrary arrest.

However, those deemed 'reactionaries' and 'class enemies' had no rights whatever under the constitution. Those leaders calling for a stable legal system to maintain a normal social life and to foster production included Liu Shaoqui who was to be branded as the arch 'capitalist roader' in the Cultural Revolution. He has since been posthumously rehabilitated by the present leadership.

Despite the constitution, there was, as yet, no criminal or civil codes however, or rules of Court procedure.

1957-1965

In 1956, to widen democratic participation, the CPC launched the movement called "letting one hundred flowers blossom and one hundred schools contend". This resulted in open criticism of the socialist system, with some advocating its replacement. An 'Anti-Rightist' movement was therefore launched in 1957 to counter the critics. This was followed by another mass campaign in 1959 which undermined the efforts to establish a stable formalised legal system.

The position was taken that the independent exercise of trial and procuratorship authority by the judicial organs were usurping Party leadership. The principle of 'all citizens are equal before the law' was criticised as disregarding the class character of law. The principle of "relying on facts as the basis and law as criteria" in trials was decried as abandoning Party policy. The defence lawyer system was criticised as defending bad elements.

In 1959 the Ministry of Justice was abolished, as was the Legal Bureau of the State Council. This period is now regarded in China as the period of the doctrine of legal nihilism which opened up the road to the 'Gang of Four' during the Cultural Revolution.

1966-1976

The legal establishment in 1966, slight though it was, witnessed the full attack

of the Cultural Revolution. The People's Daily of 31.1.1967 carried an article "In Praise of Lawlessness":

"To destroy the bourgeois 'law' and the capitalist 'world' is precisely the revolutionary goal of all proletarian revolutionaries. Like the Monkey King who turns the heavenly palace upside down, we will destroy your 'law', smash your 'world', rebel against you and seize your 'power'."

The Cultural Revolution was initiated by Mao Zedong who believed that revisionists had set up a 'capitalist headquarters' within the highest levels of the CPC itself.

His thesis and the events of those world shaking years are now totally discredited by the present leadership of the CPC. Since Mao's death criticism of the Cultural Revolution has become more intense. Now it is regarded as an unmitigated disaster from which nothing good came. The CPC leadership have characterised the period as 'feudal despotism married to 20th century fascism'.

It is true to say that from 1966 China's judicial organs were suspended; there were hardly any laws passed at all and legal education and research came to an abrupt halt.

Colleges and universities scrapped the old enrolment system, selected students according to class background and political standpoint and attempted to combine education with "the three great revolutionary movements - class struggle, the

struggle for production and scientific experiment".

It is certainly difficult to find any reference to law in any English language publications from China of that period.

In 1975 the new constitution formally abolished the procuratorial organs and placed the People's Courts under the control of revolutionary committees. Those Westerners who visited China during this period gained an impression that seems naive today. In 1975 a visiting American judge George Crockett reported:

"Crime just isn't a problem in China today serious crime is a rarity, juvenile delinquency is nearly non-existent and lawyers are virtually unnecessary."

These observations are particularly interesting in view of the admitted rise in crime in China in the late 1970s as this is now attributed to the pernicious effects of the Cultural Revolution. There is no doubt that during the Cultural Revolution many people were hounded mercilessly, a large number to their death. Undeniably the system of justice administered by the people's tribunals and revolutionary committees would be regarded in the West as 'Kangaroo courts'.

There were often no legal procedures; no formal rights of representation or even of self defence. No figures exist but it is fair to assume that under the pretext of "denouncing class enemies", old scores were settled and the system of revolutionary justice was probably much

abused.

But it is vital to recognise the dynamics of the Cultural Revolution. From 1966 onwards China was a society in upheaval. Established authority was being challenged up to the highest levels.

In the process the ordinary people, industrial workers and poor peasants, tasted power for the first time in China. They were encouraged - at least by Mao - to exert control over their own lives. This, after all, is what revolution is all about.

The negative aspects of the Cultural Revolution must be weighed against this indisputably positive purpose and practice.

The current leadership under Deng Xiaoping have written off the period as a blemish on China's progress. We consider they are wrong. Marxist-Leninists should measure their interpretation of those years by analysing the CPC's current policies in class terms. In plain words, whose class interests are these policies serving?

1977 to date

In 1978 the PRC began to denounce its own legal system, particularly the abuses of the Cultural Revolution. Antipathy to law was incompatible with the modernisation programme. This required an orderly predictable environment for economic development. It was seen as essential to win back the confidence of the intelligentsia and provide a legal

framework for foreign trade and investment.

The main components of the framework have been structural reorganisation, the passing of legislation, restoration of defence lawyers, redefining the Party, judiciary relationship and expansion of legal education and research.

The declared aim of the present regime is to strengthen socialist democracy under a new legal code to develop the 'four modernisations': agriculture, industry, defence, and science and technology.

The 1978 constitution explicitly recognised the right of an accused to defend himself. This was subsequently extended to the right to hire a lawyer to defend his case. In 1980 the Provisional Act on Lawyers formally restored the lawyer system. Official figures in 1981 revealed that there were 6,800 lawyers - most full time - and 1,300 legal advisors' offices.

These figures have now grown to 16,000 lawyers and 2,500 advisors' offices, (Xinhua News Agency Bulletin, 22.9.1984) As a comparison, England and Wales today have 38,000 solicitors and perhaps 3,500 barristers.

The ranks of the judiciary have also grown. China now has 140,000 judges serving at the Supreme People's Court, 29 Higher People's Courts, 300 intermediate People's Courts, and 3,000 basic courts. (These also deal with civil disputes and in the field of civil law there are 800,000 'mediation committees' comprising 5 million mediators.)

