

A paper of Marxist polemic and Marxist unity



weekly worker



**Tilting the balance of Scotus:
Howe Cheatem explores the
politics of the judiciary**

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- Mihail Sebastian

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Towards a Communist Party of the European Union

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It ain't
necessarily
so

LETTERS



Letters may have been shortened because of space. Some names may have been changed

Trump visit

Mr Speaker, John Bercow, does not want president Donald Trump to address parliament. Is Trump a worthy successor to Nelson Mandela? No. Is Trump a worthy successor to Aung San Suu Kyi? Ask the Rohingya people about that overrated figure. But is Trump a worthy successor to Barack Obama? Oh, yes, indeed.

By all means, protest against Trump's actions. Up to a point, protest against his utterances. But do not protest against his presence. His arrival in this country would do us no end of good. Provided that the reaction were led by the right people.

The American Democratic Party has been defeated in the person of the most economically neoliberal and internationally neoconservative nominee imaginable. The lesson needs to be learned. The workers are not the easily ignored and routinely betrayed base, with the liberal bourgeoisie as the swing voters to whom tribute must be paid. The reality is the other way around. The European Union referendum ought already to have placed that beyond doubt.

There is a need to move, as a matter of the utmost urgency, away from the excessive focus on identity issues, and towards the recognition that those existed only within the overarching and undergirding context of the struggle against economic inequality and in favour of international peace, including cooperation with Russia, not a new cold war.

The defeat of the Clintons by a purported opponent of neoliberal economic policy and of neoconservative foreign policy, although time will tell, has secured Jeremy Corbyn's position, since he is undoubtedly such an opponent.

For 25 years, almost completely ignored except in relation to the Iraq war, a section of the political left and a smaller section of the political right have consistently opposed the racist, militarist and imperialist policies of the Clinton, Bush, Obama and Trump administrations. For 20 years, almost completely ignored except in relation to the Iraq war, a section of the political left and a smaller section of the political right have consistently opposed the racist, militarist and imperialist policies of the Blair, Brown, Cameron and May governments.

A steadfast stalwart has been, and remains, Corbyn. His election and re-election as Labour leader have been significant victories for the movement against liberal interventionism. Another victory was the social media campaign that led to the lobbying of the House of Commons, such that it defeated the Cameron government over Syria. Therefore, it is not correct to say, "They never did stop the war".

In the event of a state visit to the UK by president Trump, it is imperative that those with that consistent, and not unsuccessful, record be the organisers of what would easily be the largest demonstration in British history, and that that demonstration be addressed by Corbyn. This would have the potential to politicise an entire generation, thereby changing Britain in myriad ways over at least 50 years. But it would have to be led by those who would have reacted in the same way to a state visit by president Hillary Clinton.

David Lindsay
County Durham

Halfway house

Yasmine Mather poses the need to reboot Hands Off the People of Iran

largely in terms of exerting some influence on the left in Iran ('Trump threatens N-deal', January 26). The original Hopi combined this aspiration with that of being an anti-war group seeking affiliation (unsuccessfully) to the Stop the War Coalition. There was justified concern at the time of the likelihood of a war being launched against Iran. This once again looms large, although Iran is by no means the only focus of concern.

No explanation is offered for the decline of Hopi, though straddling the two themes mentioned above and lacking a clear perspective for either might form part of the picture. The left is an amorphous concept at best and by no means the same thing as the working class. STWC is essentially a popular-front operation of the sort that the CPGB usually disdains (before plunging in anyway).

There is a mention that the CPGB considered winding down Hopi ('Getting to grips with Trumpism', February 2). In reality this had already happened and Yasmine gives an explanation in the next issue: "After the conclusion of the Iran nuclear deal we assumed there was no longer an immediate threat of war" ('Coming full circle', February 9). Impressionism and complacency combined.

The CPGB has never shown much interest in the crises that are looming in Europe with the Nato-led drive to the east and Asia, where China is viewed as an economic threat by the US; and Iran is a target as much for its role as a player in the conflicts in Syria, etc, as for its nuclear aspirations. I do not see STWC (or Hopi as a wannabe affiliate) providing the leadership to meet these challenges.

We need an anti-war movement based on a perspective of working class power, not a halfway house between socialism and pacifism.

Mike Martin
Sheffield

Socialist Brexit

It's three years until the 2020 election and a lot can and will happen in that time. Internationally, Pyongyang might no longer exist. Iran might be largely glass and Trump might be about to launch a thermonuclear missile at Beijing. Alternatively, his proto-fascist government may already have collapsed under the weight of its own idiocy and a determined resistance to it.

Domestically this government might have already disintegrated, a new more confrontational fascist formation might have replaced the UK Independence Party, Corbyn might already be toast - or even, by some quirk, prime minister. That said, it is still necessary for Labour to plot a course to power based on all things being equal, because, as they say, if you fail to plan, you plan to fail.

At the moment, it is not looking good for Labour. The Tories appear united, whilst it is floundering. That can be turned around, but only if Jeremy Corbyn follows through with his anti-austerity, leftwing, socialist project on a principled basis. True unity can only be forged on the back of principles, not rotten stitch-ups and compromises.

Sometimes a step forward needs to be accompanied by two steps back for the initial step forward to be translated into something truly significant. Time to take the New Labour remnants in the Parliamentary Labour Party head on. We need a clear-out of the neoliberals and, if the local Constituency Labour Parties won't deselect them, then we must put up independent socialist candidates pledged to help form a Corbyn Labour government, should the numbers be there. These seats will be lost otherwise, as workers will not turn out

to vote for neoliberals any more - nor indeed for Labour candidates that they know in advance will refuse to form a Labour government under Corbyn, but would rather go into coalition with Tories, Liberal Democrats and others in order to prop up the bankers' regime of austerity.

But there needs to be an overarching, principled framework for this fightback and that can only be provided by a socialist Brexit. Labour needs to put forward a radical vision and programme for a socialist, post-Brexit Britain and a new European settlement that can take on both the neoliberal, soft-Brexit alliance and any far-right Brexit formation that arises. Without this, Labour will almost certainly be dragged into the soft-Brexit unpopular front with the Lib Dems and pro-EU Tories - and to certain defeat and the end of the Labour Party as an electoral force, as happened in Scotland, where the right wing literally preferred party-suicide to a leftwing or socialist renewal.

So come on, Labour. Where is that programme for a regime of full employment, a national bank with a monopoly of credit, sustainable and democratic economic plans, workers' democracy to replace fat-cat executives imposed by the 'old school tie' network, the socialisation of the mega-profits of the giant corporations and super-rich and for a new European settlement that does not treat workers like migrating cattle, chasing each other's tails across the continent in search of ever crappier wages and ever more meagre welfare; or tether them like donkeys in abandoned sink estates, sink schools and sink communities, with barely enough education and training to compete for even the lowliest local job?

Britain voted for Brexit, in the final analysis, because British capitalism has failed completely and dramatically. It cannot compete in Britain, let alone in the European single market and with the rest of the world. Monopolised, stagnant, bankrupt and with a thoroughly debased currency, it has plunging productivity stats, thanks to a real estate bubble that is sucking up all 'investment' to the complete detriment to a real economy. So, if Brexit is to mean anything, it has to mean socialism.

David Ellis
Leeds

Class enemy

A Tory-led Brexit will be a disaster for working people. The forces that led the 'leave' campaign had (and have) an extreme and reactionary anti-working class agenda and this is now playing out and must be resisted.

The referendum was not democratic, since non-British EU citizens who live and work here were denied a vote, as were 16 and 17-year-olds. The labour movement should campaign to defend free movement of labour within the EU and to resist the nationalist break-up of the EU. We don't support the capitalist institutions of the EU, but we do support the potential that exists within the EU for working class unity against the bosses. We stand for a united European working class movement fighting for a united socialist Europe. The various national capitalist classes can't unite Europe, since they are using the institutions of the EU as a stick to beat the working class and enforce austerity. No wonder that there is now mass opposition to the institutions of the EU and that the nationalist right, who are well funded and backed by sections of the capitalist class, are trying to use that opposition to build a reactionary mass nationalist movement to divide workers on the

grounds of nationality and religion.

We are facing at least two years of great difficulty for May and the Tories, as the economic dislocation caused by Brexit starts to become apparent. The dynamic will be for the Tories to keep driving British politics to the right, with appeals to defend the nation. There are strong indications that the British labour bureaucracy will also move to the right and adopt a British nationalist posture. The dynamic of nation against nation, which will obviously grow during the exit negotiations, is not one that is a good ground for socialist politics.

Those leftists who advocated a 'leave' vote under a Tory government should have known better. Can socialists build an effective opposition to Tory Brexit, while still upholding Brexit as a step forward for working class people? I don't think so. We need a clear, socialist, class-struggle opposition to Brexit. The Tories are our enemy - not EU migrants.

Sandy McBurney
Glasgow

Dreadful day

What a dreadful day Thursday February 9 was. MPs voted to ban refugee children, which is an absolute disgrace beyond belief, and then not to guarantee the rights of EU nationals living and working here to stay in the UK.

Parliament had previously agreed to host 3,000 refugee children: now it says 350. That is outrageous, denying basic human rights to innocent children fleeing war, ill health and poverty, initially caused directly or indirectly by us in the west.

Parliament decided not to guarantee the rights of EU nationals living and working in Britain to stay post-Brexit. That is also deplorable: we are talking about people's lives, and

their children's, not about trade or goods. I hope the two million British people working and living in other EU countries will not be treated in such a shabby and racist way.

I am furious at these racist government decisions and the lack of serious opposition to them. We have to stop this lurch to the far right.

Pete McLaren

Rugby Trade Unionist and Socialist Coalition

Pre-empted

The Momentum Grassroots networking conference takes place on March 11, somewhere north of Watford, we presume. The organisers tell us that it is not the founding conference that was planned for February. Its purpose is to debate - at long last - the way forward, to network local groups, etc.

Brent Momentum met on February 13, but unfortunately there was no agreement on anything. Pete Firmin's motion condemning the coup - the Barnett one - was lost with only three votes for. A motion not supporting the coup but welcoming its outcome was lost with only a few votes for. The majority, about 10, wished that it had not happened and thought we should live in a better world without having to say anything about the real world.

The three of us at least will make the trek to Birmingham, Manchester or wherever on March 11.

And complaining about Lansman's contempt for the democratic rights of the membership and then doing it yourself by pre-empting the outcome of the only democratic conference yet in Momentum displays only a slightly more leftist but still hopelessly bureaucratic attitude to the membership than Lansman himself.

Gerry Downing
London

Fighting fund

Extra boost urgently needed

Unfortunately, this last week has been just about the worst I can remember for our fighting fund. A mere £82 towards our £1,750 target was received to help us sustain, strengthen and improve the *Weekly Worker*.

The main reason for this was not, I must stress, a falling away of our support. It was in large part the result of the unfortunate timing of the last seven days in relation to our regular standing order donations. It just so happens that there are only three of them over that particular seven-day period and they total just £15! But the good news is that next week I expect to report a total that is well above average - when it comes to standing orders, at least.

The one substantial gift that came our way was a handy £50 cheque from SL, who writes: "Here's to the best paper on the left! Keep up the good work." Exactly the right sentiment, comrade! There were also a couple of PayPal donations - from FC (£10) and DB (£7), two out of our 2,894 online readers last week - taking our running total for February just over the £1,000 mark at £1,022.

A big chunk of that came at the February 4 anti-Trump demonstration in London, when just over £500 was raised, of course. But the anti-Trump protests are double-edged. On the one hand, masses of people have taken to

the streets because of Trump's xenophobia, misogyny and all-round general bigotry. On the other hand, there is quite clearly an ongoing campaign from the top to get Trump. The CIA, FBI, US Democrats, CNN and a whole range of US corporations want to see Trump ousted, assassinated ... or just impeached. So presumably does John Bercow. Hence, the SWP's *Party Notes* could not be more wrong. It says the ruling class is "worried about the level of protest" against Trump (February 13). Yet, from the point of view of the ruling class, the "level of protest" against Trump has been excellent. Ditto from our point of view.

Nevertheless, I was hoping that the protests would give us a financial boost that would see us break right through that £1,750 barrier. Well, we can still do that, but only if the last 12 days of the month (there are only 28 of them in February, remember!) not only compensate for this last week, but see us soaring ahead.

I never want to see another week like this last one again, and I know you won't let it happen ●

Robbie Rix

Fill in a standing order form (back page), donate via our website, or send cheques, payable to *Weekly Worker*

IRAN

New times, new tasks

Statement from Hands Off the People of Iran



Playing with fire

Clearly, the election of that rogue reactionary, Donald Trump, makes the world a far more volatile and unpredictable place. This could obviously have dramatic consequences for the Middle East in general and Iran in particular. That is why Hands Off the People of Iran, founded in 2007, must now step up its campaigning work.

An already fraught situation was aggravated in early February by the decision of what seems to have been factions within the clerical order in Tehran to launch a ballistic missile test. Although the regime has stated that such missiles are “not designed for the capability of carrying a nuclear warhead”, but rather “to carry a normal warhead in the field of legitimate defence”, the US administration insists that the launch was in direct contravention of the deal agreed by Iran, which stipulated that the country will not “undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology”.

Predictably, the US administration quickly announced that it was putting Iran “on notice.” Israeli prime minister Binyamin Netanyahu - who had previously claimed that the nuclear deal “threatens Europe, threatens the west, threatens the world” - welcomed Trump’s insistence on new sanctions against Iran.

Back in January Netanyahu had sent a ‘message to the Iranian people’, which included the following

sorrowfully phrased threat:

I hope this message reaches every Iranian - young and old, religious and secular, man and woman ...

By calling daily for Israel’s destruction, the regime hopes to instil hostility between us. This is wrong. We are your friend, not your enemy. We’ve always distinguished between the Iranian people and the Iranian regime. The regime is cruel - the people are not; the regime is aggressive - the people are warm.

Both in Tehran and throughout the Middle East the message was interpreted as a hypocritical apology-in-advance for murderous air attacks on the Iranian people by their ‘friends’ in the Israeli Defence Force. It seems that the restraints imposed by the Obama administration on the more adventurist policies of the Zionist regime have been lifted under Trump. But, whether an attack comes from a US-led coalition or Israel alone, the situation is ominous.

From its formation, Hands Off the People of Iran (Hopi) attracted impressive support from organisations and individuals in the workers’ movement and beyond. It provided a principled focus for activists who understood it was both possible and necessary to oppose the threat of imperialist war against Iran without dressing up that country’s rulers as ‘anti-imperialist’ or maintaining a diplomatic silence on their repressive crimes against the working people of Iran.

Hopi’s work was framed by our consistent commitment to our core policies, elaborated at our launch conference in 2007:

- Against imperialist intervention in Iran, whether in the form of military action or sanctions.
- Against the Tehran regime and a rejection of any notion that it is some form of ‘anti-imperialist’ force.
- Against the bellicose stance of Israel and its expansionist project.
- For political and material support to all working class and progressive struggles in Iran against poverty and oppression.
- For a Middle East free of nuclear weapons (whether Israeli, US, British or Iranian) as a step towards worldwide nuclear disarmament.

Throughout the last few years, while negotiations between Iran and the P5+1 over Iran’s nuclear programme ended in a deal agreed by both Washington and Tehran, we remained cautious. We knew this state of affairs could change dramatically and suddenly, not least with a new Republican president in the White House.

And now, with Trump’s election, that caution has been vindicated.

