



Special feature: Education in crisis

Pages 4-5



Know your rights: The right to strike

Page 6

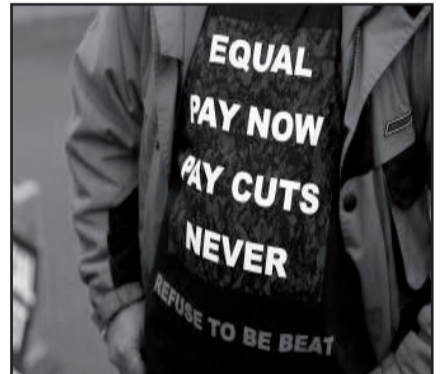
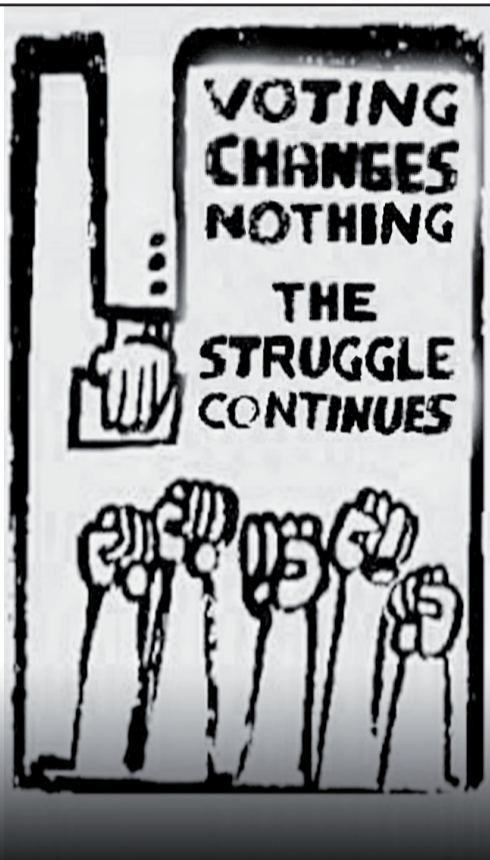
FREE/DONATION

Catalyst

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UK Section of the International Workers' Association



Refuse workers clean up again

Page 2: Leeds refuse
workers beat back cuts



Vote for change?

It's election season again. It's a time of photo-ops and promises, manifestos and controversies. But behind the endless announcements, allegations and denials, is anything really at stake? After 13 years of Labour government, many people want a change. The economy on which Gordon Brown staked his reputation as Chancellor has nosedived on his watch as Prime Minister.

It's true that Labour can't be singled out for blame for the recession. Its underlying causes stem from the very nature of capitalist economies and their tendency to boom and bust. However having boasted of 'no more boom and bust', Brown certainly has egg on his face.

Labour's only serious rivals are David Cameron's Conservatives. The Liberal Democrats largely exist to persuade voters the British system offers more meaningful choice than the US two-party system, while fringe parties like the Greens and the BNP function as a protest vote for left and right

respectively. So what do the Tories have to offer?

Many commentators have commented that David Cameron seems to have modelled himself on a young Tony Blair, and much like Blair's New Labour project the Tories are like all opposition parties promoting themselves as the party of change. However on the face of it there is little between the two main parties.

Gone are the days when there was at least a semblance of ideological difference between parties. We now have 'post-political politics', where parties compete how best to manage the society which is taken as the natural order of things. Consequently, an economic crisis stemming from a very specific growth-driven, profit-led system and deregulated banking has been treated as a natural disaster.

Thus the main spats between Labour and Conservatives have centred on the technicalities of when and not if to take the axe to public services, impose pay freezes and cut benefits for the unemployed and vulnerable. Groups of

economists have publically lined up behind each party, and so the election becomes a 'choice' between whether we want massive cuts or... massive cuts, a few months later.

Labour's position is that the cuts must be gradual but severe, with public expenditure cut by up to 13% over three years. This they argue is necessary so that the supposed economic recovery can continue. However the Tories say this is too slow. While agreeing on the extent of the cuts, they say government spending must be slashed sooner so as to avoid a Greek-style debt crisis.

But what is taken for granted by both parties is more revealing than where they differ. Both parties assert that the economy is recovering. But while bankers bonuses have already returned in all their six-figure glory, most workers thrown out of work by the recession are still scraping by on £64/week dole and home repossessions have reached record levels.

Both parties assert that cuts to public services, wages and benefits are inevitable. But it's conveniently

forgotten that the rich-poor divide has been growing for decades and that in Britain today the richest 5% of the population own 60% of the wealth. The real choices are those we won't be allowed to make at the ballot box. Whoever gets in, the result is already in: ordinary people will be made to pay for a crisis we didn't create.