In terms of structural reorganisation, the new constitution adopted in 1982 provides for an independent use of prosecuting powers:

"People's procuratorates shall, in accordance with the law, exercise procuratorial power independently and are not subject to interference by administrative organs, social organisations or individuals."

Article 31

The relationship between the CPC and the judiciary has also been modified and since 1980 the official policy has been to end Party Committee review and approval of cases.

In the field of legislation the current period contrasts starkly with earlier ones. Over the past five years China has issued more than 800 laws, decrees, and important regulations, including a Criminal Law, Criminal Procedure Law, Arrest and Detention Act and others. There are now more than one million officials working in the field of political science and law.

Their function is not only to undertake legal research but to lead the mass campaigns to familiarise the people with the substance, particularly of criminal laws.

All college and university students must complete a special course on the legal system or a general political course with a strong emphasis on law.

On its face, the present development is a huge advance upon the system prevailing

10 years ago in the field of criminal justice. People should not be subject to arbitrary arrest. They know that, if charged with an offence, the charge must relate to activity currently prohibited by the law; that the prosecutor must adhere to certain procedures and that, as accused, they can be represented.

But in order to understand the aims behind these reforms one must look at the political and economic reforms implemented by the leadership. To put it bluntly the present leadership wishes to turn back the clock in social relations with China. A new capitalist class is developing in power, expanding its own political parties, and donating political and economic rights to capitalists, both domestic and foreign.

The CPC leadership has presided over the wholesale re-introduction of commodity relations within the cities and the countryside. Within the 'special economic zones' foreign capital can be invested wholesale without the restrictions for political control and planning that would have been regarded as fundamental only a few years ago. Each day brings another example of 'pragmatism in action' that is wildly applauded by the capitalist class in the financial papers in the West.

The new legislation fundamentally affects property rights, rather than criminal procedures and sanctions. We consider that they have been introduced to consolidate the ruling group under Deng.

This group wants a situation where

changes in society must be effected through the law rather than from below. In turn the legal institutions will more and more be staffed by people loyal to this world view. In effect power passes from the revolutionary party to the judiciary, which is inherently conservative.

Crime and Punishment in present day China

The present constitution of the PRC states that the Chinese legal system is subject to 'Four Basic Principles', i.e. keeping to the socialist road, upholding the dictatorship of the proletariat, supporting Party leadership, and upholding Marxism-Leninism-Mao Zedong Thought.

It is interesting to observe how these principles are applied in the everyday criminal law enforcement in China, despite the unprecedented growth in the legal bureaucracy. For example, at the lowest level of the judiciary is the Neighbourhood Committee whose work was well demonstrated in the T.V. documentary "The Heart of the Dragon". The Neighbourhood Committee is charged with preserving local security.

In an interview in the documentary, the chairperson of the Harbin Neighbourhood Committee remarked on the growth of serious crime with the spread of Western influences and affluence. In the past, she said wistfully, people were simple. Now they dare to rob and kill. But the main blame in her mind lay with "the ten years of unrest 1966-1976", when the legal system was non-existent, discipline was lacking and the people were influenced by lawlessness. The main offenders now are

said to be those who were adolescents during the Cultural Revolution.

The next level of the judicial process is the police who retain the right to sentence people to 'education through labour' without trial for up to four years. How this works in practice is hard for the outsider to say. It is certainly a very alien concept to the European and - it hardly needs saying - one that would be totally unacceptable here.

Those offenders who cannot be dealt with in this way are handed to the Procurator, the public prosecutor. "The Heart of the Dragon" witnessed the trial of such an offender, a woman cat burglar who had entered a neighbour's flat and stolen clothing. Women account for only 1-2% of people in China who are brought before the criminal courts. Although a first offender, this one faced a possible five year sentence.

The documentary depicted the trial being conducted fairly informally and without the pantomime of wigs and gowns, although from the tremulous behaviour of the defendant there was a clear respect for the judicial authority.

Like certain European systems, the judge in China first examines the case and the evidence against the defendant before the trial. The Chinese trial is an inquisitorial, rather than an adversarial or accusatorial, system. This means that all the participants are charged with establishing the truth. In this instance the woman had confessed the crime and was given the opportunity by the judge to re-

tract her confession which she declined, (a step said to be introduced to avoid the abuses of the Cultural Revolution).

The judge who sat with the two lay assessors prompted her to criticise her own behaviour and realise the shame she had brought upon her family. What ideology, they asked, had led to her offence?

"Bourgeois ideology. I sought personal comfort at other people's expense."

It was apparent that the woman felt remorse and shame, more important considerations for many than fear of the sentence. In the event she was sentenced to one year's surveillance, akin perhaps to a rigorous form of probation.

The Chinese attitude to penal policy remains one of reform of the offender's thinking. Prison is seen - as in Soviet Russia from the Bolshevik revolution - as a rescue from a wayward path.

Conformity is the aim in prison. The inmates undertake seven hours' work, two hours' study, and have one and a half hours free time each day.

It would be wrong to assume that prison is the only penal sanction employed in the PRC. In August 1983 the PRC began an anti-crime drive which was particularly harsh in the cities. By the Spring of 1984 China had increased to 29 the number of capital offences. These include theft, bribery, embezzlement, organising a secret society, molesting women, gang fighting, drug trafficking, pimping, and pas-

sing on methods of committing crime.

"Diplomatic sources" estimated the number executed by April 1984 at between 5-10,000.

In addition to speed up hearings, Courts were permitted to try prisoners without notifying the trial date in advance or indeed giving them a copy of the indictment. The time for appeal was reduced from 10 to 3 days and lower courts no longer had to seek approval for death sentences from the higher authorities.

(These developments are noteworthy because the authorities could introduce such changes despite the formalised safeguards recently introduced by the criminal procedure law. One cannot, therefore, assume that the 'formal model' of law is synonymous with democratic rights and liberties.)