That is why Hopi is stepping up its call for trade unionists, political organisations and activists of the left to respond to this dangerous situation by joining our campaign against the new threat of war and intensification of sanctions - and in support of the struggles of the Iranian people against both renewed imperialist intervention and the foul regime that oppresses them ●

ACTION

London Communist Forum

Sunday February 19, 5pm: Weekly political report from CPGB Provisional Central Committee, followed by open discussion and reading group. Calthorpe Arms, 252 Grays Inn Road, London WC1. Study of Ralph Miliband’s *Parliamentary socialism*. This meeting: chapter 10 (‘The sickness of Labourism’), section 1: ‘From defeat to paralysis’ (continued).

Organised by CPGB: www.cpgb.org.uk; and Labour Party Marxists: www.labourpartymarxists.org.uk.

Radical Anthropology Group

Tuesday February 21, 6.45pm: ‘How marriage became permanent: a myth from the Plains Indians’. Speaker: Chris Knight.

Organised by Radical Anthropology Group: <http://radicalanthropologygroup.org>.

Shut down DSEI

Saturday February 18, 1.30pm: Planning meeting, Friends Meeting House, 173-177 Euston Road, London NW1. No to the Defence and Security Equipment International exhibition.

Organised by Campaign Against Arms Trade: www.caat.org.uk.

Trump summit

Saturday February 18, 10am to 5pm: National meeting of anti-Trump activists, Friends Meeting House, 173-177 Euston Road, London NW1.

Organised by People’s Assembly: www.facebook.com/ThePeoplesAssembly.

Trump not welcome

Monday February 20, 5.30pm: Rally against state visit, Grey’s Monument, Grey Street, Newcastle upon Tyne.

Organised by Newcastle Unites: www.facebook.com/NewcastleUnites.

The candidate

Monday February 20, 7pm: Public meeting, Isabel Blackman Centre, Winding Street entrance, Hastings TN34. Author Alex Nunns introduces his new book about Jeremy Corbyn.

Organised by Momentum Hastings: www.facebook.com/MomentumHGS.

Stand up to Trump

Tuesday February 21, 6pm: Coordinating meeting for the north-east campaign, Broadacre House, Market Street, Newcastle upon Tyne NE1.

Organised by Newcastle Unites: www.facebook.com/NewcastleUnites.

A more dangerous world?

Tuesday February 21, 7pm: Public meeting, Friends Meeting House, Warwick Place, Cheltenham GL52.

Organised by Stop the War Coalition: www.stopwar.org.uk.

Noam Chomsky 50 years on

Saturday February 25, 1pm to 6.30pm: Discussion, Cruciform Lecture Theatre, University College London, London WC1. Debating *The responsibility of intellectuals*. Speakers include: Noam Chomsky (live video link from Arizona, USA), Nicholas Allott and Neil Smith (co-authors of *Noam Chomsky, ideas and ideals*), Chris Knight (author of *Decoding Chomsky*), Milan Rai (author of *Chomsky’s politics*), Jackie Walker (former vice-chair of Momentum).

Organised by Radical Anthropology Group: <http://radicalanthropologygroup.org>.

Alternatives to austerity

Saturday February 25, 2pm: Debate, room 3, Liverpool Central Library, William Brown Street, Liverpool L3. David Lowes and Paul B Smith on ‘Labour movement alternatives’.

Organised by North West Socialist Theory Study Group: 07952 944318.

Campaign for Labour Party Democracy

Saturday February 25, 11.15am to 5pm: AGM, Friends Meeting House, 173-177 Euston Road, London NW1.

Organised by Campaign for Labour Party Democracy: www.clpd.org.uk.

It’s our NHS

Saturday March 4, 12 noon: National demonstration. Assemble Tavistock Square, London WC1, for march to parliament.

Organised by It’s Our NHS: www.ournhs.info.

Close Guantanamo

Wednesday March 8, 1pm: Protest, Parliament Square, Westminster, London SW1.

Organised by Guantanamo Justice Campaign: <http://londonguantanamocampaign.blogspot.co.uk>.

We are many

Sunday March 12, 11am: Film screening, Bolivar Hall, 54 Grafton Way, London W1. Remember the 2003 anti-war mobilisation.

Organised by London Socialist Film Co-op: <http://socialistfilm.blogspot.co.uk>.

Race to war?

Tuesday March 20, 7pm: Public meeting, Old Fire Station, 84 Mayton Street, London N7.

Organised by North London Stop the War: www.facebook.com/nlondon.stwc.7.

No to war

Saturday April 22, 10am to 5pm: Stop the War Coalition annual conference, Arlington Conference Centre, 220 Arlington Road, London NW1.

Organised by STWC: <http://stopwar.org.uk>.

CPGB wills

Remember the CPGB and keep the struggle going. Put our party’s name and address, together with the amount you wish to leave, in your will. If you need further help, do not hesitate to contact us.

LABOUR**Jeremy Corbyn: make a stand on principle**

Tails you lose, heads you lose

Whether over Brexit or Labour strategy, writes **Eddie Ford**, Corbyn is determined to appease the centre and the right

There is an old Irish story about someone who, when asked for directions, replies: 'If I were you, I wouldn't start here'. This fairly accurately sums up the position Jeremy Corbyn currently finds himself in. Of course, he is partly the victim of circumstance and partly the author of his own misfortune with regards to Brexit, article 50 and the recent House of Commons rebellion. That saw 52 of his own MPs - including 17 frontbenchers, even three whips - refusing to back legislation authorising the government to trigger article 50, and this ended in yet another reshuffle.

In terms of the actual referendum, at first Corbyn had almost a boycottist attitude, in the sense that he was obviously not actively for 'remain' - no-one looking back at this period could honestly say that he was enthusiastically throwing his all into the issue. In some respects this was not surprising, given his historic Bennite hostility to the 'bosses' club of the European Union - most commentators, including the CPGB, had assumed that the Labour leader would default to his ideological comfort zone and back some form of Brexit.

However, coming under increased pressure from the Parliamentary Labour Party and sections of the press, he eventually changed his position, reluctantly or not, and came out for 'remain'. Corbyn noticeably shifted up a gear when it came to participation in the campaign, becoming almost hyper-active compared to Theresa May, the invisible woman.

All of this meant, sure as night follows day, that Corbyn landed himself with a dilemma. If your political opponents go for a referendum, are you bound by the result? For example, if there was a referendum tomorrow on hanging, would you feel obliged to change your principles and now advocate hanging yourself, because, after all, 'the people have spoken'? No, of course not, unless you are a rank opportunist or coward - you continue to oppose hanging (or Brexit). At the end of the day, at least for the CPGB, if you have a general objection to referendums anyway, and definitely

to Cameron's referendum - he called it, not us - then the idea that we should 'respect' it is risible.

However, it is perfectly understandable in terms of his advisors - what about all those people in our heartlands who backed Brexit? We have to vote with the Tories and the UK Independence Party to trigger article 50 - amendments or no amendments. But then, quite inevitably, you precisely end up with the Hobson's choice situation that faced Labour MPs (especially shadow cabinet ministers) on February 8 when it came to the parliamentary vote. Where you have one MP whose constituency solidly voted 'leave', you have another whose constituents were clearly for 'remain' - you cannot get round this contradiction. Tails you lose, heads you lose.

Clearly, this pathetic psephological approach does not remotely add up to a strategic view of a fundamentally important political question. Instead of being guided by opinion polls in this or that constituency, or by a referendum result, the best thing to do from the outset is come out with a principled working class position - which is precisely why we in the CPGB called for a boycott in order to dramatise our position of 'No to a capitalist Europe' but 'Yes to a workers' Europe'. We fully favour "ever increasing union" of the European working class, not to mention the global working class. Our goal of a socialist Europe would not be promoted by calling for an exit from the EU any more than agitating for the 'break-up' of the UK - but the CPGB was not prepared to back Cameron or save his bacon, nor defend the status quo. Communists do not prettify the existing EU, which, just like the UK state, is an instrument of the ruling class - we have no illusions in either.

Instead, we want working class unity - that is our programme regardless of the result in a referendum or any particular constituency. Yes, we readily recognise that sometimes you have to engage in tactical manoeuvring or form temporary alliances of mutual convenience, but you do not abandon principles or fashion your principles according to narrow electoral advantage.

But that would be news to the Labour right and increasingly, it seems, for the radical and Corbynite left.

Another challenge?

Of course, Corbyn's insistence on a three-line whip in favour of triggering article 50 led to a rash of resignations. He felt obliged to undertake his fourth cabinet reshuffle since becoming party leader - now becoming something of a habit. This means that more than a third of Labour MPs have served in Corbyn's shadow team since he became leader in September 2015, and the party is saying that the gaps in more junior frontbench roles created by the reshuffle would be filled "in due course".

And now there are more rumours of a potential leadership challenge to Corbyn, confronted by consistently abysmal opinion polls. A ComRes poll had Labour trailing the Tories by 26% to 41% and, worst of all, Theresa May has a net favourability rating of 9% compared with minus 33% for the Labour leader.¹ Increasing the agony, the Labour bureaucracy was forced to deny that it had been "road testing" possible Corbyn successors when *The Sunday Times* obtained a leaked copy of polling carried out by BMG Research to examine voters' reactions in the north of England to Rebecca Long-Bailey and Angela Rayner as potential leaders.

Of course, the name Clive Lewis keeps cropping up in all the intense media speculation about a possible challenge. Naturally enough, he has totally dismissed the notion - bluntly stating: "You can quote me on this. It is total bollocks". Any talk that he was preparing to challenge Corbyn, he went on, was part of a "game of fantasy politics in Westminster" and "nothing could be further from my mind". Rightly or wrongly, some of our more cynically-minded readers might take that as virtual confirmation that Lewis is thinking of having a go for the job. Meanwhile, Tom Watson, the deputy leader, popped up on the BBC's *Andrew Marr* show to deny that the party was vetting potential leadership successors - "it wasn't road-testing leadership candidates", he informed the audience. Rather "there was a range of shadow cabinet members that were so-called road tested", which is

"what we do in our normal run of political consultations". He went on to declare that Corbyn got a "second mandate" from party members last year and is now the "established" leader of the party - though, of course, Corbyn "has to improve" his terrible poll ratings, something that "he's well aware of".

As it happens, the chances of another leadership challenge any time soon seem highly unlikely - even if the contender is Clive Lewis or the new star, Rebecca Long-Bailey. Corbyn would be expected to win again, so why be a lemming and stand? Most rightwing MPs are prepared to live with Corbyn for the time being. They may not like him politically, but standing against him for the third time, or constantly bad-mouthing him to the media, could undermine their own positions vis-à-vis a general election - they could even lose their jobs, for heaven's sake. Much better, goes the calculation, to keep quiet and not rock the boat too much - you might keep your job and then Corbyn goes following a drubbing at the general election. Ideal result. Tails you win, heads you win.

Just as with Europe, what is clear is that the leader's strategy for Labour - insofar as he has one - is fundamentally lacking. Remember the leak from Corbyn's office of Seamus Milne's infamous - though in some ways rather impressive - spreadsheet that ranked Labour MPs according to their loyalty to Corbyn?² This saw them classified into various categories like "core group", "core group plus", "neutral but not hostile", "core group negative", "hostile", and so on.³ The idea being, of course, you should try to appeal to the middle, or centre, and also try to win over a few on the right as well. Therefore, you shape your entire politics towards these people, emphasising 'bread and butter' issues and stay well away from anything controversial or difficult: you do not bang on about Trident and you certainly do not even mention the monarchy. Stick with the NHS and this will do the job.

Well, putting it very mildly, the plan has been less than successful so far. The fact of the matter, at least with members of Momentum, and for that matter Labour's rank and file, is that if Corbyn had gone to the left then the vast majority would have been enthused: they would have stayed on board and on-message. Raising questions

like the nationalisation of the banks, republicanism and championing a new, socialist, clause four - or even following various US states and advocating the legalisation of cannabis - would not have led to mass resignations. Quite the opposite: it would have energised existing members and attracted new ones. Yes, the PLP would be up in arms about 'crazy politics', but the mass of Labour supporters would be enthused. It is worth noting that Benoît Hamon, the presidential candidate for the Socialist Party in France, has included 'crazy' calls for the legalisation of cannabis as part of his political platform.

We need radical politics that will inspire people and give us a chance of transforming the Labour Party. But Corbyn is so determined to appease the centre and the right that he has backtracked on basic issues, such as automatic reselection - something supported by most of the left. The same goes even when it comes to longstanding issues like Zionism. The Jeremy Corbyn of 1984 backed a motion to disaffiliate Poale Zion (precursor to the Jewish Labour Movement) from the Labour Party, but the Jeremy Corbyn of 2016 gives an embarrassing speech to Labour Friends of Israel.⁴ Even when Al Jazeera broke the story about the Jerusalem-directed machinations of Zionist groups such as LFI, we heard absolutely nothing from Corbyn. And what about the cynical 'anti-Semitism' smear campaign conducted by the Labour right? A deafening silence. But 'party unity' demands nothing else.

Unless he drastically reorientates his political approach, Jeremy Corbyn's congenital conciliationism could well be his undoing ●

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Notes

1. www.comresglobal.com/wp-content/uploads/2017/02/Independent-Sunday-Mirror-VI-poll_11.02.2017_69847231.pdf.
2. www.theguardian.com/politics/2016/mar/23/labour-mps-hostile-corbyn-leaked-party-document.
3. www.newstatesman.com/2016/03/not-neutral-very-hostile-miscategorised-mps-jeremy-corbyn-s-list-friends-and-foes.
4. http://blogs.spectator.co.uk/2016/09/jeremy-corbyn-makes-impression-labour-friends-israel-reception.

Slow moving car crash

Support for article 50 is a failure of both principle and strategy, writes Tony Greenstein

If Jeremy Corbyn and Seamus Milne had deliberately embarked on the path of political suicide, it is difficult to know what they would have done differently over the past few weeks. Corbyn has managed to lose four members of his shadow cabinet and has had to put up with another 13 voting against his three-line whip, including three whips themselves. Normally someone on the front bench would be sacked for this, but Corbyn cannot do that either, as he is running out of replacements.

What was the great point of principle that was at stake? Voting in the lobbies alongside Theresa May! Apparently the Labour Party must not be seen to vote against Brexit, because a narrow majority of the British people also voted against it. No doubt if a majority of the British people vote for a cull of the first born, Corbyn would be telling us it would be undemocratic to oppose that too. The idiocy of his strategy, even in bourgeois parliamentary terms, is staggering.

And why has Corbyn embarked on what, on the face of it, is a strategy of self-destruction? Because apparently the UK Independence Party will take advantage of a vote against Brexit in the two by-elections coming up. It does not take a genius to work out that, since Ukip is calling the shots over Brexit, if Labour tries to compete with it, then Ukip will win hands down. If Brexit is going to be a disaster for the British working class, then Corbyn is duty-bound to say this and vote against it in parliament, especially after all Labour's amendments were rejected.

At this moment Corbyn is in an extremely weak position. Although it cannot be predicted when he will go, the chances of him lasting long are not high. Not only because one major union could pull the rug under him at any time or that his poll ratings are dire or that a by-election loss will be difficult to survive. But because his position on Europe, as with the rest of his political strategy, is both incoherent and unsustainable.

If Corbyn and what passes for his advisors had sat down and mapped out a political strategy over Brexit, then it would have been Theresa May who was in difficulties, given that most of the British establishment is opposed to a hard Brexit - or indeed any Brexit. Instead he has managed to engineer a crisis of his own making.

Accidental leader

Corbyn was the accidental leader of the Labour Party. He only became leader because no-one thought he would actually win and because Ed Miliband believed that allowing all of Labour's members a vote would guarantee that the left would never come to power.