With so little real choice on offer at the ballot box, is it any surprise that election turnout continues to fall? Some such as the Power Inquiry note "widely shared concern over declining electoral turnout" and seek "to reverse the trend." But workers have already been bypassing the political process altogether. A string of strikes and occupations have successfully fought pay cuts and improved redundancy terms, and there looks to be more of the same on the horizon.

Judging by Labour's remarkable achievement of creating over 4,000 new laws in their time in office, perhaps there's truth in the cynic's saying that 'if voting changed anything, they'd make it illegal.'

Telling lies about weather

Page 3: Behind the attacks
on climate change science



Net pirates

Page 7: Why is the
government so keen to pull
the plug on file sharing?

International news...



Fighting for the right to organise

Across the world, other sections of the International Workers Association have been fighting state attempts to repress workers organisation.

In Serbia, in a dramatic turn, six Serbian activists, known as the Belgrade Six (for more details, see Catalyst #22 - available at <http://www.solfed.org.uk/docs/catalyst>), were released on bail on the first day of their trial on February 17th. The Six had been charged with the serious offence of "international terrorism" in a move widely seen as an attempt by the Serbian state to undermine workers' organising.

As we go to press they are due back in court on April 23rd, and will now face lesser charges. Four of the six are members of the Anarcho-Syndicalist Initiative, our Serbian sister organisation and the campaign to support them will be ongoing. Meanwhile, in Berlin's Mitte district is an art-house cinema called Babylon. The working conditions there were awful, so workers joined the Freie ArbeiterInnen-Union (Free Workers' Union; FAU) in January 2009. They chose the FAU because it's a union where their voice is heard, that acts with its members' interests in mind and which had already helped one of their colleagues.

After a turbulent start, FAU presented a contract to the bosses. The bosses ignored it, then refused to negotiate. FAU launched a boycott. The bosses then signed a sweetheart deal with ver.di (a giant German union which had virtually no members at the cinema).

When FAU didn't give up, the bosses took



Refuse workers trash wage cuts

Following on from the attacks detailed in last issue of Catalyst, refuse workers in Leeds and Brighton have won significant victories defeating attempts to slash their pay under the twisted logic of 'equal pay'.

In Leeds, following a mass meeting at which 79% of the GMB and Unison members voted to accept management's offer, the 11 week Leeds City Council bin strike ended on 24 November 2009 when victorious bin crews and street cleaners marched back to work at Cross Green and Yeadon depots. The workers had gone on strike on September 7, sparked by a new union-negotiated pay and grading structure agreed under the auspices of the NJC Single Status Agreement, that entailed loss of bonuses and weekend rates leaving them facing a massive £4,500 cut to their £17,500 annual pay. Having gone on strike initially

in defiance of their national unions, the strikers (who made their decisions at mass meetings) succeeded in forcing management to negotiate - despite council leader Brett originally saying that he would not - and ultimately defeated the plans to slash their wages. The deal however involves "efficiency and productivity

them to court and got the boycott banned, and then got FAU banned from calling itself a union, or even a grass-roots union. There have been protests outside German embassies all over the world in support of FAU and their struggle continues.

This dispute also offers a lesson for those who think that electing better politicians will improve things. The cinema is backed by the Berlin government, which includes the socialist Left Party, who have been as keen as mustard to stop workers organising themselves in FAU while backing the top-down boss-friendly union ver.di.

For more information on these cases, see detailed articles in Direct Action #49 - Magazine of the Solidarity Federation, available from www.direct-action.org.uk



Greek cuts prompt general strikes

Greece has been swept by a strike wave after the government announced austerity measures described by trade unions as a "declaration of war". The measures include a pay freeze, public service cuts and an increase in the retirement age. They have been described as the most severe cuts since the collapse of the military dictatorship in 1974.

The 16 Euro-area countries and the International Monetary Fund have agreed a bail-out for Greece in return for massive cuts to public spending. Consequently the Socialist government is keen to shift the costs of the crisis onto ordinary Greek workers.

Greek workers however have other ideas. As soon as the measures were announced in February, employees of the Ministry of Economics - the very Ministry responsible for implementing the measures - launched a 48-hour strike. Tax collectors and customs officers also walked out on a spontaneous 48-hour strike, halting all tax-office transactions and controls as well as freezing import-export activities.

Subsequently, a general public sector strike was declared involving all workers from customs officials to pharmacists. Hospitals were only accepting emergency cases while customs strikes have caused petrol shortages across the country. In addition to public sector workers, farmers have been blockading border crossings and major junctions while taxi drivers have been striking in the capital Athens. A second general strike soon followed, resulting in the closure of airspace to all flights, trains and ferries standing idle, and archaeological sites shutting.