In April 1984 the Public Security Ministry announced a 42.5% drop in the crime rate nationwide. In China the 'short sharp shock' approach seems to have paid off.

The anti-crime drive raises a number of interesting questions. Crime occurs because of the offender's alienation from society. This may be related to material deprivation but is not necessarily so. Crime seems to have grown in the USSR and lately in China even though living standards have risen.

Is it because people know that they do not have control over their environment? A bureaucracy in power in the USSR and a

new capitalist class in the ascendant in China may increase the feeling of alienation from society that gives rise to crime. If this is so, then not only is it nonsense to blame the Cultural Revolution for current crime in China, but the policy of promoting consumerism may merely be storing up further trouble, notwithstanding the recent rise in living standards.

Alienation is probably the key link in rising crime to all societies. Class struggle under the leadership of the working class party is the principal way to combat that alienation.

Does the same situation apply in capitalist states? First, let it be said that, despite our criticisms of the CPC's leadership, there remains as yet a closer identity between the 'state' and the 'community' in China than there could ever be in a capitalist Britain.

Therefore, the 'community' in Britain may have very different perceptions from the 'state' of what crime is important. When the perceptions coincide - as, for example, with robbery or sex offences - there is stability.

Where the popular and state concepts of crime diverge - as, for example, in the miners' mass picketing - there is instability. Marxists should draw the distinction between crime and anti-social behaviour to add to this instability.

Marxists should stress the moral superiority of popular conceptions of crime over legal, state conceptions of it, thus increasing the alienation of the people

from the state - in other words, class struggle is the tool to intensify alienation.

POST SCRIPT:

The verdict in the trial of Clive Ponting is a good example of the popular concept of justice diverging from the state concept. The consensus of legal opinion was that Ponting would be convicted. The state demanded a conviction (the whole trial was intended to "set an example"): the judge told the jury in many words that they must convict. But the jury acquitted.

What is more, this was a jury vetted by the Special Branch. It is heartening that a jury felt able to ignore all the crude pressure and reach their decision independently. But, more importantly, the jury simply felt that it would not be right to convict this man when the state and the judge were saying - there is only one verdict.

In fact this is by no means unprecedented. It sometimes happens that a jury will acquit against the evidence when they can detect from the judge's attitude that a conviction would result in a harsh penalty.

It is therefore important that the system of trial by jury is preserved. It is under attack on the pretext that juries often do not understand the complicated issues presented to them. The Ponting trial verdict shows that juries 'understand' - only too well.

RATECAPPING

The Government's purpose:

- a) To keep the Public Sector Borrowing Requirement down,
- b) To keep commercial rates down,
- c) To keep domestic rates down as a vote catcher,
- d) To extend its political control over Local Authorities.

Whether or not one agrees with the first three, they are established practices. Ratecapping is an entirely new departure because it takes away the long established power of Local Authorities to determine their own rate expenditure and to provide for it out of its own resources. It should be opposed for that reason alone.

Withdrawal of government grants is a different matter. If central government provides money for local purposes and channels it through Local Authorities, it must have the right to influence the way it is spent.

Local government cannot be free of economic pressure from central government unless it can meet its own expenditure out of its own resources. The inability to do so places a practical limitation on the independence of local government. That is a contradiction that cannot easily be resolved but it seems obvious that local councils cannot expect to receive a blank cheque from central government.

A rather perverted idea of the financi-

al relationship between central and local government was expressed in anti-ratecapping propaganda issued by Haringey Borough Council; we quote:

"The Council determines how much money it needs, the government makes a grant, and the difference is made up out of the Rates."

It is more likely to be a Freudian slip than deliberate distortion. Historically expenditure has been tailored to the level that it was politic to raise in rates, but it reveals an attitude which has become increasingly common in Local Authority circles since the 1960s.

During that period the idea was popularised that the decline in employment in the production industries could be offset by increasing employment in the public sector. It was accepted by all the political parties and by the T.U.C.

Local Authority employment, mainly in the non-manual grades, increased year on year, and central government grants were increased correspondingly. The proportionately bigger expansion of white collar employment indicated an increase in bureaucracy, a predictable occurrence when expanding employment and not the provision of services is the object of the exercise.

Once Local Authority expenditure was freed of the discipline of funding it out

of the rates, the expansion became self-perpetuating and so did the bureaucracy.

By the time it was recognised that the amount of grant aid was ever increasing, and both Tory and Labour governments had to restrict it, the expanded bureaucracy was firmly entrenched, and the idea that extension of public sector employment is synonymous with the advance towards socialism had been resurrected.

"Safeguard the public sector" became a rallying cry of NALGO, the Local Authority white collar union. In practice it meant protecting jobs in offices while 'making economies' by cutting down on manual jobs.

In the London area NALGO strengthened its position by getting a foot in both camps - that is, its members getting elected to be Councillors, albeit in other authorities than those in which they are employed. The dice are loaded not only against the public but also against other Council workers.

Restrictions on the amount of grant caused problems, and the tying of the level of grant to the level of Council expenditure sharpened the contradiction within the local Labour parties.

Some of those Councillors who favoured compliance were replaced by others who favoured non-compliance. The result was loss of grant and still higher rates.

This does not make much sense in purely economic terms; the conclusion that can be drawn is that this faction, described

by the media as 'the hard Left', was intent on engineering a confrontation with the government in which the latter would either have to increase grants or resign. The spirit of George Lansbury and the Poplar councillors was invoked without any apparent recognition that the situation then and now is completely different in most respects.

At the time of the Poplar revolt in the 1920s Local Authorities were responsible for the payments made by the Board of Guardians to the destitute. Poplar councillors chose to increase the rate in order to raise Poor Law payments above what was virtually a starvation level. Their commitment to prison for that 'offence' aroused the public conscience and they won the day.