When Cameron won an unexpected victory in 2015 on 36% of the vote, the majority of people felt that his victory had no legitimacy. It also caused a political backlash in the Labour Party. If Labour's right misjudged the chances of Corbyn winning, it also misjudged the mood of the country with their talk of aspiring Waitrose shoppers. The mood music was more that of the Clash than D:Ream. For most people things could only get worse.

The Tories had only achieved a majority on the backs of the collapse of the Liberal Democrat vote. Cameron had no escape route back from his rash promise of a referendum on the European Union. This backlash manifested itself in the doubling of Labour's membership and the thousands of people who became registered supporters.

Corbyn is the first person to admit



Diane Abbott: diplomatic headache

that he was not cut out to become leader of the Labour Party. He might have been a serial rebel, but he was also seen as a genuinely nice guy. Unfortunately this had its negative consequences as well. Although his niceness has been spun as straightforward, honest politics, it has also meant that he lacks the killer instinct. This was painfully obvious when he was pitted against David Cameron, the Flashman of British politics, at the dispatch box each week. With Theresa May Corbyn has had an easier task, but still he has not landed any killer blows despite her wooden performance.

But even more serious is Corbyn's inability to take control of the Labour Party. In the aftermath of his victory last September, he had the golden opportunity to send Iain McNicol, Labour's treacherous general secretary, packing. This was a man who had not only tried to fix the vote, but had gone out of his way to prevent Corbyn even standing. For a Labour leader not to have any control over his civil service is a fatal mistake. His failure to support the left in the party has meant that the right, although a minority, has managed to keep control of the conference and the national executive committee. Tony Benn's first lesson of government was to gain control of your civil servants. In failing to understand that, Corbyn failed to understand what political leadership means.

There has also been a complete policy muddle. Corbyn should have made it clear that the railways would be nationalised within the first six months of a Labour victory and that compensation would be capped. Instead there is the absurdity of waiting for 15-year contracts to expire, by which time a Tory government would have reversed his partial renationalisation. He should have come up with a radical programme on housing - immediate return to security of tenure in the private sector, controlled rents and massive council-house building. On utilities there has also been nothing in terms of the huge fuel poverty that people are suffering from. On the national health service the key to financing is a statutory reversal of 'private finance initiative' contracts. On all of these issues and more Labour's message is incoherent. The attack on benefits - from the abolition of council tax benefit to the bedroom tax - has been met with silence.

It should have been obvious, as Al Jazeera's TV series *The lobby* has demonstrated, that the 'anti-Semitism' crisis was wholly manufactured by the Israeli state, the Labour right and British and other state forces. Its purpose

being to destabilise his leadership. His failure to call the bogus anti-Semitism allegations out for what they were demonstrated the limits of his political acumen. His token anti-war stance did not translate into anti-imperialism.

The idea that there had been a sudden outbreak of anti-Semitism the moment Corbyn was elected should have been exposed for what it was. Instead Corbyn, despite himself having initially been accused of consorting with anti-Semites, allowed the right to gain the moral high ground. All this took place just before the local elections, with John Mann's stage-managed confrontation with Ken Livingstone. Corbyn's repeated proclamations that he would not tolerate anti-Semitism in the party only gave the impression that there was indeed such a problem.

Corbyn completely played into the hands of his political enemies and it was embarrassing at the Jewish Labour Movement debate with Owen Smith last summer, when asked what he admired about Israel, for him to declare that he admired Israel's "spirit and verve", given his long work with the Palestine solidarity movement. Perhaps he had forgotten that Israel is a settler colonial state, in which Israel's Palestinian citizens are a barely tolerated guest minority. Half of their villages are unrecognised and, despite the 10-fold population increase since 1948, they have not been able to found a single new town. Perhaps he had forgotten about the routine torture, the press censorship, the attacks on Palestine Knesset members, the institutionalised under-funding of the Arab sector - all this within Israel itself, leaving aside the military occupation of the West Bank.

It reminds me of Harold McMillan's response when asked what he most feared: "Events, dear boy, events." That might be Corbyn's political epitaph.

Brexit

Except that the European Union referendum was already on the political horizon. It did not take a genius to work out that the narrow victory for Brexit was a triumph for the right, not the left. The decision to support triggering article 50 and to accept the inevitability of Brexit is unforgivable. The result of pulling out of the single market will be a serious decline in working class living standards. If May chooses to make Britain a tax haven then, with far less tax revenue, not only will there not be enough resources to fund an expansion of the welfare state, but a Labour government would be a rerun of previous austerity governments, only much worse.

Access to the single market, both for manufacturing and financial services, is crucial. London faces the prospect of losing its role as the world's leading financial sector to New York, Frankfurt and Paris. Companies which are located in Britain because of tariff-free access to Europe will simply move. The fact that a narrow majority of people were fooled into voting against their own interests, for good reasons, by nationalist bile is not a reason to accept the decision. Parties exist to change people's minds, not to pander to their prejudices.

Those who thought that Lexit was a nice phrase will find out that hitching your wagon to Nigel Farage can only lead to disaster. That that is the position of Britain's two far-left parties, the Socialist Party and the Socialist Workers Party, demonstrates how out of touch modern-day Trotskyism is. It should have been obvious from the rash of racist attacks in the wake of the Brexit vote that the political mood was not for an independent, socialist Britain, but a retrograde and nationalist little England (and Wales).

The idea that an independent British capitalist state is preferable to European capitalism is nothing more than an attempt to march backwards into history. Marx and Engels described this best in the *Communist manifesto*, when they wrote that feudal socialism was

half lamentation, half lampoon; half an echo of the past, half menace of the future; at times, by its bitter, witty and incisive criticism, striking the bourgeoisie to the very heart's core; but always ludicrous in its effect, through total incapacity to comprehend the march of modern history.

A beautifully poetic description of the belief that there is a nationalist road to socialism. National or nationalist socialism is not exactly a road paved with glory, be it in Germany or Israel.

The attempt to unify Europe economically and politically, which is the proclaimed goal of the European Union, cannot succeed under capitalism. That should be obvious. But the attempt to try and attain that goal is progressive. For socialists to oppose it is backward and reactionary. The attempt to form a single currency is progressive, but, without economic, fiscal and thus political union, it is doomed, as the recent crises have shown.

The debate around leaving the EU was never going to be about anything else other than the wonders of having an independent British capitalism. Theresa May's humiliating itinerary, from Trump

to Erdoğan and Netanyahu, shows how absurd this belief is that Britain can go it alone. As Dean Acheson, Harry S Truman's secretary of state, said in the wake of the Suez crisis, Great Britain had lost an empire and was yet to find a role. That seems to be its destiny.

Socialism has not been advanced one iota by Brexit (or 'Lexit'). Unfortunately Tony Benn was wedded to the idea that parliament could regain its sovereignty. It was an illusion then and it still is today.

What should be the position of Corbyn? He should be implacably opposed to withdrawal from the single market and the ending of free movement of workers, as it will have a devastating effect on the welfare state, or what is left of it. Socialism is not best served by advocating policies that lead to a recession. As George Osborne pointed out, May has chosen immigration over the economy.

Freedom of movement of workers is not an argument that Labour should avoid. It is therefore disappointing that Corbyn seems to be conceding on this principle too. There is no mileage in competing with Farage or May on immigration, as Miliband found out at the last election. We should be saying loud and clear that the industrial wastelands of the Midlands and the north were not caused by immigration, but the free-market 'principles' of Thatcher. It was not immigration that closed the mines and the shipyards, but Tory economic policies. The same policies that Ukip represents.

Unless you subscribe to the view that only when things get worse will revolution be around the corner, socialists have a duty to oppose withdrawal from Europe. There is no doubt that the election of Donald Trump heralds a change in US strategy towards Europe. Trump's welcome for Brexit makes it clear that he favours the break-up of the European Union, because it will enable the US to gain privileged access on its terms to the European market. American capitalism sees the EU as a cartel that needs to be broken open.

The wiser members of the Labour left, including Diane Abbott with her diplomatic illness, can see this. Corbyn thinks that he will gain something by trying to compete with the Tories and Ukip on the terms of our exit from the EU. It is an utter delusion. What Labour should be doing is pointing out that the referendum campaign was won on the basis of a lie that can never be delivered. Our 'bonus' from Brexit - £300 million for the NHS per week - turned to dust the minute the result was announced. With a base of 48%, it is clear that a principled stance in opposition to Brexit can very soon, if not already, be a majority position in the country. Corbyn could have won respect for a clear stance on this and not left it to the Labour right. It is a failure of leadership of immense proportions.

The European Union came about because the capitalist leaders of Germany and France wished to create the economic, political and social conditions that would prevent a recurrence of world war. At first this was via the Iron and Steel Community and the 1951 Treaty of Paris, which morphed into the European Common Market via the 1957 Treaty of Rome and then the European Union with the 1992 Treaty of Maastricht, when Euroscepticism first began to poison the British body politic.

Corbyn has been heavily influenced by the petty nationalism of the Communist Party of Britain's *British road to socialism* (now *Britain's road to socialism*), as represented by Seamus Milne. There is still time for him to change course, but, I suspect, not very much ●

LAW

Put not your trust in judges

The fall of Michael Flynn involved not litigation, but threats of prosecution. But, if Trump is in fact brought down by the same scandal, it will not be *leftwing litigation* that does it, but the creation of a cross-party and inter-bureaucratic political coalition. And the result, if so, argues **Howe Cheatem**, will be president Pence and a new and rapid war drive

Not so long ago, the media were giving intense attention to the decisions of the Queen's Bench Divisional Court (November 3 2016) and the UK Supreme Court (January 24 2017) on Gina Miller's litigation demanding that an act of parliament should precede the triggering of article 50 by Theresa May. The decisions were presented by the media as serious defeats for May's government.

'Not with a bang, but a whimper', however: it turns out that all that is needed to satisfy the judgments is a very short act of parliament. (No surprise to any lawyer, since this stuff is usually taught at the beginning of a law degree.)

In fact, it appears that the real reason for May's government to have resisted the demand for an act of parliament to authorise the triggering in the first place may have been, precisely, so that there *should* be judgments against the government. These could serve the purpose of the Tory press keeping the 'Brexit' fervour whipped up against 'remoaner' elites supposedly blocking the popular will. This *political* context then makes it practically impossible for either Labour or Tory 'remainers' to mount any effective opposition to the government's plans; the litigation activities were false friends to

'remain' campaigners.¹

An analogous process appears to be going on in the US. On January 27 the new president signed an executive order barring entry to certain refugees and to people from seven, predominantly Muslim, countries.

These countries were probably selected by the fact that they had already been targeted for tougher immigration control by the Obama administration. It remains striking that the one country whose citizens notoriously *have* executed a large-scale terrorist attack on US soil - Saudi Arabia - is not included: again, continuity with the Obama administration's covert alliance with Saudi Arabia and its jihadi terrorist puppets, while ostensibly denouncing these puppets.

But Trump's order was radical in that it barred persons with *visas to enter the US*, including some who already had 'green cards' permitting them to

live and work in the country. Trump was using executive prerogative rights both to make *general law* and to divest vested rights: that is, to legislate. It caused immediate chaos at US airports.

Litigation

Predictably, like the May government's claim that the government could trigger article 50 without a parliamentary vote, Trump's travel ban order prompted rapid litigation. An interim decision was first of all taken on the claims of the states of Washington and Minnesota - where federal district judge James Robart on February 3 issued a 'temporary restraining order' (TRO - in English law terms, an 'interlocutory injunction') barring implementation nationwide. Trump denounced the "so-called judge", but the administration immediately appealed as a matter of urgency rather than attempting to instruct immigration officers to defy the ruling.

The Federal Ninth Circuit (west coast) Court of Appeals refused to overturn the TRO on an interim basis on February 4, but heard the appeal against it very fast on February 7 and handed down its ruling, reaffirming the decision on February 9.²

Just see how quickly courts can act when they are under a lot of political pressure! Contrast the 2011 decision in *Sienkiewicz v Greif*, where the final decision in litigation about tort liability for mesothelioma due to asbestos exposure at work was delayed until six years after the *death* of the original victim.³ This was not an unusual degree of delay in such cases.

Trump, and White House sources more generally, have continued to denounce the decision and *Fox News* reported that "Republicans push bill to split up 'nutty 9th Circuit'" (February 9), while White House spokesman Stephen Miller called the decision a "judicial usurpation of power". But, in spite of Trump tweeting "See you in court!", the administration has not, in fact,

appealed to the United States Supreme Court. (The court is now commonly called 'Scotus', a US-military-style acronym, analogised from 'Potus' for the president, which is an actual department of defense acronym;⁴ the style has become popular, along with growing US militarism.⁵ From now on I will use the new terminology for convenience.)

Why not? The answer is, most likely, because the decision of the Ninth Circuit Court of Appeals is extremely narrow - contrary to the impression which has been given of it by the media.

In the first place, they are both decisions about a TRO: an *interim* bar on applying Trump's order, pending a full trial of the Washington and Minnesota claim. For this reason it might well happen that Scotus would simply refuse to hear an appeal; and anyhow the White House could respond to the media (as they did) that they were confident they would win at full trial.

Secondly, the actual argument is pretty narrow. It is conceded that the general power to let non-citizens into the country or keep them out is *prima facie* in the executive. This concession is plainly correct on the basis of the design of the US constitution, which is elective-constitutional-monarchist, with substantial carry-overs of 18th century English law, and on the basis of the prior precedents. The case that Trump's order was unconstitutional can then be made in one of two ways.

Either, which is not straightforward, reading the order together with Trump's electoral promise of a 'Muslim ban', it amounts to an 'establishment of religion' contrary to the 'establishment clause' in the first amendment to the constitution. This is not straightforward because, though there is precedent in support of it, it is all from the later 20th century, and is rejected by some 'originalist' legal theorists, for whom the general Christianity of the founders, and their Christian language, means that the establishment clause only prohibits establishment of a particular *Christian* religion and does not prohibit discrimination against non-Christian religions (an approach common in US practice down to World War II).⁶

Or, which is perfectly straightforward, the point is that it revokes existing visas and green cards without even the slightest due process for the individuals affected. This is not a controversial point at all. This is also the central point which, according to the Court of Appeals, justified the right of Washington and Minnesota states to sue: that the effect of the order was to exclude some of *their employees* who held green cards, came from affected countries and happened to be overseas when the ban was introduced; hence the states' rights as *employers* were directly infringed.

The consequence is that - as the White House said on February 11 - it would be pretty easy to draft a new ban which would not fall foul of the reasoning of the decision, by leaving *existing* visas untouched (or even merely providing a case-by-case procedure for revoking them).⁷

Moreover, this approach would have the advantage of *delay*. As things now stand, Scotus is split four-four between 'liberals' and 'conservatives'. If, however, Trump's nominee, Neil Gorsuch, is endorsed by the Senate before any appeals reach the court, the 'conservatives' will have a *prima facie*

majority. *Washington Post* journalists wrote on January 31 that "Republicans are hoping to confirm the nominee by early April before a two-week Easter recess, allowing Gorsuch to participate in the final cases of the court's term ending in June."

If, then, the due process aspects of Trump's original order could be got out of the way, and the focus could be *solely* on executive powers in immigration control and the proper scope of the establishment clause, the litigation might end somewhere in the summer with a resounding reversal of establishment clause case law since the 1960s.

Meanwhile, just as the *Miller* litigation provided a target for the *Mail* and so on to attack 'remoaners', with the wind in their sails because of widespread mass opposition to immigration, so the travel ban litigation in the US provides the Trump administration with the opportunity to keep targeting liberals and liberal judges as elites undemocratically blocking the popular will.

Judicial powers

But, it may be said, the constitution there is different: the US courts are more powerful than UK courts. True, but only partly true.

