

Get Out!! AGAINST PENAL-CLAUSES...

WHAT IT IS ABOUT

(in The Australian 19/5/69)

Two sections of the Commonwealth Conciliation and Arbitration Act - 109 and 111 - are at issue. If a union strikes, or is believed to be contemplating a strike, an employer can apply for an order to stop the strike.

A clause banning strikes is inserted into the awards for as long as the court decides. If such an order is defied, a union can on the application of any employer, incur fines of up to \$1000 for each day of strike.

If the court finds a union official has committed contempt of court by urging his members to defy the ban, it can fine him up to \$400 or goal him for up to 12 months. Contempt of a bans clause includes a restriction of work such as a work to regulations strike.

Mr. O'Shea was goaled under Section 184, which provides penalties for union officials who refuse to appear in court, answer questions on union affairs, or provide information on union finances.

STRIKE NOW AGAINST THE PENAL CLAUSES!

Hundreds of thousands of workers are out on strike in solidarity with Clarrie O'Shea. Their demand is for the repeal of the Penal Clauses of the Arbitration Act.

WHY THIS DRASTIC ACTION!

The Penal Clauses of the Arbitration Act are the most vicious and repressive anti-strike legislation operating in any industrialised country today. They represent a crippling burden on the Unions and a direct attack upon the right to strike.

Although the Trade Union movement has been almost unanimous in its opposition to the Penal Clauses, this opposition has, to date, been expressed only by verbal protests. Now, through the courageous defiance of Clarrie O'Shea the more militant unions have decided to make a stand. O'Shea's courage, and his union's firm resolve to carry through this vital struggle receive our highest admiration. He stands beside John Zarb and other young opponents of the bloody Vietnam War who have also been imprisoned because of their defiance of an unjust and immoral law.

All the way with **CLARRIE O'SHEA.**

WE MUST SMASH THE PENAL CLAUSES

Continued protest stoppages of 4 hours to 24 hours are not enough. The full strength of the Labour Movement must be aroused to smash the penal clauses and confront the unequal and repressive nature of the existing arbitration system. Trades and Labour Councils in Queensland, and South Australia, and in Newcastle, Canberra and Wollongong have given a lead in calling 24 hour stoppages. When will the N.S.W. Labour Council act? We cannot afford to wait for A.C.T.U. action.

The A.L.P. leadership has also been strangely silent throughout this dispute. When will Whitlam and Hills, who call themselves the leaders of the Labour movement, make their stand behind Clarrie O'Shea and declare their support for direct action against the Penal Clauses?

A NATIONAL STRIKE!

Now is the time for an unlimited National General Strike. "Rolling strikes" cannot break the penal powers but no government could survive a National Strike. This must be the demand of rank and file unionists - a National Strike. Where union leadership proves too slow to act or too cautious, Action Committees must be formed of all unions on the job to carry on the struggle. Although the Universities are in recess, militant students will still take part in all demonstrations in solidarity with Clarrie O'Shea and the rank and file of the unions. Workers and students will act together in a National Strike to destroy the repression of the Penal Clauses.

OUR DEMAND: THE REPEAL OF THE PENAL CLAUSES OF THE ARBITRATION ACT.

OUR WEAPON: A NATIONAL GENERAL STRIKE AND MASSIVE WORKER-STUDENT DEMONSTRATIONS.

"UNDER A GOVERNMENT WHICH IMPRISONS ANY UNJUSTLY
THE TRUE PLACE FOR A JUST MAN IS ALSO A PRISON."
- H.J. THOREAU

Published by the REVOLUTIONARY ACTION CENTRE and authorised by:
Paddy George, Young Socialist League; Denis Freney, Secretary,
Revolutionary Socialist Alliance.