Today the dispute is not about the level of Social Security payment, (they are no longer the responsibility of Local Authorities). Furthermore, going to prison is no longer an option; the penalty for non-compliance with government policy is personal bankruptcy and debarment from public office.

People are aware, (vaguely, perhaps), that Councils by their actions, have denied themselves government money and that rates have gone up as a consequence, while basic Council services have deteriorated as Council office space has increased.

Support for the Labour Party is declining but in the belief that its core of supporters will continue to vote for them rather than vote Tory, attention has been

turned to winning the 'minorities' vote. Labour Party-oriented individuals, in effect, have been put on the Council payroll as leaders of 'voluntary' groups.

The ethnic minority-homosexual-women's support-industry has been given financial and material aid, all for the purpose of increasing the Labour vote. This was shown up when one of the Irish ethnic minority groups in one London borough wrote to the local newspaper to complain that the Council had not built an Irish Community Centre as promised before the last election, and giving notice that hereafter the Irish would not be used as election fodder.

What little working class politics did exist has now given way to an opportunistic cobbling together of representatives of special interest groups.

The crumbling of the much vaunted rate-capping alliance of Local Authorities is the clearest possible indication of their isolation from the mass of the people. Confrontation with the capitalist class should be welcomed because, in that way, people learn more quickly about the nature of capitalism and the state.

But 'confrontation' where the would-be generals are left alone on the chosen

field of battle only provides the enemy with an opportunity to advance.

Thatcher, being the astute politician that she is, grasped the opportunity provided by the self-isolation of those councillors to kill several birds with one stone. She was not only able to extend the power of central government but, wittingly or not, avoided the contradiction maturing and being resolved at local level. That is bad for the political development of the people at local level.

The most important thing now is to ignore the political posturing and get down to the business of really defending local services. That, objectively, puts the working class who are the recipients of the services on the same side as the manual workers and others who actually provide them.

Opposition to both higher rates and cuts in essential services (even though the pressure in each case comes from different sources) will force reductions among other Council employees. It becomes a matter between them as to whose jobs should go and whose should be saved.

At least it will make a change from smugly watching the manual workers go out of the gate.

* * * * *

Islington Council is giving £3,000 to a group campaigning for an end to discrimination against Irish lesbians in London. The money will be used to pay for nursery equipment and books on lesbianism and Irish history at the London Irish Women's Centre. In its application to Islington the centre, which is outside the borough in Stoke Newington Church Street, Hackney, said it had already received £82,500 from the G.L.C.

DAILY TELEGRAPH - 16.3.85

STAR WARS

One can imagine those ancestors of ours who first invented the bow and arrow exclaiming, "This is the ultimate weapon", (or some such phrase, according to the idiom of the time.) "We can now kill our opponents as well as our prey, yet remain out of their reach!"

It would seem reasonable to expect that after so many technological 'leaps' the idea of an ultimate weapon would have been discredited, but the concept is still being sold to the American public in the shape of what has become known as the 'Star Wars' programme.

According to its sponsors it is technically possible to construct a defence system which will prevent enemy ballistic missiles landing on the territory of the U.S. Laser beams are to be used to destroy them in flight and at such an altitude that the explosion would not injure property or people below.

Whether it is technically possible, or whether it is possible in practice to intercept every missile is questioned by some scientists but, even assuming that all the claims made for the system are true, America's allies in Europe would still be left out in the cold.

If missiles are used against Western Europe they would most likely be of the Cruise type which fly at fairly low altitudes. Destroying one of them in flight

would not do much for the well-being of people below.

The Star Wars programme is being sold to the public as a purely defensive arrangement, designed to protect their property and their lives. If that were the truth of the matter we would have the right to expect the U.S. government to declare that, when the system becomes operative and its territory made safe against a Soviet missile attack, it will then dismantle its own missile system because (so we are asked to believe) it has no aggressive intentions. That expectation would, however, take us into the realms of fantasy.

The truth is, of course, that 'Star Wars' is the latest ploy of U.S. imperialism to establish "once and for all" its technical superiority over its superpower rival so that the American Century can be realised. If the defence system works, U.S. missiles can then be fired at Soviet cities without fear of a response against American cities succeeding.

History, particularly since 1945, shows that a technological advance in weapons of war by one superpower is soon neutralised as a result of counter-measures by the other. Everyone knows that the Soviet Union has the will, the power, and the expertise to match and even surpass any weapons that the U.S. can devise, therefore every technological 'advance'

only gives an ephemeral advantage.

Escalation is the name of the game, and the U.S. is the chief protagonist in this respect.

One of the factors behind this must be the influence of the military-industrial complex. How much of the current economic growth in the United States is attributable to military spending is impossible to ascertain but what is certain is that, if it were reduced significantly, the effect on the economy would be catastrophic.

To the argument that this could be countered by spending the money thus saved on welfare benefits, the short and simple answer is that welfare for the poor does not provide an opening for Big Business to make profits.

Another factor behind the drive for increased military spending may be a belief that the U.S. economy can absorb increased military expenditure better than that of the Soviet Union, thus forcing the latter to keep down living standards and/or restrict its military involvement in the Third World.

Taking nuclear war into space is a frightening development but even more serious is the underlying trend to 'de-humanise' warfare, a concept of war fought by computer-controlled weapons which, by its own inner logic, is already developing to a position where computers take the decision when to fire, and when the 'finger on the button' is only a cosmetic device to conceal the fact that computer read-outs determine decisions.

March 1985



"Britain's technology wizard Sir Clive Sinclair is taking on America and Japan single-handed in the battle to build the world's first fifth generation computer. Sir Clive believes it is essential for Britain to be a front-runner in the race to develop the "metacomputers" - his word for the qualitative difference that the fifth generation has over the present massive number-crunching computers.