Here, *parliament* is in theory sovereign (at least, that is what the Divisional Court and UK Supreme Court decisions in the *Miller* case on article 50 say). The underlying meaning of this sovereignty is that the final appeal is not to the UK Supreme Court, but to parliament. That means that, if push comes to shove, parliament *can* pass an act simply reversing a judicial decision: as was done, for example, in the National Health Service (Invalid Direction) Act 1980 - validating an individual ministerial decision which had been struck down as unlawful by the courts.

This *juridical* position, reaffirmed in *Miller*, is subject to real *political* limitations. The most important of these is that for a Labour government to pass an act like the NHS (Invalid Direction) Act 1980 would be regarded as precipitating a constitutional crisis, while it is constitutionally acceptable for Conservative governments (backed by the Tory press) to do so.

In the US, the 1803 decision in *Marbury v Madison* and its subsequent interpretation mean that the United States Supreme Court is *juridically* sovereign. That is, neither Congress nor the president has *juridical* power to actually reverse a decision of Scotus.

That power exists only in the form of amendment of the US constitution, requiring passage through both houses of Congress with two-thirds majorities, as well as ratification by three quarters of the states. A total of 27 amendments have been adopted since 1789. The first 10 of these constitute the 1791 'Bill of Rights', and the 13th to 15th amendments put into effect the results of the 1861-65 civil war; that leaves 14 in 226 years - a pretty rare event.

But, just as parliamentary sovereignty in the UK has political limitations, so judicial supremacy in the USA has political limitations. It is well known that when FD Roosevelt responded to Scotus striking down New Deal legislation by attempting to expand the court and introduce a compulsory retirement age in order to 'pack' the court, one of the sitting



Donald Trump and Neil Gorsuch: tilting the balance of Scotus

judges changed sides in the next case - raising a constitutionality issue in order to 'defang' the political threat to the court.⁸

A general unwillingness to 'go nuclear' in confrontation between judiciary and executive, or between judiciary and Congress, is reflected not merely in the back-down (on both sides) in 1936-37, but also more recently.

For example, the US constitution allocates the power to declare war to the Congress, but the status of commander-in-chief of the armed forces to the president. For a considerable period of time, presidents have claimed that the powers of the commander-in-chief as such authorise them to deploy forces abroad (up to and including in actual combat) without a congressional declaration of war. After the Vietnam imbroglio, the two houses of Congress in 1973 passed the War Powers Resolution denouncing this doctrine except in the case of "a national emergency created by attack upon the United States, its territories or possessions, or its armed forces". Presidents have consistently claimed that the resolution is unconstitutional, and have acted outside it; but, since no-one is prepared to go for a constitutional confrontation on the issue, its constitutionality remains untested in the courts.⁹

Avoiding political confrontation is also reflected in legal doctrines which restrict the sort of claims which can be brought before the courts to challenge the constitutionality of legislation or executive action. The 'case or controversy' doctrine asserts that the court will not issue advisory opinions or general rulings; the parties must have a real and individual material stake in the outcome.¹⁰ Equally, following the same logic, courts will often decide cases on the narrowest possible basis: they see their job as to decide the case before them, not to settle the underlying disagreement about the constitution if they do not have to. And judges often express a degree of 'deference' to legislative or executive actors' supposed expertise in particular fields.¹¹

These last are precisely reasons why the ruling of the Ninth Circuit Court of Appeals, discussed above, is narrow. But then they naturally imply that the high expectations created by liberal media outlets and by advocates of litigation as a left or anti-war tactic will pretty much invariably be disappointed. Compare *Boumediene v Bush* (2008), which establishes (by a five-four majority) the important principle that *habeas corpus* can reach detention in Guantanamo - with its 'not with a bang, but a whimper' practical outcome.¹²

Gorsuch

Into this context comes Trump's nomination of Neil Gorsuch to *Scotus*. This poses sharply related issues, because Gorsuch is not a simple traditional 'originalist' rightwinger. He wrote an Oxford University doctoral thesis passed in 2004, titled 'The right to receive assistance in suicide and euthanasia, with particular reference to the law of the United States' under the supervision of professor John Finnis.¹³ It is an argument against assisted suicide and euthanasia (which incidentally also argues against general decriminalisation of suicide), on the basis of sanctity-of-life arguments of the sort commonly used to support the criminalisation of abortion.

Finnis is not any old academic doctoral supervisor. He is a Catholic holding strongly 'traditionalist' views on a range of subjects; and most famous for his 1980 book, *Natural law and natural rights*,¹⁴ which set out to vindicate a version of the natural law theory of Thomas Aquinas (c1225-74): 'neo-Thomism'. Finnis's argument supports 'Thomism' against modern 'legal positivism' (the idea that the question what the law is can be wholly separated from arguments of morality about what the law ought to be).

It also supports neo-Thomism against liberal versions of 'natural rights' theory (like John Locke's) which have been used to support, for example, the right of women to control their own bodies, or the rejection of prohibitions on consensual forms of sexual conduct. There is no coincidence in the fact that neo-Thomism opposes this sort of natural rights argument.

An unusually systematic and rigorous critique of the arguments of Finnis and similar authors on this front was published in 2008 by NC Bamforth and AJ Richards, which demonstrates that, in spite of the neo-Thomists' claims that their arguments are independent of revealed religion, in reality they depend on smuggling in Catholic religious doctrine.¹⁵

Brought up as a Catholic, Gorsuch listed among his school activities in the yearbook of his (Jesuit-run, private) high school "Fascism Forever Club (founder and president)". It seems to have been a bad-taste joke, albeit one which strongly points towards rightist political commitment in general. As an adult, he has become an Episcopalian (the US equivalent of Anglican), presumably in order to be able to worship together with his Anglican Brit wife.

This point is 'political' because Gorsuch has been touted as potentially the only Protestant *Scotus* justice.¹⁶ It is also material to how he could be expected to act as a judge, because there is, in fact, an inconsistency between Anglicanism and neo-Thomist natural law theory here. Anglicanism is founded on the subordination of the church to parliamentary statute. Neo-Thomist natural law theory, in contrast, implies a limit on the right of a parliament or congress to legislate against Catholic doctrine.

Gorsuch's published work clearly implies that, in spite of his apparent Episcopalianism, we should expect him to act judicially as a neo-Thomist, not as an Anglican. He may even be completely unaware of the Anglican politico-legal theology of the subordination of the church to state sovereignty (there is, after all, an 'Anglo-Catholic' trend within English Anglicanism¹⁷).

Abortion is the notorious 'big issue' with US Christian 'conservatives' long committed to re-establishing back-street abortion manslaughter. But narrow interpretation of the establishment clause to allow legal discrimination against non-Christians would also follow logically from neo-Thomist arguments - as do a whole raft of other positions.

Aquinas, for example, argued that political authority was necessarily and naturally monarchical - a stronger claim for monarchy than was made by most monarchist theorists.¹⁸ It is then perhaps unsurprising that Finnis should argue for a narrow view of parliamentary sovereignty, and hence for the royal prerogative to apply to triggering article 50.¹⁹

Law, politics, morality

In the debates over Brexit and the travel ban, the nationalist-rightists complain that the unelected judges are usurping the right to make political decisions from the electorate. The judges, on the other hand, insist that they are not making political decisions, but merely legal ones.

The issue in relation to the Gorsuch nomination and his connection to neo-Thomism is, in fact, the same, but presented in a different form. It raises the question whether the separation of law from religious moral judgments is desirable or, indeed, possible.

Before saying anything about the substance of the issue, it is necessary to make two preliminary points. The first is that the right, which is now complaining that the decisions of the courts against its views are political,

will, if it gets court decisions compliant with its view, assert that these are purely legal and not political at all. So *rightwing commentators' use of the point* is just rhetorical spin.

The second is that, when judges explicitly assert that what they are deciding is not political at all, this usually means that they have actually anxiously considered the political implications of the decision. They merely do not wish to admit to political motivations in front of media and political attention.

In contrast, when the media are not paying attention, judges will commonly make broad policy and substantive 'justice' claims. Thus, for a single example, in *Tiensia v Vision Enterprises* (2010) the Court of Appeal by a majority drove a coach and horses through the provisions of the Housing Act 2004 for protection of tenant deposits, on the ground that the sanction provided by the act was unfair to landlords, and hence 'must' be interpreted in a way which would make it never operate in practice.²⁰

Within the framework of these points, what can be said is, first, there are such things as legal rules which are morally neutral. But there is an enormous degree of overlap between 'is' and 'ought' in law. The reasons for rejecting neo-Thomism are, then, not that legal positivism (that societies can make effective legal rules completely arbitrarily) is true, but rather that the concrete moral value claims of neo-Thomism are false.

Second, there is such a thing as rules of law - or, more exactly, types of judicial disputes - which are in principle not immediately tinged with political choices for the whole society. But again there is enormous overlap: as soon as we move from the individual disputes to the rules to be applied to them, politics tends to become implicated.

To take the first point first, and give a concrete example. Should the rule of the road require us to drive on the left or on the right? There is a moral need that there should be some rule, but it is completely arbitrary which rule should be adopted. In this sense, the concrete legal rule in itself is morally neutral; and there are very numerous similar morally neutral rules. In contrast, the rule against killing other people (subject to various exceptions) is pretty clearly a moral as well as a legal rule.

The problem arises as soon as we are forced to decide on the borders of a rule. An example given by legal positivist theorist HLA Hart is a rule banning 'vehicles' in a park.²¹ Is a kiddy-car banned? And then, if a kiddy-car is not banned, is a child-sized motorised go-kart? Hart's view is that, when confronted with an issue like this, the judges act as subsidiary legislators - in which case what they do is plainly political, as the rightwingers argue. The 'natural law' theorists, and RM Dworkin,²² argue that judges in this situation are forced to ask what the purpose of the rule is in order to establish its scope; and this process inevitably becomes one of moral judgment.

The idea that the judges are subsidiary legislators is violently artificial, precisely because the interpretive activity is so commonplace. Indeed, we do it every day in ordinary conversation, to decode from the context which among several possible meanings of a word is intended. 'Law and economics' theorist and US federal judge RA Posner argues, in my view rightly, that there is no such thing as an 'ordinary, natural meaning' of words without this interpretive process.²³

It is, then, impossible to establish meanings fully independent of the purposes of rules; and moral claims inevitably form part of the interpretive process.

The problem with neo-Thomism is that its moral claims are false. To take one of the obvious and most controversial cases: abortion. The

argument for the sanctity of life is made on the basis of natural law reasonings which, if carefully analysed, turn out to depend on the will of 'god, the creator', as read off from his (sic) creation, or the teleological good for humans as so read off. But we now know that abortion takes place without human intervention under conditions of serious malnutrition.²⁴ That is, supposing for the sake of argument that there was a 'god, the creator', his creation is such that the survival of the pregnant female is preferred to that of the foetus. The strong sanctity-of-life claim against abortion is therefore untenable.

Similar objections can be made to a great deal of the neo-Thomist reasoning. Seriously pursuing such points leads to the conclusion reached (more politely) by Bamforth and Richards, that this theory is nothing but apologetics for gender bias and for clericalism.

Turning to the second point. Suppose Adam and Bill are involved in a motor accident involving no-one else and dispute who is to blame; or that Clare and Dot have a boundary dispute about their respective gardens. This sort of litigation is, on its face, politically neutral.

It turns out, however, that the rules applied even to such cases are anything but apolitical. The judiciary, the bar and the insurance companies cling to a set of rules for dealing with motor accidents, which are dilatory and expensive - but lucrative for lawyers and incidentally protect the interests of insurance companies in accident litigation outside the road traffic context.²⁵ Parliament in 2002 seriously damaged the rules for deciding boundary disputes in the interests of saving banks the small cost of inspecting the property before granting a mortgage.²⁶ These are both political choices (albeit ones carried on almost entirely behind the backs of the legislators, let alone the electorate).

... and party politics

How are these grand-theoretical points about law, politics and morality relevant to what is going on in the party politics of Brexit and of 'Trumpism'? The answer is that they help to explain why the tactic of left litigation fails - both as a way of jumping to a solution, thus avoiding the need to rebuild an independent labour movement at the grassroots; and as a way of constructing a 'broad democratic alliance' with the liberals against the 'Trumpists' or the Brexiteers considered as forms of the far right.

Judicial action in itself is inherently implicated in politics. Moreover, at the end of the day, judges are paid by taxes raised by state coercion and their judgments on any matter will only take effect if implemented by bailiffs, police, and in the last analysis armed forces (as, for example, in Waco, Texas in 1993). Hence, judges seek as far as possible to avoid large-scale political confrontations with other branches of the state.

The consequence is that leftist litigation as an alternative to independent mobilisation will inevitably end 'not with a bang, but a whimper.' If, on the other hand, litigation takes place in the context of a real mass mobilisation (not meaning a mere small-scale street protest movement), then the right wing may well back off through the litigation.

Equally, suppose that the litigation is defined by an alliance between a section of big capital and the left, in the name of liberal principles, against backward sections of the petty bourgeoisie and working class, which are themselves aligned to another section of capital. This is true of both *Miller* and the travel ban litigation (just as it was true of the Boston 'bussing' litigation in the 1970s²⁷). The result is that the litigation serves to harden the right-populist, cross-class alliance and reduce the possibility of

building effectively against it.

It may be that Trump will be brought down in the near future, as his national security advisor, Michael Flynn, has been. The fall of Flynn involved not litigation, but threats of prosecution, under an ancient (1799) act of Congress. But, if Trump is in fact brought down by the same scandal, it will not be *leftwing litigation* that brings down Trump, but the creation of a cross-party and inter-bureaucratic political coalition around the issue of aggression against Russia. And the result, if so, will be president Pence and a new and rapid war drive; leaving the left and the workers' movement overall weaker.

The use of litigation in the name of a 'broad democratic alliance' and/or 'anti-fascism' will then have contributed to the unfolding disaster.

Notes

1. A secondary point might have been to delay the need to make any firm decisions until after the US presidential election. The victory of Trump has meant support for Brexit; a Clinton victory would probably have forced the British government to try to find some way out from the referendum decision.
2. <http://cdn.ca9.uscourts.gov/datastore/opinions/2017/02/09/17-35105.pdf>.
3. *Sienkiewicz (estate of Costello) v Greif (UK) Ltd* (2011) UKSC 10.
4. www.dtic.mil/doctrine/dod_dictionary.
5. William Safire offered a longer history for Potus: 'On language; Potus and Flotus' *New York Times* October 12 1997.
6. A critique of a less extreme variant of this view is offered in AM Koppelman, 'Phony originalism and the establishment clause' (2011) *Northwestern Law Faculty Working Papers* No3 (<http://scholarlycommons.law.northwestern.edu/facultyworkingpapers/3/>).
7. 'Donald Trump considering "brand new" immigration order' *The Guardian* February 11.
8. Significance debated: D Ho and KM Quinn, 'Did a switch in time save nine?' *J Leg Analysis* Vol 2 (2010), pp69-113. One of the very common references, this one in an interesting rightist post: <https://mises.org/blog/congress-should-pack-supreme-court> (Nov 23 2016).
9. Eg, KJ McHale, 'The war powers resolution: intent, implementation and impact (1993): www.dtic.mil/get-tr-doc/pdf?AD=ADA276778; TS Boylan, GA Phelps, 'The war powers resolution: a rationale for Congressional inaction' *Parameters* spring 2001, pp109-24.
10. There is a convenient outline summary in Wikipedia: https://en.wikipedia.org/wiki/Case_or_Controversy. Clause.
11. One example from the very extensive discussion, this time in relation to the 'war on terror', is in KL Scheppelle, 'The new judicial deference' *Boston U LR* Vol 92 (2012), pp89-170.
12. Wikipedia (https://en.wikipedia.org/wiki/Boumediene_v_Bush) provides a convenient summary of both the case and the subsequent outcomes. Guantanamo Bay detention has survived Obama in spite of his campaign promises: *The Guardian* January 18 2017. Only the application of the Habeas Corpus Act 1679, *criminalising* such activities on penalty of forfeiture of all property and disqualification for life from public office (repealed in English law), could really hope to end such practices.
13. The thesis has been published in an edited form as *The future of assisted suicide and euthanasia* (Princeton 2006).
14. J Finnis *Natural law and natural rights* New York 1980.
15. NC Bamforth and AJ Richards *Patriarchal religion, sexuality and gender* Cambridge UP.
16. There have been 86,500 hits for 'Gorsuch Protestant' on Google: eg, *Christianity Today* January 31 (www.christianitytoday.com/gleanings/2017/january/trump-nominates-neil-gorsuch-supreme-court.html).
17. A convenient if debatable short summary is at <https://en.wikipedia.org/wiki/Anglo-Catholicism>.
18. *De regno, ad regem Cypri*: <http://dhspritory.org/thomas/DeRegno.htm#3>; 'Thomas Aquinas: political philosophy': www.iep.utm.edu/aqui-pol/; *Stanford Encyclopedia of Philosophy*; 'Medieval political philosophy', chapter 9: <https://plato.stanford.edu/entries/medieval-political/#ThoAqu>.
19. Eg, 'Terminating treaty-based UK rights' (October 2016): <https://ukconstitutionallaw.org/2016/10/26/john-finnis-terminating-treaty-based-uk-rights>; and several subsequent interventions.
20. EWCA (2010) Civ 1224.
21. HLA Hart *The concept of law* Clarendon 1961, chapter 7.
22. RM Dworkin *Law's empire* Fontana 1986, *passim*.
23. RA Posner *The problems of jurisprudence* Harvard UP 1990, chapter 1.
24. Eg, J Neela and L Raman, 'The relationship between maternal nutritional status and spontaneous abortion': www.ncbi.nlm.nih.gov/pubmed/9069700.
25. See the discussion in P Cane and P Atiyah *Accidents, compensation and the law* Cambridge 2013.
26. Land Registration Act, sections 97-98 and schedule 6; *Zarb v Parry* (2011) EWCA Civ 1306.
27. The convenient summary account on Wikipedia is at https://en.wikipedia.org/wiki/Boston_bussing_desegregation. The episode was disastrous for the US 'New communist movement'.

1917

A turn in world politics

This remarkable article, taken from Lenin's *Collected works* (Vol 23), was first published in *Sotsial-Demokrat* No58, January 31

1917. While Lenin mistakenly thinks that Germany was reaching the point where it could impose a peace on Britain and its allies, he

clearly recognises the rapidly maturing revolutionary situation in Europe and its connection with the ongoing war. Lenin is, quite rightly

not only outspoken in his polemical attacks on pro-war socialists such as Georgi Plekhanov in Russia, Albert Thomas in Britain and Philipp

Scheidemann in Germany. He also rounds on those socialist pacifists who want unity with them: ie, Karl Kautsky and Filippo Turati.

There is something of a holiday atmosphere in the pacifist camp. The virtuous bourgeois of the neutral countries are rejoicing: 'We've made our little pile out of war profits and high prices; isn't it time to stop? We can't make more profits anyway, and the people's patience may not last to the very end.'

Why shouldn't they rejoice when Wilson 'himself' 'paraphrases' the pacifist declaration of the Italian Socialist Party, which only just recently passed an official and solemn resolution in Kienthal to the effect that social-pacifism is utterly unsound?

Is it surprising that in *Avanti!* Turati exults at Wilson's having paraphrased their Italian 'pseudo-socialist' pacifist phrases? Is it surprising that, in *Le Populaire*,¹ the French social-pacifists and Kautskyites lovingly 'unite' with Turati and Kautsky, who published in the German Social Democratic press five particularly foolish pacifist articles, which also, of course, 'paraphrase' the talk events have brought to the fore about a nice little democratic peace?

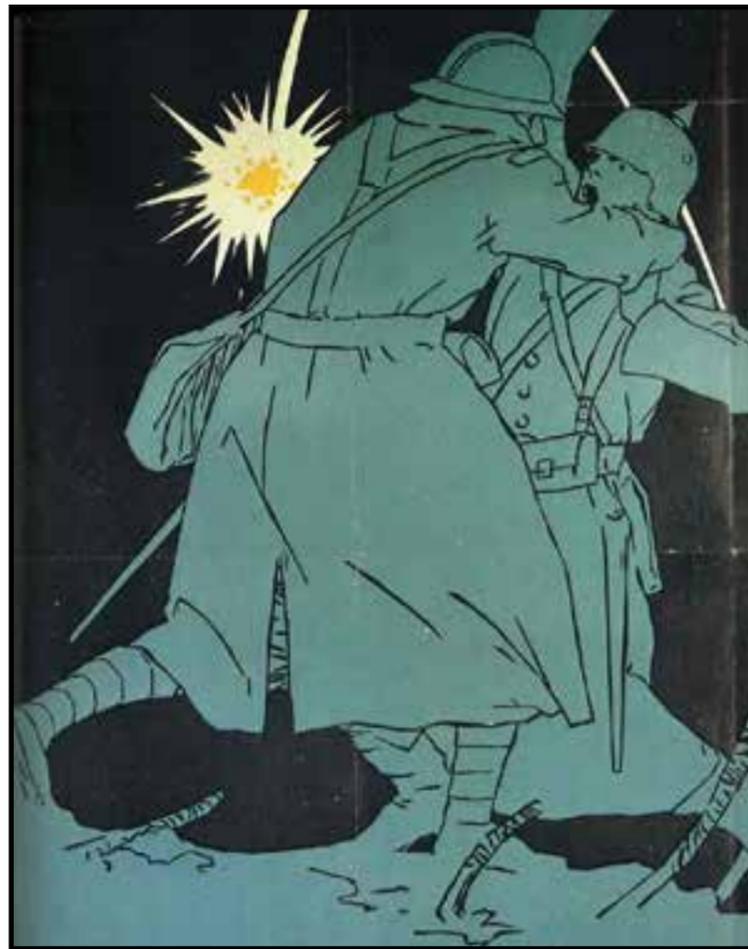
And the present talk does differ from the previous talk, in that there is some *objective* ground for it. This ground was created by the turn in world politics from *imperialist war*, which brought the peoples utter misery and the greatest betrayal of socialism by Messrs Plekhanov, Albert Thomas, Legien, Scheidemann, etc, towards an *imperialist peace*, which will bring the peoples the greatest deception in the form of pious phrases, semi-reforms, semi-concessions, etc.

This turn has taken place. One cannot know at the present moment - even those who direct imperialist policy, the financial kings and the crowned robbers, are not in a position to determine this exactly - when this imperialist peace will come, what changes in the course of the war will precede it, what the details of that peace will be. Nor is that important. What is important is the *fact* that a turn towards peace has been made; the important thing is the *fundamental character* of that peace. And these two circumstances have been made sufficiently clear by the preceding development of events.

In the 29 months of war, the extent of the resources of both imperialist coalitions has become sufficiently evident. All, or nearly all, possible allies of any importance among the nearest 'neighbours' have been drawn into the slaughter; the strength of the armies and navies has been tested and retested, measured and remeasured. Finance capital has made billions: the mountain of war debts shows the extent of the tribute the proletariat and the propertyless masses 'must' now pay for decades to the international bourgeoisie for having graciously permitted them to kill off millions of their fellow wage-slaves in a war for the division of imperialist booty.

It is probably impossible, in the *present* war, to skin the oxen of wage-labour any more than has been done already - this is one of the profound economic reasons for the turn we now observe in world politics. It is impossible, because all resources in general are becoming exhausted. The American multimillionaires and their younger brethren in Holland, Switzerland, Denmark and other neutral countries are beginning to notice that the gold mine is giving out. That is behind the growth of neutral pacifism, and not noble humanitarian sentiments, as the naive, wretched and ridiculous Turati, Kautsky and co think.

Added to this is the growing discontent and anger among the masses. In our



Killing each other: wage-slaves

last issue we quoted the evidence of Guchkov and Helfferich,² showing that both *dread* revolution. Is it not about time to stop the first imperialist slaughter?

The objective conditions compelling cessation of the war are thus supplemented by the influence of the class instinct and class interests of the profit-glutted bourgeoisie.

The political turn based on this economic turn follows two main lines: victorious Germany is *driving a wedge* between her main enemy, England, and England's allies. She is able to do this because it is these allies and not England who have sustained (and may yet sustain) the heaviest blows, and also because German imperialism, having amassed a considerable amount of loot, is in a position to make minor concessions to England's allies.

It is possible that a separate peace between Germany and Russia *has been concluded* after all. Only the *form* of the political pact between those two freebooters may have been changed. The tsar may have told Wilhelm, 'If I openly sign a separate peace, then tomorrow, you, my august partner, may have to deal with a government of Milyukov and Guchkov, if not of Milyukov and Kerensky. For the revolution is growing, and I cannot answer for the army, whose generals are in correspondence with Guchkov and whose officers are mainly yesterday's high-school boys. Is there any point in my risking my throne and your losing a good partner?'

'Of course not,' Wilhelm must have replied, if such a suggestion was put to him, directly or indirectly. 'Indeed, why should we conclude an open separate peace, or any written peace treaty? Can't we achieve the same results by other, more subtle means? I will openly appeal to all humanity, offering to bestow upon it the blessings of peace. At the same time I will drop a quiet hint to the French, to let them know that I am prepared to give back all, or

nearly all, of France and Belgium in return for a 'fair' share of their African colonies. I will let the Italians know that they can count on scraps of Austria's Italian lands and, in addition, on a few scraps in the Balkans. And I can bring these proposals to the knowledge of the peoples: will the English be able to retain their west European allies after that? You and I will then divide Romania, Galicia, Armenia. As for Constantinople, my august brother, you stand as much chance of seeing it as of seeing your own ears! And Poland too, my august brother - you stand as much chance of seeing it as of seeing your own ears!'

Whether or not such a conversation actually took place it is impossible to say. Nor does it matter very much. What does matter is that events have taken *precisely* this turn. If the arguments of the German diplomats were unable to convince the tsar, the 'arguments' of Mackensen's army in Romania must have been more convincing.

The plan to divide Romania between Russia and the 'Quadruple Alliance' (ie, Germany's allies, Austria and Bulgaria) is already being *openly* discussed in the German imperialist press! Loquacious Hervé is already blurting out: It will be impossible to compel the people to fight any longer if they learn that we can get back Belgium and France *immediately*. The pacifist simpletons of the neutral bourgeoisie have already been put 'into action': Wilhelm has loosened their tongues! And the pacifist ... wisecracks among the socialists - Turati in Italy, Kautsky in Germany, etc, etc - are exerting all their humanitarianism, their love of humanity, their celestial virtue (and their high intellect) to *embellish* the coming imperialist peace!

In general, how well things are arranged in this best of all possible worlds! We, the financial kings and crowned robbers, got ourselves entangled in the politics of imperialist plunder; we had to

fight. Well, what of it? We are making as good a thing out of war as we make out of peace; a much better thing, in fact! And we have lackeys in plenty - all the Plekhanovs, Albert Thomases, Legiens, Scheidemanns and co - to proclaim ours a "liberation" war! The time is coming to conclude an imperialist peace? Well, suppose it is? There are the war debts. Aren't they obligations guaranteeing our sacred right to exact a hundredfold tribute from the peoples? And aren't there simpletons to *glorify* this imperialist peace, to fool the peoples by sentimental speeches? We have them in plenty - Turati, Kautsky and the other 'leaders' of world socialism.

The tragicomedy of Turati's and Kautsky's utterances is precisely that they *do not understand* the *real* objective, political role they are playing: the role of parsons to *console* the people instead of *rousing* them to revolution, the role of *bourgeois advocates*, who by means of flamboyant phrases about good things in general, and a democratic peace in particular, obscure, cover up, embellish and cloak the hideous nakedness of an imperialist peace that trades in nations and carves up countries.

What *unites* the social-chauvinists (the Plekhanovs and Scheidemanns) and the social-pacifists (Turati and Kautsky) *in principle* is that *objectively* both are *servants* of imperialism. The former serve it by glorifying the imperialist war, describing it as a war for "defence of the fatherland"; the latter serve the *same* imperialism by glorifying, with their talk of a democratic peace, the imperialist peace that is maturing and being prepared.

The imperialist bourgeoisie needs lackeys of both species and varieties: the Plekhanovs, to encourage the continuation of the slaughter by shouting 'Down with the conquerors'; the Kautskys, to console and placate the embittered masses by sweet songs of peace.

Hence the general amalgamation of the social-chauvinists of all countries with the social-pacifists - the general "conspiracy against socialism" referred to in the manifesto of the Berne International Socialist Committee,³ the 'general amnesty' to which we have more than once referred - will not be an accident, but an expression of the unity on principle of *both* these trends of world pseudo-'socialism'. It is no accident that Plekhanov, while shouting frantically about the "treachery" of the Scheidemanns, hints at peace and unity with those gentry when the time is ripe for it.

The reader may argue, can we forget that an imperialist peace is 'after all better' than imperialist war? That, if not the whole, then at least 'parts' of the democratic peace programme might possibly be achieved? That an independent Poland is better than a Russian Poland? That integration in Italy of Austrian-held Italian territory is a step forward?

But these are exactly the arguments defenders of Turati and Kautsky use as a cover, failing to see that this transforms them from revolutionary Marxists into ordinary bourgeois reformists.

Can anyone in his right mind deny that Bismarck Germany and her social laws are 'better' than pre-1848 Germany? That the Stolypin reforms⁴ are 'better' than pre-1905 Russia? Did the German Social Democrats (they were still Social Democrats at that time) vote for Bismarck's reforms on these grounds? Were Stolypin's reforms extolled, or even supported, by the Russian Social Democrats, except, of course, for Messrs Potresov, Maslov and co, from whom even

Martov, a member of *their own party*, now turns away with contempt?

History does not stand still even in times of counterrevolution. History has been advancing even during the imperialist slaughter of 1914-16, which is a *continuation* of the imperialist policies of preceding decades. World capitalism, which in the 60s and 70s of the last century was an advanced and progressive force of free competition, and which at the beginning of the 20th century grew into *monopoly* capitalism - ie, imperialism - took a big step *forward* during the war: not only towards greater concentration of finance capital, but also towards transformation into *state capitalism*. The force of national cohesion, the significance of national sympathies, were revealed in this war, for example, by the conduct of the Irish in one imperialist coalition, and of the Czechs in the other. The intelligent leaders of imperialism say to themselves: Of course, we cannot achieve our aims without throttling the small nations; but there are two ways of doing that. Sometimes the more reliable and profitable way is to obtain the services of sincere and conscientious advocates of 'fatherland defence' in an imperialist war by creating *politically* independent states; 'we', of course, will see to it that they are *financially dependent*! It is more profitable (when imperialist powers are engaged in a major war) to be an ally of an independent Bulgaria than the master of a dependent Ireland! To complete what has been left undone in the realm of national reforms may sometimes internally strengthen an imperialist coalition - this is properly taken into account by, for instance, one of the most servile lackeys of German imperialism, Karl Renner, who, of course, is a staunch supporter of 'unity' in the Social Democratic parties in general, and of unity with Scheidemann and Kautsky in particular.