Vast fortunes are in store for the winner. "If you can make a machine with the intelligence of a man, the wealth you create is unbelievable - a colossal advantage", says Sinclair."

SUNDAY TIMES - 4.11.84

CORRESPONDENCE

The following is part of a letter from a reader in Manchester asking six questions. We answered the first three in our last issue and the remaining three are answered below.

4. Do you feel that in capitalist society in Britain today that certain groups of people (one might mention specifically Black people and Women) suffer from oppression due to their race or sex? Do you support organisations which they set up to fight these oppressions? Do you feel that such organisations should have the right to full autonomy under Socialism?

5. Does your group feel that there will be competing political parties under Socialism? Would you wish to indicate any limitations?

6. On page 7 of The Marxist 41 you mention critically the idea of Consumerism which you indicate to be a belief in the possibility and desirability of continuous expansion and its indefinite continuance. From the way in which this comment is written I gather that your group believes that continuous economic expansion is not possible. Am I correct? If so, does this mean that you would feel that Marx's idea of a Communist Society as involving complete abundance and the operation of the principle of From each according to their ability, To each according to their need, with the understanding that everyone would define their own needs, to be no longer acceptable?

OUR REPLY:

4. The question seems to imply that all black people and women are oppressed by capitalism. Thatcher is a woman, but she is an oppressor.

Coloured and female slum landlords are just as much oppressors as their white counterparts. Neither do we believe that all black people (to use them as an example) are uniformly more oppressed than white people.

A white person on a very low income is, in our view, more oppressed than a middle class black person. The same, of course, applies to a poor black person compared to a middle class black or white. We introduce the class dimension into the argument because the word 'discrimination' has come to be used in such a way that like is compared with like on a class basis.

It is 'normal' to compare wages, the job and educational opportunities of a black worker with those of the white working class, and those of a black middle class person with those of the white middle class.

Thus class distinctions among white people are tacitly accepted as the norm

against which discrimination against blacks is measured. It conveniently avoids class comparisons over the whole spectrum.

It is a fact of life that when people feel themselves threatened they will find some common basis for unity. The issue is whether that unity should be formed on racial or on class lines. Unity on racial lines leads inevitably to racial 'solutions'. Israel is currently the most obvious example.

The purpose of emphasising class differences is to create the conditions for the eventual elimination of all classes.

Organisations can only be judged on the basis of what are perceived to be the political line which they follow. The foregoing is the basis on which we make our judgement.

5. The question is abstract and can therefore only be answered in terms of theoretical possibilities.

Marxism provides a guide to action; it cannot provide a detailed plan for Socialism because, for one reason, it would imply an intention to establish a party dictatorship for the purpose of compelling people to conform to an economic and political ideal dreamed up in their own heads.

Socialism - that is, planned production for use based on collective ownership of the means of production - is a necessity dictated by the needs of social development, and not the desires of a select

band of individuals.

Precisely how collective ownership will be established here in Britain, and what political and organisational form it will take, cannot be known so far in advance because that depends upon a number of objective and subjective factors that cannot be foreseen at the present time.

We can, therefore, only suggest possible lines of development.

As we are dealing with possibilities we must explain the theoretical basis on which they are built. The precondition for building a socialist society is the destruction of the present (capitalist) state. Unless that is done, every attempt to abolish the exploitation of man by man will be frustrated because it is by means of the state machine that the capitalist class exercises what is, in fact, a dictatorship over all other classes.

That dictatorship has two aspects - the persuasive and the coercive. The persuasive aspect includes the media and the multi-party parliamentary system.

It is in the interests of every ruling class to govern, as far as possible, by consent. Social tranquillity makes for greater political stability.

The art of government in this respect lies in knowing when, where, and to whom to make concessions for the purpose of stultifying or dividing any potential opposition to its rule. In order to do that, it must (so to speak) keep its fin-

ger on the political pulse of the population.

The class structure of modern capitalist society is extremely complex and so many conflicting interests present both problems and opportunities for the ruling class. Its political system can be destabilised if the contradictions between the various classes, and between them (severally and collectively) and itself are not resolved in good time.

On the other hand, the multiplicity of class contradictions among what we broadly call the people provide it with greater opportunities for playing one off against the other to its own advantage.

Opposition to the system is tolerated as long as it is ineffective. Opposition within the limits customarily accepted is encouraged, hence the title 'Her Majesty's Loyal Opposition'.

This political system fulfils its purpose extremely well as long as the economic system is healthy enough to provide room for maneouvre and for concessions.

The probability is that economic growth throughout the capitalist world in the future will not reach the levels attained during the post-war years. If that is so, the economic, and hence the political, system will be less stable than they were during that period.

This eventuality has been anticipated by the ruling class. Restrictions on the trade unions, curtailment of civil liberties, the strengthening of police powers,

are only the tip of the iceberg.

The admission that MIE has, since the early seventies, been concentrating on internal subversion, ("the enemy within"), is a sure indication that the ruling class is prepared to defend its position, no matter how.

It is likely that Parliament will be increasingly regarded as an irrelevancy as it becomes more and more evident that power does not reside in it.

The miners' contempt for bourgeois 'law and order', mass picketing in defiance of the law, disregard of Court injunctions, etc. is not, at the moment, typical of the working class as a whole, but it is the visible sign of the emergence of a new unionism.

That contempt will find expression in other fields of struggle; eventually (and this is where leadership will play its part) it will turn into an open, conscious struggle for state power.

The various classes involved on each side will be led by a political party and the role played by them in the struggle for power will determine what (if any) role they play in the subsequent political structure which will have as its purpose the democratic dictatorship of the people over the capitalist class.