The objective course of events is having its effect and, just as the executioners of the 1848 and 1905 revolutions were, in a certain sense, their executors, so the stage-managers of the imperialist slaughter are *compelled* to carry out certain state-capitalist, certain national reforms. Moreover, it is necessary, by throwing out a few sops, to *pacify* the masses, angered by the war and the high cost of living: why not promise (and partly carry out, for it does not commit one to anything!) 'reduction of armaments'? After all, war is a 'branch of industry' similar to forestry: it takes decades for trees of proper size - that is to say, for a sufficiently abundant supply of adult 'cannon fodder' - to grow up. During these decades, we hope, new Plekhanovs, new Scheidemanns, new sentimental conciliators like Kautsky will grow up from the depths of 'united' international Social Democracy.

Bourgeois reformists and pacifists are people who, as a general rule, are *paid*, in one form or another, to strengthen the rule of capitalism by patching it up, to lull the masses and divert them from the revolutionary struggle. When socialist 'leaders' like Turati and Kautsky try to convince the masses, either by direct statements (Turati 'blurted' one out in his notorious speech of December 17 1916⁵) or by *silent evasions* (of which Kautsky is a past master) that the present imperialist war can result in a democratic peace, while the bourgeois governments *remain in power* and without a revolutionary insurrection against the whole network of imperialist world relations, it is our duty to declare that such propaganda is a deception of the people, that it has nothing in common with socialism,

that it amounts to the embellishment of an imperialist peace.

We are for a democratic peace; and that is precisely why we do not want to lie to the peoples, as Turati and Kautsky do - of course, with the best intentions and for the most virtuous motives! We shall tell the truth: namely, that a democratic peace is impossible unless the revolutionary proletariat of England, France, Germany and Russia overthrows the bourgeois governments. We think it would be the height of absurdity for revolutionary Social Democrats to refrain from fighting for reforms in general, including 'constitutional reform'. But, at the present moment, Europe is going through a period in which it is more than ever necessary to bear in mind the truth that reforms are a by-product of the revolutionary class struggle; for the task of the day - not because we want it, not because of anybody's plans, but because of the objective course of events - is to solve the great historical problems by means of direct mass violence, which will create new foundations, and not by means of agreements on the basis of the old, decaying and moribund.

It is precisely at the present time, when the ruling bourgeoisie is preparing peacefully to disarm millions of proletarians and to transfer them safely - under cover of a plausible ideology, and sprinkling them with the holy water of sentimental pacifist phrases! - from

the filthy, stinking, fetid trenches, where they were engaged in slaughter, to the penal servitude of the capitalist factories, where by their 'honest toil' they must repay the hundreds of millions of national debt, it is precisely at this time that the slogan, which our party issued to the people in the autumn of 1914 - viz, transform the imperialist war into a civil war for socialism - acquires still greater significance than it had at the beginning of the war. Karl Liebknecht, now sentenced to hard labour, adopted that slogan when he said from the Reichstag tribune: "Turn your weapons against your class enemies within the country!" The extent to which present-day society has matured for the transition to socialism has been demonstrated by this war, in which the exertion of national effort called for the direction of the economic life of over 50 million people from a single centre. If this is possible under the leadership of a handful of Junker aristocrats in the interests of a handful of financial magnates, it is certainly no less possible under the leadership of class-conscious workers in the interests of nine-tenths of the population, exhausted by starvation and war.

But to lead the masses, the class-conscious workers must understand the litter of corruption of such socialist leaders as Turati, Kautsky and co. These gentlemen imagine they are revolutionary Social Democrats, and they are very

indignant when they are told that their place is in the party of Messrs Bissolati, Scheidemann, Legien and co. But Turati and Kautsky wholly fail to realise that only a revolution of the masses can solve the great problems of the day. They have not a grain of faith in the revolution, they do not pay the slightest attention to, or display the slightest interest in, the way it is maturing in the minds and moods of the masses precisely in connection with the war. Their attention is entirely absorbed in reforms, in pacts between sections of the ruling classes; it is to them that they address themselves, it is to them they seek to 'persuade', it is to them they wish to adapt the labour movement.

But the whole thing now is to get the class-conscious vanguard of the proletariat to direct its thoughts to, and muster its forces for, a revolutionary struggle to overthrow their governments. Revolutions such as Turati and Kautsky are 'prepared' to accept - ie, revolutions for which the date and the chances of success can be set in advance - never happen. The revolutionary situation in Europe is a fact. The extreme discontent, the unrest and anger of the masses are facts. It is on strengthening this torrent that revolutionary Social Democrats must concentrate all their efforts. Upon the strength of the revolutionary movement, in the event of its not being entirely successful, will depend what portion of the 'promised' reforms will be realised

in practice, and what use they will be for the further struggle of the working class. Upon the strength of the revolutionary movement, in the event of its being entirely successful, will depend the victory of socialism in Europe and the achievement not of an imperialist armistice in Germany's struggle against Russia and England, or in Russia's and Germany's struggle against England, or the United States' struggle against Germany and England, etc, but of a really lasting and really democratic peace ●

Notes

1. *Le Populaire* - a French centrist newspaper published in Limoges from 1916 and in Paris from July 1917. It was edited in 1916 by Jean Longuet, and contributors included Pierre Brizon, Adrien Pressemane, Jean-Pierre Raffin-Dugens, Boris Souvarine and Paul Faura. It became the official organ of the French Socialist Party in 1921; at present is controlled by the party's right wing.
2. Reference is to AI Guchkov's letter of August 15 (29) 1916 to general MV Alexeyev, chief of staff to the supreme commander of the Russian forces, published in No57 of *Sotsial-Demokrat*, and excerpts from a Reichstag speech by interior minister Helfferich in reply to an opposition question about the wholesale arrests of Social Democrats.
- The Guchkov letter was sent to *Sotsial-Demokrat* from Russia along with other materials. In a letter to Inessa Armand dated December 5 (18) 1916, Lenin wrote: "Received another letter from St Petersburg today. Of late they have been writing frequently. In addition to the Guchkov letter, which is being published in No57 of the central organ ... we have also received letters by Lvov and Chelnokov on the same subject [resentment against the traitors who are negotiating a separate peace], etc."

The Guchkov letter was expressive of the fear inspired in the Russian bourgeoisie by the maturing revolution and of its dissatisfaction with the government for its inability to prevent revolution. The substance of Helfferich's speech was that it was better to arrest the leaders of the revolution than to allow the revolution to break out.

3. This refers to the appeal, 'To affiliated parties and groups', adopted at an enlarged meeting of the International Socialist Committee in February 1916. It sharply criticised the social-chauvinists and the social-chauvinist position of the International Socialist Bureau, denouncing its attempts to re-establish the Second International through "mutual amnesty" of socialists as a "plot against socialism". Socialists, the appeal said, should refuse to vote for war credits, should organise strikes, demonstrations, fraternisation at the front and other revolutionary actions against the imperialist war. The appeal was published in the *International Socialist Committee Bulletin* of February 29 (No3) and in *Sotsial-Demokrat* of March 25 1916 (No52).

4. On November 9 (22) 1906, the tsarist government issued a decree authorising the withdrawal of peasants from the commune and making their plots their personal property. Amended by the Duma and Council of State, the decree came into force on June 14 1910. Known as the Stolypin law, after prime minister PA Stolypin, it enabled the peasant to withdraw from the commune, take over his land as personal property and sell it if he so chose. The commune was under obligation to allot him land in one place. The Stolypin reform accelerated the development of capitalism in agriculture and differentiation of the peasantry, and aggravated the class struggle in the rural areas.

5. Reference is to a speech by F Turati in the Italian parliament on December 17 1916, in which he sought to justify the imperialist war. The speech appeared the next day in *Avanti!* (No345), and comment in the socialist press of various countries was summarised in *Volksrecht* (December 23, No301) under the heading "Eine Rede Turatis über das Friedensangebot" ("Turati speech on peace proposals").

For a provisional revolutionary government of workers and poor peasants

'1917: the view from the streets' - leaflets of the Russian Revolution, No4

One hundred years ago this week, in February 1917, the Bolshevik Petersburg committee of the Russian Social Democratic Workers Party issued the following proclamation as a response to Menshevik appeals to workers to come out in support of the Duma (parliament) on the day of its convocation.¹

The Bolshevik committee warned workers not to trust attempts to ally them with Duma liberals, calling instead for a one-day strike on February 23 (February 10) to commemorate the second anniversary of the trial of the Bolshevik deputies to the State Duma. The Petersburg committee had forgotten, however, that many factories

would be closed on that date, because it fell during a Russian religious holiday.

The Russian bureau of the Bolshevik central committee, led by Alexander Shlyapnikov, urged the Petersburg committee to transfer the date of the strike to February 26 (February 13), and to consider extending the action to disrupt and

take control of the initiative planned by the Worker Group of the Central War Industry Committee for February 27 (February 14). The Petersburg committee, however, proceeded with its original plan, which failed due to the holiday. Nor did any workers respond to the Russian bureau's call for a February 26 (February 13) strike.

The February revolution would begin around International Women's Day on March 8 (February 23).

This series is edited by John Riddell and the leaflets have been translated and annotated by Barbara Allen.

Notes

1. See 'Call for provisional government to bring freedom and peace' *Weekly Worker* February 9.

Russian Social Democratic Workers Party

Proletarians of the entire world, unite!

Comrades!

The ruling classes have tightened the noose which they hung around the neck of the peoples of Europe. Millions of human lives have perished. The best and healthiest young forces of the people have been maimed or killed. Millions more suffer in captivity. Work comes to a halt and there is hunger.

As many as 15 million people from all combatant countries have lost their lives during the two years of slaughter, which have increased the profits of those with power in this world. What an unprecedented crime! Shame on those who undertook this mass extermination of the finest forces of the people! We, the worker vanguard and oppressed democratic forces, who spill our blood for a cause alien to us, face a great and difficult duty - to put an end to this crime!

And what do they do?

During the past two and a half years, have we heard even a weak voice of reason from the ruling classes, who dispose over the fate of the peoples whom they oppress? Now is the second anniversary of the trial of the representatives of the Russian working class in the State Duma. Since the very

beginning of the war, the State Duma has cried out at its sessions for Russia's economy to flourish. Yet behind the walls of the Tauride Palace, the Duma ruins the economy by putting it at the mercy of the wolfish appetites of gentry landowners, capitalist factory owners and bankers.

After our deputies were expelled from the State Duma, quickly tried and banished to remote, cold Siberia, the gentry landowners and capitalists rubbed their hands in satisfaction that they might speak more freely in the State Duma. But for two years, the State Duma has said nothing regarding the violation of its rights. It will also be silent on the second anniversary of the deputies' exile. On the other hand, it will shout out and its agents will hustle about to seek among the working class, which it has decapitated, a sympathetic response to the servile speeches of 'comradely' deputies.

And they can find some chauvinist groups of workers, who have been blinded by the tempest of war and who will carry Duma liberals' lustful cravings into the workers' midst. The most capricious rumours about the State Duma's intentions are circulating among workers now, on the eve of the proposed convocation of the State Duma on February 14.

It is easy to see that the State Duma is not prepared to do anything new. But Duma liberals once more are not averse to making menacing gestures, while protected by a wall of workers who have risen.

In the factories, workers heard the call to support the State Duma and even to push it to take a resolute step by presenting demands at the doors of the Tauride Palace. This summons is not only useless, but also traitorous. Going in supplication to the palaces of tsars and ruling classes will dearly cost the credulous people who hoped to receive something from the inhabitants of these palaces.

Liberals and liberal worker politicians, when they do not have sufficient gunpowder, gladly dress up in front of the people as resolute warriors for the people's cause. But they conceal their actual intentions. Comrades, they come running to offer assistance, so that you would allow them to surrender the country more fully to further military plunder and to endlessly wage war 'to the end'. They do not speak about this directly to us, but it is their fondest dream.

Our appeal

We know what the fine words of liberals mean when they shout their dissatisfaction with the current

government, yet secretly apportion among themselves future ministerial seats. From their tongues slip resolute phrases about taking power or about a "provisional government", depending on the organised people for support, yet they say not a word about war. We fully understand that only the mighty blow of democracy will put a stop to the harassment of the people and to their ordeal.

We should tell them: All our efforts are directed against you and the war that you started. We are against the tsarist monarchy that you love so much because the monarch's sceptre conceals your appetites and your dark deeds. We are against the tsarist government. You say you want to struggle against it, but you are afraid of its defeat, because only the tsarist government allows you to toy with the people.

We are for a democratic republic, which will put power into the hands of the people. We are for a provisional revolutionary government of workers and poor peasants. It will be able to convene a National Constituent Assembly, based on universal, equal, direct and secret suffrage. We are against the chauvinist criminal greed of each nation's capitalists, who

divide up the world and inflict deep wounds upon it. We are for the international solidarity of workers, which will bring peace and happiness to the people.

On February 10, the anniversary of the day when the tsarist court struck a blow against our deputies, we will send them our fraternal greeting, for they gave their utmost in struggle for our slogans. We demand the immediate return of our deputies and we will mark this anniversary by holding a one-day strike. This will be a sign of our readiness to give our lives in struggle for the demands that our exiled deputies proclaimed openly.

Down with tsarist monarchy! War on war! Long live the Provisional Revolutionary Government! Long live the National Constituent Assembly! Long live the democratic republic! Long live international socialism!

Petersburg committee of the Russian Social Democratic Workers Party

Translated from AG Shlyapnikov *Semnadtsatyi god Vol 1, 1923, pp303-06.*

Previous leaflets in this series are available at <https://johnriddell.wordpress.com>.

MEDIA

It ain't necessarily so

Who fears 'fake news' - and what is their own relation to the truth? Paul Demarty pulls apart the current hysteria

Modern society loves nothing like a good moral panic, and the latest concerns so-called "fake news".

Indeed, nothing seems to strike so directly at the core of bourgeois civic mindedness; for, if any old nonsense is to be believed, how on earth shall society be competently governed? The recent election of a howling charlatan to the most exalted office in the United States (and, therefore, the world) has been blamed, widely, on the credulity of (some of) the masses in the face of any old rubbish; so, retrospectively, is the Brexit vote, and other blemishes on the record of the establishment's success in the direction of getting what it wants.

So what is fake news? Many definitions are possible, and - regrettably - necessary.

Mostly harmless

We should begin at one of the many beginnings of this story, with the social media explosion of the mid-aughts. Though there had been things that recognisably fit the definition of a social network beforehand, they were all too niche: Usenet newsgroups, back in the early days, was impenetrable to all but the earliest internet adopters; Geocities and the like required a great deal of effort to build your site; so, even, did Myspace, if you wanted a good one (which is to say, a garish blinking horror with autoplaying music videos and the like).

The first of the aforementioned - Usenet - gave rise to an interesting founding myth, that of the 'Eternal September'.¹ In the old days, before even the web, the internet was not available outside of government and academia. Every September, a new cohort of freshmen would arrive at their universities - some of them would be in the computer science and engineering departments, and would be granted access to the nascent internet. They would wash up on Usenet immediately, without the faintest idea of the prevailing customs or manners; a few months later, however, the newcomers would be integrated and socialised well enough, and would become good Usenet citizens. Spring became summer, and then September would arrive again ... In 1993, internet access became available to the general consumer, the stream of new Usenet users became permanent - and so did September. (To this day, some Usenet veterans date their emails to, say, September 8,567th 1993.)

Of course, those people had no idea. The paltry thousands who 'ruined' Usenet are a truly pitiful thing compared to the 1.8 billion active users of Facebook today (four times as many people as those who had any access to the internet at all at the turn of the millennium). The question, for many people today, is how to exploit this for financial gain; just as hucksters sold their dubious miracle cures in advertorials in the early days of the press, so do grifters eagerly (and understandably) turn their attention to the web, and the ease with which a few advertisements delivered to a user can be converted into pennies; the more users, the more pennies, until they are dollars - and many dollars at that, given the low effort.

The standard technique (although, of necessity, the techniques change, as the marks get wise to them) is to use a clickbait headline of the typical kind - 'You'll Never Guess What J-Lo Does With This Irish Stoat'. You click on it, and discover that J-Lo has inherited a fortune from her dad's Irish



Apple's Tim Cook: fake news is 'killing people's minds'

stoat breeding operation. Just fancy that, you think; and you like it and share it. All your friends see it, and some of them take the bait as well. If you really squint, you might find a disclaimer saying that the site is "satire", although it is not obviously humorous. In fact, all the content is either assembled by a human in a hurry out of pre-defined parts, or 'programmatically generated': that is to say, the output of a computer program, which is randomly selecting celebrities, species of rodent, etc; either the human or the computer then proceeds to spam the universe until something goes viral in a modest way.

This was what, until a few short months ago, was called 'fake news'. It is fake in the most direct way. It does not have to be believed to be successful; merely viewed. Snopes.com, the web's most masochistically diligent debunker of modern urban legends, compiled, and periodically updates, a list of such operations.²

This sort of thing is essentially harmless. If - in the old days - you bought a lifetime supply of Doc Smock's Incredible Hair Restoring Tonic, you were out of pocket for some amount of money; the worst you risk when sharing the J-Lo/stoat farm story is ridicule at the hands of a better informed internet friend. The money is rather fraudulently taxed from the entirely farcical internet advertising industry.

The conspiratorial mind

Our second definition is the one around which the bourgeois panic-mongers currently orbit (we can put it no more decisively than that), which is the proliferation of what amount to conspiracy theories at a far greater rate than was previously possible.

These conspiracy theories are rather more trivial and throwaway than the more august examples of the genre. The literature on John F Kennedy's assassination is vast; there is even an Oliver Stone movie. The 9/11 truthers are thorough, though guilty of the usual cherry-picking and every logical fallacy yet named (and some, no doubt, that will be named after them). The fake-news conspiracy theory is different, in that it is utterly disposable. One example, of countless: when Hillary Clinton collapsed with pneumonia in the late stages of the election campaign, numerous viral stories went around claiming that things were far more grim even than that, but the powers-that-be didn't want you to know about that!

The sword of the junk-conspiracist is circumstance; his shield is innuendo. His lies do not concern themselves with decades, but weeks; not with the movement of history, but the churn of the news cycle. The point is to

disorient people *now*; in a week or two, both the lie and the germ of truth that begat it will be forgotten. What is left behind? In the eyes of Democrats, 'moderate' Republicans and their Wall Street/Silicon Valley *chevaliers*, just enough residual distrust to throw the White House to the most enthusiastic propagator of this sort of tall tale.

Is this true? It is both hard to dismiss entirely, and hard to credit as the prime cause of Clinton's defeat and similar events. There is certainly evidence that some of the most outlandish claims about senior Democrats had their believers; a survey of Republican voters in Florida last autumn revealed that four in 10 of those polled believed that Clinton was a demon³ - an idea propounded by veteran rightwing conspiracy theorist Alex Jones. (She smells of sulphur, apparently; and if you watch Obama in a group shot, flies land on him, but not others.) Even more widely spread was so-called 'Pizzagate', in which it was serially alleged that a liberal paedophile ring was abusing child sex slaves through a series of pizza restaurants in Washington DC - Michael Flynn, Trump's former national security advisor, was a supporter of this particular yarn.

The news is fake

The main reason it is hard to credit, of course, will be screaming in the face of sympathetic readers of this paper already. For that sort of slimy innuendo, the relentless hammering away at the most bizarre accusation - does it not sound awfully familiar?

Indeed it does. For our third definition of 'fake news' is: news.

The typical news cycle in America - before the recent 'surprises', at any rate - have the following pattern. Rightwing cable news types get a bee in their bonnet - say, about the Benghazi attacks. They refuse to drop it; every time an official is on any show, they are asked only about Benghazi, Benghazi, Benghazi. Eventually, more 'respectable' outlets like CNN or the *New York Times* are sucked in; of course, nobody actually *believes* the Fox News stuff, but is the president handling it properly? Is Senator So-And-So, or Secretary Whoever? Now the thing has reached critical mass, and spreads to Congress investigations and so on.

The same sort of thing is true in Britain, of course; just substitute the *Daily Mail* for Fox and the BBC for the *New York Times*. This behaviour is all the more virulent when the target is *not* an establishment figure - see, for instance, the entirely confected anti-Semitism 'scandal' in the Labour Party.

This whole practice is steeped in lies. There is nothing faker than this. Rightwing media outlets thereby act as

a check on politicians, on behalf of their owners and advertisers; since nobody is guilty of the ridiculous nonsense propagated thus about them, *everyone* can be equally plausibly cast into the defensive on some pseudo-scandal or other. The respectable press like to think themselves above such public lynchings, but in reality, as soon as they talk about it, they are forced back on the question of whether the victim is managing the thing well. Politics is thus sneakily reduced to a matter of individual managerial competence, which is to say, about lying more convincingly than one's opponent; and, likewise, the truth of the accusations ceases to matter, since one must equally as well 'manage' true accusations as false ones; it thereby ceases to be interrogated.

Republic of liars

The media - that vast, corrupt, mendacity-industrial complex - does not stand freely above or beside society, but in fact is merely one of the forms in which dishonesty is systematic.

Capitalism is unique among class societies in this regard, merely in that there is a lie embedded directly in the basic social relations governing it - the famous fetish character of the commodity, whereby the objects around us take on a phantasmatic appearance of life, thanks to the gruelling repetition of commodity production and circulation. It is not only Hillary Clinton who is a demon, but every machine tool and every can of Coke.

Such misrecognition has never been sufficient to prop up bourgeois rule, however; indeed, the belief that things have their monetary value as an objective property comes with the danger that one might be being paid below its 'fair price', which leads in the case of that 'special' commodity, labour-power, to the formation of trade unions and other defensive associations. The rising consciousness of the working class places ever more urgent demands upon the bourgeois regime of lies, especially under conditions of universal suffrage.

Bourgeois lies thus come increasingly to resemble the lies that propped up the ruling class's predecessors - a process more advanced nowhere than the United States, where the franchise has covered wide plebeian masses more or less since the revolution. Religious hogwash, exaltation of the state (support our troops!), you name it: all our old friends are here. Fake news, on this view, has its particular modern forms and foibles, but is really as old as the phenomenon of exploitation, and the need for the exploited to consent.

The point, in the first instance, is that there is a reality - a bespokeness, let us say - to all 'fake news'. It fills the

cracks and crevices in a broken reality. It does so more or less convincingly.

Yet we are faced with a most vociferous split in the liars' camp; and a split precisely on the matter of lying. How do we account for this? After all, just as all other faithfully repeated lies have their 'truth' to them, the idea that the 'fake news' outlets are uniquely misleading must have its own social root.

That is the second point: to wit, the trouble with lies is that they (by definition) do not adequately describe reality. Lies rot; they work brilliantly once, but over time, cynicism grows. The decline of social formations, additionally, increases the distance between its former fundamental laws and its current reality, and therefore between its legitimating ideologies and its actual practice. As society by its automatic motion refutes the just-so stories peddled about it, the need for alternative explanations grows more acute. The Trump camp's wildest accusations about Clinton and the Democrats stick not because they appear very much to be true, but because the utterances of the latter are so often obviously false.

By the same token, the Trumpite brand of mendacious garbage has a limit on its plausibility. (Who knows what the next leg-down into irrationality will be?) The solutions peddled by the 'fake news' scaremongers are wholly deficient, however. Tim Cook, billionaire CEO of Apple - whose previous billionaire CEO was described as possessing a "reality distortion field", so great was his propensity for turning marketing hokum into consumer-tech gold - is very worried about fake news. He wants a "public information campaign" about it. The state and the corporate elite hectoring people about what to believe - what could go wrong?

One could make a serious attempt to instil critical media literacy in schools, but what would be the point? You only need media literacy if the idea is that you will exercise meaningful control over society. That is the last thing Tim Cook wants, or Hillary Clinton: a society whose vast membership is *genuinely* not gullible, and will genuinely hold them to account for their ruthless exploitation and moral compromises.

That the Trumpite fantasy of national rebirth, or its Brexiteer cousin, should have commanded such wide support in recent electoral tests is hardly good news for friends of historical progress. Yet we must understand the appeal of the just-so stories inherent to these phenomena. It is no nihilistic outburst on the part of such voters to reject the complacent dishonesty of those who exploit, patronise and despise them; it is rather the scaremongers who are guilty of nihilism. For them, it is not lies that induce worry, but the success of the wrong liars. A greater contempt for truth is unimaginable ●

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Notes

1. It is somewhat difficult to explain the Usenet experience. Users of Google Groups, Yahoo Groups and similar email list systems can think of it essentially as a non-proprietary predecessor to those - a social network that you used via email, rather than websites and web-connected mobile applications, as you would with modern equivalents.
2. www.snopes.com/2016/01/14/fake-news-sites.
3. www.publicpolicypolling.com/pdf/2015/PPP_Release_FL_104161.pdf. Perhaps the more eye-catching result in that poll, of course, was that 2% of Clinton supporters interviewed also believed that she was a demon - presumably the pollsters stumbled over a coven of liberal Satanists in the Everglades.

REVIEW

Flee, die or receive baptism?

Mihail Sebastian *For two thousand years* Penguin Modern Classics, 2016, pp231, £9.99

The relaunch of this novel, first published in 1934, is timely, since it deals with world crisis, and the failure of the working class and its leadership to offer a revolutionary alternative, allowing the perennial scourge of nationalism to boil up again.

After nearly a decade of austerity and increasing inequality, we find ourselves in the age of Brexit and Trumpism, accompanied by a revival of the old scourge infecting both left and right. Today we hear voices from both sides calling for the restoration of 'national sovereignty', as the new 'panacea' for everyone: ie, a seismic shift away from globalisation, whereby the free market has ruled the planet - via supranational institutions - for the last 50 years. The maverick Trump promises to "make America great again". This will be achieved by means of stringent immigration controls, on the one hand, and a return to American protectionism, on the other. The last time we had that, it led to Pearl Harbour.

Nationalism of the chauvinist variety leads to the oppression of ethnic minorities. It also encourages aggression abroad. Oppressed nations, albeit they are few in number, are threatened with annihilation (eg, Palestine). In a period of crisis and destabilisation of the world order, left to their own devices, the masses seek the nearest scapegoat to blame for their plight. Yesterday it was the Jews; today it is immigrants (especially Muslims), etc.

Can we learn the lessons of history before it is too late? Mihail Sebastian's first novel takes its title from 2,000 years of Jewish persecution. As a Romanian law-student, who is also a Jew, he went on to graduate as a lawyer and a writer, despite the rising tide of anti-Semitism. It overflowed like a blocked cesspit on more than one occasion, and even engulfed the ivory towers of academia. In 1923 Jewish students were attacked and beaten as they tried to enter classes at the University of Bucharest. There was a new upsurge in 1930-31, as the great depression began to bite.

Sebastian wanted to be assimilated into Romanian society, but he was frustrated by rising social unrest. Some of his 'friends' went so far as to argue that the Jews are the root of the 'problem' and that their extermination is the only 'solution' (an echo of the holocaust to come). His experience shows us what anti-Semitism can be like at a personal level. Every day he had to deal with the contradiction, 'You're my friend, but I hate the Jews'.

Following the crash of 1929, in atavistic fashion, Romania resorted to anti-Semitism. Thus it acquired the dubious distinction of spearheading a new fascist movement in Europe - wherein anti-Semitism would play a leading role (cf Italian fascism) - even before the rise of the Nazi regime (at least for a while).

Sebastian kept a diary of his ordeal, which covered the period, 1935-44.¹ So *For two thousand years* is really a novel-come-diary dealing with the preceding period. It is more condensed, which is in keeping with its literary character, making it more like a novel. It therefore includes fictional names and occupations for the real *dramatis personae*, starting with Sebastian himself. Instead of graduating as a lawyer and writer, he now becomes an architect. Real-life philosopher Nae Ionescu, who was a leading ideologist for the proto-fascist Iron Guard party, is now an economics professor called Ghita Blidaru, aka "the master". (Yet, for some reason, Ionescu was invited to write the introduction to the novel's launch in 1934, wherein



Mihail Sebastian: survived

he opined: "a Jew cannot belong to any national community [You cannot] think of yourself as Romanian. It is an assimilationist illusion."²)

This diary-come-novel is not only written in the first person: it is also episodic in form (the literary equivalent of continuous jump shots in an early Godard movie). So it is not easy to read. There is no real plot either; rather the author skilfully creates a scenario which builds towards a climax, wherein the situation for Sebastian and his fellow Jews has changed from anti-Semitic attacks to the threat of a pogrom (the latter was delayed until 1941, if only because of a growing rivalry between the dictatorship of King Carol II and the Iron Guard). The 'story' is structured around four or five main characters, whose divergent views enable a complex set of arguments to emerge, straight from the mouths of the characters themselves.

Assimilation?

The first argument concerns the question of whether it is best for the Jews to try and assimilate themselves within Romanian society or rather support the Zionist project: ie, emigrate to Palestine and build a Jewish 'homeland' there. So argues Winkler, one of Sebastian's friends. But the latter is unconvinced, because, as a proud Danubian, he sees this as his own 'fatherland'. He is also steeped in western culture - ideally he would like to be assimilated as a Romanian citizen, who just happens to have been born a Jew. (If only his friends could be more accommodating! He goes out of his way to win their approval.) Maybe the Jews are a problem after all. At one point, he says, "I also have an anti-Semitic voice."

Ironically, therefore, he has an affinity with his mentor, Blidaru, the economics professor, although, of course, the latter wants an ethnically cleansed fatherland - a Christian country, purified of Jews and communists. Hence Blidaru's preference for the peasants, because they are the sons of the soil.

Then there is STH (Haim), a rich intellectual, who is also a communist dilettante ("I'm serving the revolution. By the simple fact that ... my every word is a protest"). We first encounter him arguing forcefully against the Zionist project, as

a capitalist venture, which the massacred native Arabs and the Jewish proletariat will pay for ... Great Britain needs a right-hand man to guard the Suez canal, so it invented the myth of a 'Jewish homeland'.

Other threads in Sebastian's story emerge: the clash between the proletariat and the bourgeoisie, linked to the clash between the urban and rural, along with that between modernism and tradition; in short the struggle between the need for revolutionary change and fascism, as an excrescence of a bourgeoisie whose system is in crisis again. The focus for this is Sebastian's involvement in the construction of an oilfield project at Uioara. Haim welcomes this as a means to "proletarianise the peasantry". It can't come sooner, because he knows that the crisis will reach breaking point before the decade is out. The more workers, the better, otherwise the right will use the peasantry against the revolution.

Modernist architect Viera also supports the project, because it gives him the chance to design new functional buildings (*à la* Bauhaus). He also appears to oppose anti-Semitism, because he does not believe in stereotyping any group. This is a recipe for the destabilisation of the country, he argues, just when the economy needs to expand (but there is more to Viera than meets the eye, as we shall see). Predictably the 'master' opposes the whole thing, because it will "destroy the plum trees" and the peasant way of life!

Thinking aloud, Sebastian says that he is "alarmed at how many of my friends are superfluous and uninteresting". It would be better to have just a few genuine ones. Yet, apropos his relationships with women, he is interested only in superfluous relationships: ie, casual sex. It is therefore ironic that, later in life, the real Sebastian became obsessed with the actress, Leny Caler, who had many lovers!