It is essential that this dictatorship shall, in the main, be exercised directly by the people themselves under the leadership of the working class, and with minimum reliance on state security forces.

How to bring that about is, as yet, one of the incompletely resolved problems of Socialism.

The practice of building socialism has thrown up problems that were not anticipated by most Marxists. That in itself is not surprising because theory must follow practice before it can serve practice.

The general assumption was that once the capitalist state had been destroyed, collectivisation would proceed more or less smoothly, and that class struggle would become unnecessary when the old ruling classes had been abolished.

The reality has been different. A new exploiting class, spontaneously created during the state capitalist phase of the transition to socialism, has effectively established itself as the new ruling class in what are generally referred to as the socialist states.

Though this class does not formally own the means of production, it derives its power from its effective control over them. As a result, the development of the respective economies has been frozen at the state capitalist stage. They have also obtained a great deal of power within the ruling Communist parties.

The growth in influence and power of this class has been made all the easier by the adoption by the Communist parties of the theory of the dying out of the class struggle. Mao Tse Tung was the first, and at the moment the only, leader of a Communist Party in power to bring

this problem out into the open and initiate steps to resolve it so that progress towards socialism can be resumed.

The Proletarian Cultural Revolution, initiated by Mao, had, as its immediate aim the removal from office of those Party people in authority taking the capitalist road.

The fact that those capitalist roaders were able to seize power after his death is not the end of the matter. Class contradictions are an objective phenomenon that will not go away because some people find it convenient to deny that it exists.

Eventually class struggle will surface in every 'socialist' country but whether the leadership will come from within the existing Party or whether a new Party will have to be created is just speculation at the present time.

Although it is very necessary to pay attention to problems concerned with the transition to socialism, the most important thing for us in the capitalist countries is to work to create the subjective and objective conditions for the initial defeat of the capitalist class.

6. The idea of unlimited expansion has no place in Marxist theory; it is a product of capitalism. It expresses the needs of the system, not the needs of the people.

"(The capitalist) shares with the miser the passion for wealth as wealth. But that which in the miser

is a mere idiosyncrasy is, in the capitalist, the effect of the social mechanism of which he is but one of the wheels. Moreover, the development of capitalist production makes it constantly necessary to keep increasing the amount of capital laid out in a given industrial undertaking, and competition makes the immanent laws of capitalist production to be felt by each individual capitalist as external coercive laws. It compels him to keep constantly extending his capital in order to preserve it, but extend it he cannot, except by means of progressive accumulation." CAPITAL, Vol. 1, Chapter 22.

Although the individual capitalist has now been replaced by the big corporation, that law still applies. What is popularly called 'consumerism' is the creation (by means of advertising and the generation of social pressures) of artificial wants for the purpose of stimulating production for profit.

If the commodity is destroyed or discarded immediately after purchase, so much the better because additional sales mean additional profit.

In the long term, unlimited expansion is impossible for a number of reasons connected within the internal contradictions of the system but, more importantly, because the raw materials and non-renewable energy which expanding production requires are rapidly diminishing resources.

People in the industrially developed countries are living in a fool's paradise in this respect. We make up only about 30% of the world's population, yet we consume 90% of its energy and a completely disproportionate amount of its raw materials. Sooner or later the people of the Third World are going to demand a fairer distribution.

Does that mean that Communism is unattainable? Neither Marx nor Engels ever postulated unlimited expansion of material production. The phrase, "To each according to his needs" is a completely different thing from "To each according to his wants".

People's actual needs are finite, therefore any thought of expanding production beyond the point when needs are satisfied is absurd.

Furthermore, the idea that each individual should be able to determine his or her own needs without regard to all the social, economic, and ecological factors is both anti-social and unrealistic.

People must be free to determine their own needs, but only within the bounds prescribed by social needs and practical possibilities.

Finally, Communism is not just a matter of satisfying material needs. That is only the starting point from which Mankind will not only learn to live in social harmony with Nature, but be able to develop all his artistic and other abilities to the full.

THE COAL DISPUTE

Well, the government is rejoicing in its 'victory', though probably somewhat prematurely. Most of the miners are now back in the pits but, on the N.C.B.'s own estimate, it will be six months before production is back to normal, and that is on the assumption that it gets the wholehearted support of the miners. But the government claims a victory!

Pit faces have been lost in the 'wrong' mines, i.e. those not scheduled for immediate closure. The stockbrokers, Simon and Coates, estimate that by the end of 1984 the strike had cost about £2.5 billion, of which nearly £1 billion represents N.C.B. losses. Additional imports of oil and coal are estimated to have cost £2.5 billion.

The actual financial cost will, no doubt, be much higher when all the sums have been finally completed. Some financial columnists are even now expressing doubts about whether the intransigence of the government was worth it. But the government claims a victory!

The N.C.B. has got its cutback in output but not how and where it wanted it. Pits like Cortonwood, due to be closed in April of last year, have been reprieved for the time being. The N.C.B.'s whole strategy is in tatters. But the government claims a victory!

The political cost will never be recouped. Miners have gone back angry and frus-

trated but with no sense of defeat. The law and the courts are seen more clearly for what they are - instruments for keeping the working class in the place designated for them by the employing class.

Police at the beginning of the strike were volunteering for anti-picket duty; towards the end of the strike they had almost to be dragooned into it.

Thatcher's handling of the strike has been condemned by 60% of the population, according to a MORI poll. To cap it all, Tory popularity has fallen in relation to the Labour Party, and that despite the pitiful performance of that Party during the strike and before. But the government claims a victory!

From the outset of the strike it was clear that it would have to be a fight to the finish, because there was no room for compromise.

Under previous governments the difference between extraction costs and market prices was tackled by a combination of closure of 'uneconomic' pits and subsidies. The present government gave notice that subsidies were to be phased out. The reasoning behind it is that subsidies are a charge on productive industry and therefore reduce their profits.

In the context of the capitalist system the only way of getting out of a slump is

to raise the profitability of the system as a whole. That is the logic of the market economy, of capitalism, and no government committed to the preservation of the system can go against it.

The decision to abolish subsidies over x number of years means that extraction costs have to be brought down to 'competitive' levels within the same period. In order to meet that cost target, investment must be concentrated mainly in those pits where geological conditions are such that, with the aid of the newest technology, coal can be extracted at or below the world market price. It is a policy not of choice but dictated by the needs of the system.

The only difference between the Parliamentary parties in this respect is the time scale - how many years that 'x' represents.

Thus opposition to pit closures on grounds other than exhaustion is contrary not only to the policy of the present government, but also of every post-war government, including the one in which Tony Benn was Minister for Energy. It is also part of the explanation why the Labour front Bench have been 'cool' about the N.U.M.'s demand.

The N.U.M. had accepted previous closures partly because the leadership was committed to the same policy as the government. This passed almost unnoticed because the membership were not particularly worried; redundancy money was good and other jobs were available. (Joe Gormley tells the story of how, in those

days, he tried to get miners at one pit to resist its closure, only to be met with incredulous silence.)

Towards the end of his tenure in office as National President opposition to closures was growing but resolutions of national Conference opposing pit closures were cast aside in favour of improved redundancy pay.

The New Militants

The election of militants to leading positions in the N.U.M. reflected the growing opposition to closures among the rank and file. The N.C.B. decision to close twenty pits within a short period faced the new leadership with a crisis of credibility. It had to make a stand for two reasons: one being that it was expected of them by the militants who had worked to secure their election, and the other being that if the closure of twenty pits had been allowed to go through without resistance, there would be less chance of resisting the bigger batch of closures which were going to come later.

Successive National Conferences had endorsed opposition to closures but, as anyone with experience in the Labour movement knows, resolutions are all too often voted for in the belief that they will not have to be implemented, or that they will frighten the employer into surrendering without a fight. Their usefulness lies in that they can be used to legitimise future action, but rarely do they initiate it.

As the crunch approached, some areas,

(Scotland and South Wales tried to implement the decision but were unsuccessful because by that time the pessimism which was affecting the rest of the industrial working class was spreading to the miners.

The assessment of the leadership seemed to be that a national ballot at that time would perhaps have reversed Conference resolutions. In that circumstance the only thing to do was to get a strike started in one of the bigger areas, and then spread it by picketing.

There is nothing inherently wrong or undemocratic about that method, as subsequent events proved. The Notts miners refused to strike despite mass picketing. On the other hand, pits which would not have come out but for picketing stayed out for nigh on twelve months, even when picketing had virtually ceased.

In the run-up to the strike the idea gained currency that what had happened in 1974 when the miners were the prime movers in making Heath resign, could be repeated in 1984. It was a myth, but it gave the rank and file courage to start the strike.

It soon became apparent that the government was under no illusions, and had been making preparations. Apart from laws laying down financial penalties for mass picketing, refusal to ballot, etc., coal stocks had been built up, and police mobility and powers had been secretly enhanced.

Inability to get the Notts miners to join the strike knocked on the head any

ideas that the miners could go it alone.

(The refusal of the majority of Notts miners to obey the strike call was perhaps not unexpected, but subsequent actions by the 'working miners' committee' took things to a new low. It is bad enough to work while your mates are on strike, but to actively co-operate with the government and the N.C.B. to encompass their defeat is indefensible.)

The fleeting hope that an alliance of the N.U.R., ASLEF., T&GWU and N.U.S. could put the screws on the N.C.B., and at the same time create a militant grouping within the T.U.C. did not work out. The Railmen did prevent the movement of coal in some areas, only to find that their efforts were partly nullified by lorry drivers, members of the T&GWU. The efforts of the N.U.S. were partly offset by the use of foreign-crewed ships.

Generally speaking, it can be said that the commitment to the miners and to trade union principles was greater among the leaders of the Unions mentioned than it was among their rank-and-file. This is noteworthy because it makes a huge hole in the idealist concept that it is only the dead hand of the leaders that prevents the rank-and-file from taking militant action, the corollary being that the most important thing to do is to change the leaders.

The appeal to the T.U.C. was a last resort, an indication of the deteriorating position of the N.U.M. As expected, the Conference went through the usual motions

of 'giving support', a cosmetic device well known to most trade union activists. The majority of trade union leaders dragged their feet with (sad to say) the tacit approval of the majority of the rank and file.

When a considerable amount of coal continued to be moved and it became clear that the oil burn at power stations would be increased, no matter what the cost, and when finally 'General Winter' did not intervene, the drift back to work increased and the end of the strike could not long be delayed.

In the circumstances the return to work without an agreement was the only realistic option, because it reserves the right of the Union and its members to continue resistance to pit closures.

The continued fight to get the reinstatement of those sacked during the dispute, the punishment of scabs, and continuing resistance to closures will obstruct that smooth return to previous production levels that the N.C.B. and Government so dearly want. Hence the appeals for reconciliation emanating not only from Thatcher, Walker, Eaton and Co. but also from Kinnoch, Hattersley and that crew for whom the strike has been an embarrassment. They all join in wishing that resistance will soon be at an end.

They are united in the hope that the militants will be isolated as 'normal' life is resumed; they hope that 'good sense' will prevail and the 'moderates' will get back into the driving seat.

The election of militants to leading positions in the N.U.M. was not a matter of chance, as they are fully aware. It was due to organised efforts by a broad alliance, similar to the ones which operate in almost every union. The sole purpose of these ad hoc organisations is for the purpose of agreeing on a single candidate for each union post so that the militant vote will not be split. The so-called moderates do the same.