Clearly Sebastian is an intense young man. He records a conversation with Haim in 1931, who tries to put him right:

An "anxious generation" ... How amusing you are, friends ... You're a generation of proletarians without class-consciousness. There are fewer jobs ... You've been left out ... One day you'll see that the bourgeois state no longer accommodates you, then you'll join the revolution. That'll blow your angst away.

Unfortunately for Haim, a short time later he is arrested and jailed for 12 years, just for being a communist. At least Sebastian values this friendship, because he visits Haim in prison. The real writer and future playwright is an acute observer of others. His fictional self frequents the Central Cafe, because it is a bohemian haven from the world

outside. Even though there is a crisis coming, it is "full of Oblomovs". As one character says,

We're all stumbling through the night, ... some falling, some not, each to his fate. When morning comes, we'll see who's still standing ... Revolution ... Could be ... By George's Day the gallows will be ready.

There is a strike at the oil refinery - 60 workers are shot by the police. "For 10 years the wells have spoken," says Blidaru. "Now it's the turn of the plum trees." There are bands of young men on street corners chanting "Death to the Yids" again. The Zionist, Winkler, dressed in "a workman's shirt, ... knapsack on his back, as a man who's making history", is about to depart for Haifa, hoping to find "peace among the Palestinian orange groves" (if only someone had a crystal ball!). But, says Sebastian, "Two thousand years can't be overcome by leaving for somewhere."

'Jewish problem'

Re-enter the rational, modernist architect, Viera, who now reveals his true self:

There is a Jewish problem ... One million, eight hundred thousand Jews [in Romania] is intolerable. If it was up to me, I'd try to eliminate several hundred thousand.

Later the Nazi occupiers and the quisling regime would oblige him.

Sebastian is also his own worst enemy. As an intellectual, nurtured by idealist philosophy, he is steeped in transcendental ideas, separated from the material world. He is only able to respond to events in a self-centred, fatalistic fashion, whilst striving to be optimistic at the same time. Thus he accepts the unacceptable:

I believe that it's an implacable fact and know that neither you nor I nor anybody else can do anything about it. If we could be exterminated, that would be very good ... But it isn't possible either. Our obligation to always be in the world confirms it over so many thousands of years, which you know have not been merciful ... individually, each Jew can ask in panic what he has to do. To flee, to die, to kill himself, to receive baptism.

As a human being grappling with a problem beyond his control, I sympathise with his dilemma. However, thanks to some of his friends and acquaintances, the real Sebastian was lucky. He was one of a minority of central European Jews to survive the holocaust. In 1945, he stepped out into a new country, which was at last prepared to grant him his wish - to be accepted as a Romanian citizen. But, just as he was about to begin this hard-won new chapter in his life, he suffered the cruellest of fates:

On May 29 1945, as he rushed across a street in downtown Bucharest, 38-year-old Mihail Sebastian ... was hit and killed by a truck. As it happened, Sebastian was late to an appointment at Dalles hall, where he was to teach a class about Honoré de Balzac (pvii).

The faithful should be questioning Jehovah - the rest of us can only weep ●

Rex Dunn

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Notes

1. M Sebastian *Journal 1935-1944* London 2003.
2. *Ibid* introduction, pxii.

What we fight for

■ Without organisation the working class is nothing; with the highest form of organisation it is everything.

■ There exists no real Communist Party today. There are many so-called 'parties' on the left. In reality they are confessional sects. Members who disagree with the prescribed 'line' are expected to gag themselves in public. Either that or face expulsion.

■ Communists operate according to the principles of democratic centralism. Through ongoing debate we seek to achieve unity in action and a common world outlook. As long as they support agreed actions, members should have the right to speak openly and form temporary or permanent factions.

■ Communists oppose all imperialist wars and occupations but constantly strive to bring to the fore the fundamental question - ending war is bound up with ending capitalism.

■ Communists are internationalists. Everywhere we strive for the closest unity and agreement of working class and progressive parties of all countries. We oppose every manifestation of national sectionalism. It is an internationalist duty to uphold the principle, 'One state, one party'.

■ The working class must be organised globally. Without a global Communist Party, a Communist International, the struggle against capital is weakened and lacks coordination.

■ Communists have no interest apart from the working class as a whole. They differ only in recognising the importance of Marxism as a guide to practice. That theory is no dogma, but must be constantly added to and enriched.

■ Capitalism in its ceaseless search for profit puts the future of humanity at risk. Capitalism is synonymous with war, pollution, exploitation and crisis. As a global system capitalism can only be superseded globally.

■ The capitalist class will never willingly allow their wealth and power to be taken away by a parliamentary vote.

■ We will use the most militant methods objective circumstances allow to achieve a federal republic of England, Scotland and Wales, a united, federal Ireland and a United States of Europe.

■ Communists favour industrial unions. Bureaucracy and class compromise must be fought and the trade unions transformed into schools for communism.

■ Communists are champions of the oppressed. Women's oppression, combating racism and chauvinism, and the struggle for peace and ecological sustainability are just as much working class questions as pay, trade union rights and demands for high-quality health, housing and education.

■ Socialism represents victory in the battle for democracy. It is the rule of the working class. Socialism is either democratic or, as with Stalin's Soviet Union, it turns into its opposite.

■ Socialism is the first stage of the worldwide transition to communism - a system which knows neither wars, exploitation, money, classes, states nor nations. Communism is general freedom and the real beginning of human history.

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weekly WORKER

Paving the way for more confrontation

Trump ups the ante

The threat of military action against Iran is once more very much on the agenda, writes **Yassamine Mather**

One of the scariest characters around the new Trump administration is Steve Bannon, the 63-year-old who ran Breitbart News before joining the Trump campaign. Now he is chief strategist and senior advisor to the US president.

Just in case you are not familiar with Breitbart News, it is a rightwing outlet, known for headlines such as "Bill Kristol: Republican spoiler, renegade Jew" and "Birth control makes women unattractive and crazy". Former Ku Klux Klan leader David Duke very much approved of Bannon's nomination, describing it as "excellent", while Peter Brimelow, who is associated with the white supremacist website, VDARE, called it "amazing".

There is a lot of information circulating about Bannon's rightwing opinions, but the *Washington Post* in particular has given us an insight into how the Iran hostage crisis helped shaped his views:

It was just after midnight on March 21 1980, when a Navy destroyer navigated by Stephen K Bannon, a junior officer, met with the supercarrier, USS Nimitz, in the Gulf of Oman. The convoy headed near the Iranian coast, where a secret mission would be launched a month later to rescue 52 US embassy hostages held in Tehran.

Bannon's ship, the USS Paul F Foster, trailed the Nimitz, which carried helicopters that would try to retrieve the hostages. But before the mission launched, Bannon's ship was ordered to sail to Pearl Harbour, and he learned while at sea the rescue had failed. A US helicopter crashed into another aircraft in the Iranian desert, killing eight servicemen and dooming the plan to liberate the hostages.

... As Bannon has told it, the failed hostage rescue is one of the defining moments of his life, providing a searing example of failed military and presidential leadership - one that he carries with him, as he serves as president Trump's chief strategist. He has said he wasn't interested in politics until he concluded then-president Jimmy Carter had undercut the navy and blown the rescue mission.¹

Of course, the truth is more complicated. The Republicans had given their declared enemy, Iran's Islamic Republic, details of the rescue plan, in an attempt to undermine Carter.

But Bannon is not alone in all this. There is general James 'Mad Dog' Mattis, who is also obsessed with Iran. Last year, the four-star general was forced out of his job by Barack Obama. Why? Because at a time when most of the world was thinking of the dangers posed by al Qa'eda and Islamic State in the Middle East, he was adamant that the Iranian regime is "the single most enduring threat to stability and peace". Mattis recalls that, as commander of US troops in the Middle East, the first three questions he would ask his subordinates every morning "had to do with Iran and Iran and Iran".

Media reports suggested it was Mattis's eagerness for confrontation with Iran that led to his sacking by Obama. He was central command chief until 2013 - just before the US and other world powers

were trying to engage with Tehran to secure a nuclear deal.

However, after Trump nominated him as defence secretary, the war of words between the US and Iran intensified less than a month into the new presidency, with Mattis calling Iran "the single biggest state sponsor of terrorism in the world", after Tehran confirmed it had tested mid-range ballistic missiles. Trump tweeted, "Iran is playing with fire", as he ordered new sanctions on 13 Iranian individuals and 12 companies. When reporters asked him if a military action was possible, he replied: "Nothing is off the table".

Many scenarios have been proposed on how and when such a conflict might start. Saeid Golkar, an Iran expert at the Chicago Council on Global Affairs, is probably right when he told Al Jazeera: "I think people in the Trump administration will try to make Iran do something stupid" - so that the US can use this as an excuse for war. We have already seen new sanctions, the absence of which being one of Iran's red lines for adhering to the nuclear deal.

Reza Pahlavi, the son of the former shah, claimed in a recent interview with Voice of America that he has written to Trump asking him to distinguish between the Iranian people and the regime, and urging the US to play a "pivotal role" in supporting what he called the Iranian people's "quest for liberty and justice" in their homeland.² If anyone from Trump's government decided to hold a meeting with hated figures of the Iranian opposition - including the ex-shah's son, or the Mujahedin, or other idiots clamouring for 'regime change from above', the government in Tehran would react. Let us not forget that the animosity between the Iranian regime and sections of the US government first started in 1979, when Washinton allowed the ex-shah to seek medical treatment in the US.

'Ominous signs'

Globalresearch, described on its website as the "centre for research on globalisation", recently published an article entitled "Eleven ominous signs that we are racing towards war with Iran". Referring to the current "engineered disorder", it claims that "Trump is taking the US on a sure course to war with Iran".³

The website gives three fundamental reasons why Iran remains the principal target and lists them as follows:

Iran has become the arch-enemy of the Saudi-Israeli alliance, because it is the one country militarily and economically strong enough to challenge their dominance of the Middle Eastern region ...

Secondly, Iran has been openly supportive of the fight against Zionism (by funding Hezbollah in Lebanon) and against the Sunni extremist group Isis (the pet Frankenstein of the US) ...

Thirdly, Iran has forged a tight alliance with Russia and China in defiance of the Zionist-Anglo-American New World Order, which seeks to impose a unipolar One World Government on the world, with the international bankers at the helm. Iran remains one of the few countries in the world without a Rothschild-owned central bank. It refuses to bow to the will of the US or to allow the US to place its imperial military bases within its territory.

I would dispute the second reason. Everyone knows of Iran's secret economic deals with Israel, and its support for Palestine has remained very much tired rhetoric, where actions do not match slogans. Supporting the Palestinian people is part of the regime's propaganda in competing with Sunni states in the region and should not be taken seriously.

However, the website goes on to list the "11 ominous signs" as follows.

1. US foreign policy is being driven by the likes of the Brookings Institution, which in 2009 "advocated the US make a deal with Iran, then renege on the deal (making it look like Iran was refusing something very reasonable), and then attack Iran with support from the international community".
2. Iran is at the centre of the "Muslim ban", yet Saudi Arabia is not even among the seven states on Trump's list, despite being "the source of 15 of the 19 alleged hijackers" on 9/11.
3. Iran "has formally announced it is ditching the US dollar for oil transactions as of March 21 2017". The website claims that "the real reason for the invasion of several Middle Eastern countries over the last two-three decades was due to their desire to abandon the petrodollar (eg, with Libya's gold in 2011)".
4. Iran has been put "on notice" for its recent ballistic missile test. Trump's ex-national security advisor, Michael Flynn, claimed before his February 14 resignation that the test had violated the nuclear deal and contravened UN resolution 2231, which calls on Iran "not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons". However, Iran's foreign minister, Javad Zarif, stated that the country's missiles are "not designed for the capability of carrying a nuclear warhead", but rather "to carry a normal warhead in the field of legitimate defence".
5. White House press secretary Sean

Spicer "falsely accused Iran of attacking a US naval vessel", when actually it was a Saudi ship that had been attacked - and by "Houthi rebels from Yemen, not Iranians".

6. As mentioned above, the US administration has accused Iran of being the world's "biggest state sponsor of terrorism".
7. New sanctions have been imposed on Iran by Trump.
8. Despite Trump's defence of Vladimir Putin, US ambassador to the UN Nikki Haley has condemned Russia, which is in a "binding military alliance" with Iran.
- 9: China is also in a "binding military alliance" with Iran, and Beijing has also "been on the receiving end of some threats".
10. Steve Bannon has even claimed there will be war with China "in the next five-10 years", according to Globalresearch.
11. The US, along with the UK, France and Australia, have "conducted a joint naval operation named Unified Trident just off the Iranian coast".

All this indicates that "the long-held agenda of initiating war with Iran is speeding up under Trump", states Globalresearch's Makia Freeman.

Of course, all this could change in the next couple of days. If Republicans as well as Democrats continue demanding an inquiry into the reason's behind Flynn's resignation as national security advisor, and into allegations that members of Trump's team had been in regular contact with senior Russian intelligence officials during the presidential election campaign, the US president might be forced to delay any moves against Iran. On the other hand, he might not want to disappoint Israeli prime minister Binyamin Netanyahu, who is currently on an official visit to Washington. He might well announce new sanctions against Iran, paving the way for more confrontation.

May election

Meanwhile, inside Iran itself, the southern province of Khuzestan has just suffered one of the worst dust storms seen in recent years. The thick plume of dust and sand forced officials to cancel 10 flights leaving Ahvaz airport, as the field of vision had been reduced to a mere 50 metres, according to Kourosh Bahadori, Khuzestan's chief meteorologist.

The citizens of Ahvaz, the provincial capital, who are clearly frustrated by the inability of successive governments to improve the environment and deal with the effects of dust storms, took part in a large demonstration on February 11. However, despite the looming presidential elections, the government does not appear too concerned about such protests.

Hassan Rouhani is standing for

re-election as president in May 2017, but the promise of economic prosperity following the nuclear deal with the P5+1 countries now seems a distant dream. US banks and financial authorities have kept in place many of the sanctions imposed on Iran, while uncertainty about the new administration's attitude towards the nuclear deal has deterred many European countries from investing.

Then, of course, adding insult to injury, Trump issued a ban on Iranians visiting the United States. Of course, the ban was rejected by the US courts, but no-one believes this is the end of the story. The US administration is preparing new immigration legislation and there are rumours that by adding Iran's Revolutionary Guards to the list of 'terrorist organisations', the ban on Iranians visiting the US will become permanent. The Revolutionary Guards run large sections of the state and the economy in both the public and private sector, which means that most Iranians would be affected - irrespective of whether they are aware of it or not, many work for or are connected with RG companies and institutions.

From the day he took office in 2013, Rouhani insisted that reaching agreement with the west on Iran's nuclear programme would solve the country's economic problems and that would produce national reconciliation. When Iran's reformists talk of national reconciliation, as former president Mohammad Khatami has done recently, they mean reconciliation *between the factions of the regime*, although it is often portrayed by sections of the media as reconciliation between the state and Iran's various nationalities. No-one denies the existence of these divisions - between both the two factions of the regime and between the state and the people - especially after the protests of 2009. Unfortunately for Rouhani and foreign minister Zarif, however, they have no powerful allies within the moderate factions of the regime and that is why Rouhani's re-election as president was in doubt even before Trump took office.

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Notes

1. www.washingtonpost.com/politics/how-bannons-navy-service-during-the-iran-hostage-crisis-shaped-his-views/2017/02/09/99f1e58a-e991-11e6-bf6f-301b6b443624_story.html?utm_term=.f0a4451eb44f.
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