Generally speaking, the working class is better served if militants gain control of a union but that is as far as it goes, because the strength of a trade union depends on the spirit and determination of its members, and the election of a militant leadership does not necessarily mean that the rank-and-file are impatient to become involved in militant action.

The influence of social democracy is still very strong in the British Labour movement and all too often leaders are elected in the hope that they can get negotiated settlements where others have failed, but without disturbing the even tenor of the members' lives. The tremendous effort required of Arthur Scargill before the N.U.M. membership moved into action strengthens that view.

Now that the miners are back at work, leadership by exhortation will be less effective because each pit has its own characteristics and the struggle will throw up different tactical problems that can only be resolved by the leadership at pit level. In the nature of

things, as the quality of leadership must vary from pit to pit the resistance to N.C.B. policy will be uneven.

During a strike exhortation can usually carry the day because everyone is looking to the leaders for guidance, and they tend to move as a mass. In circumstances where the action consists of a number of organisationally independent battles the outcome is largely dependent upon the quality of leadership at local level, which includes the ability to see the part in relation to the whole.

That will not be possible unless the political line is clear, consistent, and unambiguous. In our view the political line of the N.U.M. with regard to the coal industry is inconsistent with its opposition to pit closures.

The Plan for Coal

At the beginning of the dispute we heard Arthur Scargill demanding an expanding coal industry in line with the Plan for Coal. This had some initial value because it contrasted the differences in the output targets in 1972, and now. The only logical inference that can be drawn from this is the absurdity of purporting to plan production in a market economy.

Many people who were emotionally attracted to opposition to pit closures found themselves in difficulty when trying to follow the N.U.M. line of arguing for an expansion of production in the coal industry when the demand for coal was static.

The argument that exports can be increased if a bigger subsidy is given makes even less sense to working folk who know that a subsidy for one industry must be paid for out of the value created in other production industries. There is, of course, a strong case for cross subsidies between domestic industries, but it makes no sense to subsidise energy for other countries.

The N.U.M. case for subsidies makes no sense from a socialist angle, either. International competition is something that we have to live with until such time as we can insulate ourselves from it. As international competition is essentially competition between the workers of different countries for the greater glory of capitalism, we should oppose pressing for export subsidies and getting further involved than we are forced to in the international rat-race.

The N.C.B. case for pit closures is watertight, if one accepts the premise on which it rests - that is, the 'need' for British coal and manufactures to be competitive in world markets.

We live in a capitalist society, and now that the post-war expansion bubble has burst, any further expansion of production will be through increased productivity and at the expense of jobs.

The N.U.M. leadership must know that pit closures have been suspended only until such time as overall production can be seen to be getting back to the required production level. It is therefore in

the interests of the miners to prolong the recovery period as much as possible or until such time as the N.C.B. accepts N.U.M. demands regarding reinstatement of victimised members and withdrawal of the pit closure programme.

If full production is attained before those demands are met, the N.C.B. will become even more dictatorial. MacGregor's reference to insubordination shows the way he is thinking - army style discipline.

Although it may not be politic for the N.U.M. leadership to publicly advise "ca'canny" tactics, it is about time it realised that expansion of the coal industry will only be obtained on N.C.B. terms.

Protection of pits and jobs necessitates a different approach. For one thing it seems wrong to co-operate in the opening of new pits when, by doing so, they are co-operating in the closure of older ones on the grounds of economy. That stand will only make sense if we start from a completely different premise from that of the N.C.B., namely that social and ecological considerations should carry greater weight than the narrowly defined economic one used by the N.C.B.

Then the fact must be faced that we are intent on going against market forces and working towards a society where different values prevail. Of course, that is taking the matter out of the realm of trade unionism into that of politics but there is not, as yet, any political party capable of undertaking the task.

March 1985

HELPING SELF HELP

Television coverage of the famine in Ethiopia and other african countries was a credit to those people in the media who treated it not just as news but as an opportunity to arouse public opinion. By so doing it not only brought a huge response from the general public, but forced the Govern-

ment to give more aid than it was disposed to do because of its hostility to the regime.

It was legitimate from any standpoint to show the harrowing scenes in the refugee camp so as to play on the humanitarian so as to play on the humanitarian feelings which run deeply

in everyone, thus getting maximum support for immediate food aid.

Unfortunately it has tended to give the impression that all the people in the countries affected are passively accepting their lot and making little effort to help themselves.

That is probably the case in the mass, but many worthwhile things have small beginnings and we cite a few which have been published in the New Scientist.

One of the problems is to avoid people congregating in places where food is being stored. Apart from problems of sanitation and disease, it means that people are away from their villages when they should be planting the next crop.

In Senegal, the local authorities discouraged a mass exodus by giving cards to leaders of extended family groups of up to sixty people, who then collected food from a central point and distributed it in the village.

In Mali a group of Tamachek nomads took up village life a year ago when most, but not all of their cattle had been lost to drought.

Their leader insisted "we

need aid, not camps". Local aid workers provided £18000 and the Tamachek themselves built a dam on the Niger marshes. This year they harvested one hundred tonnes of rice from seventy six hectares. Instead of selling that which was surplus to their immediate requirements they decided to set up a long term store.

The Ethiopian Government is in the process of resettling 2.5 million people from the north of the country where land conditions are such that the present population cannot feed itself, to the south where more arable land is available and where programmes are under way to sustain proper land use.

The staff association at the International Livestock Centre for Africa, in Addis Ababa is trying to raise money to buy oxen that farmers are having to sell because of the drought, and feed feed them through the dry season, otherwise the oxen will die. When the rains come the farmers will be able to buy seed and draught animals on long term loans.

The Centre has also developed a plough that a single ox, rather than the usual pair, can pull. A definite gain for poor farmers.