All eyes are on Greece as the austerity measures being implemented there are likely to be replicated at least in part in most countries. Former International Monetary Fund chief economist Simon Johnson has described the leading G7 economies as "fundamentally useless" and said that Britain should be seen in the same category as Greece unless the budget deficit is halved in the next four years.

rejected "final offer" made in week six of the strike). The average figure in neighbouring local authority areas is 181.

Local government refuse workers in Bradford and Sheffield agreed deals shortly after the strike was settled, averting expected strikes in those cities. In Bradford the evolving deal appears to involve regrading jobs in order to scrap bonuses, with some workers expected to gain and some to lose.

In the words of one council cleaner disgruntled by union deals over equal pay "Some bin workers and street cleaners are being screwed and women cleaners are being treated like peasants".

Meanwhile, in Brighton workers needed just two days of solid strike action to bring the council tumbling down. Despite all of their sabre rattling throughout the summer, the council was ill-prepared for the resolve of the workers, and how

solid their action would be, or for the level of support the Cityclean workers would command.

Both of these victories demonstrate that the only way to defeat the cuts being forced upon us is by standing together and fighting for our needs. When action is solid, even the most obstinate of employers can be quickly forced into a retreat.



Climate of confusion

Scandals, snow and sowing the seeds of doubt

Since the failure of the 'last chance' COP-15 talks in Copenhagen in November, global warming has become a hot topic. Surveys show that public opinion has swung significantly against the consensus of man-made climate change. So just how has fact turned to doubt?

'CLIMATEGATE'

The leaked email scandal focussed on scientists at the University of East Anglia discussing a "trick" to "hide the decline" in temperatures. This was hailed as a smoking gun by 'climate sceptics' proving a conspiracy behind global warming.

Because temperatures have only been recorded for the last 130 years, scientists looking at long-term climate need to use other clues as to what the world's temperature was like thousands of years ago. This is known as 'proxy data'.

PROXY MYSTERY

Up until the last 30 years, the proxy data closely matched the recorded temperatures. Then suddenly recorded temperatures began to rise while proxy temperatures actually began to fall. The reason why is still a mystery.

This is the 'fall' in temperatures at the centre of the 'climategate' scandal. But we know the measured temperature readings are the correct ones. The 'trick' simply referred to which method to use to disregard the recent proxy data which is known to be inaccurate.

THE BIG FREEZE

Several papers' front pages suggested the blizzard conditions that swept Britain at the start of the year made a mockery of global warming. But weather - the localised day-to-day changes in temperature, wind, rainfall etc. - is not the same thing as climate - the long term trends over a whole region. If snow in January disproves global warming, sun in July must prove it. Neither is the case.

In actual fact, it was the hottest January on record since monthly records began in 1979, while 2009 was the second hottest year in the northern hemisphere since records began 130 years ago, according to actual recorded temperature readings. It was also the hottest year ever recorded in the southern hemisphere.

SCIENCE, NOT GOSPEL

While the snow fell, critics of the scientific consensus were going over the benchmark

Home repossessions hit 14-year high

The number of people who had their homes repossessed reached a 14-year high in 2009, figures have shown. In total 46,000 homes were repossessed as homeowners fell behind on mortgage repayments during the recession. The housing minister John Healey played down the reports, saying "repossession is a permanent feature of our system." Healey claimed £144,000 in second home expenses last year before selling the property for an £88,000 profit.

IPCC report with a fine-toothed comb. Some embarrassing errors were discovered, such as a typo putting the date for the disappearance of a Himalayan glacier at 2035 not 2350, and some sloppy referencing that should have never made it into a flagship United Nations report.

Perhaps more worryingly, these errors either weren't picked up at peer-review or weren't subject to peer-review at all. Certainly, this damages the authority of the report. But contrary to the popular image of boffins in white coats, science is not about arbitrary pronouncements from authority figures but trying to come up with the best explanations for the available evidence.

The IPCC report does contain errors. However, once again the underlying data remains sound. And the key conclusions of the report are not in any serious doubt:

"Warming of the climate system is unequivocal" and "most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic [man-made] greenhouse gas concentrations."

A CLIMATE 'WEDGE'?

The efforts to discredit the scientific consensus on climate change bear a striking resemblance to the efforts of Christian fundamentalists to get 'intelligent design' taught alongside evolution in science classes. An infamous leaked strategy document from the creationist Discovery Institute declared that they sought "nothing less than the overthrow of materialism [evidence-based understanding]."

This medieval scheme is pursued with 21st century public relations techniques. The 'Wedge' strategy aims to create an impression of scientific debate where in fact there was none. The idea was to muddy the waters so much that they could turn to the public and say that they weren't clear.

Sadly the 'teach the controversy' strategy has had considerable success in the US, and has even started to spread across the Atlantic. But in the case of climate change, it is not just the scientific consensus which is being questioned but government pronouncements.

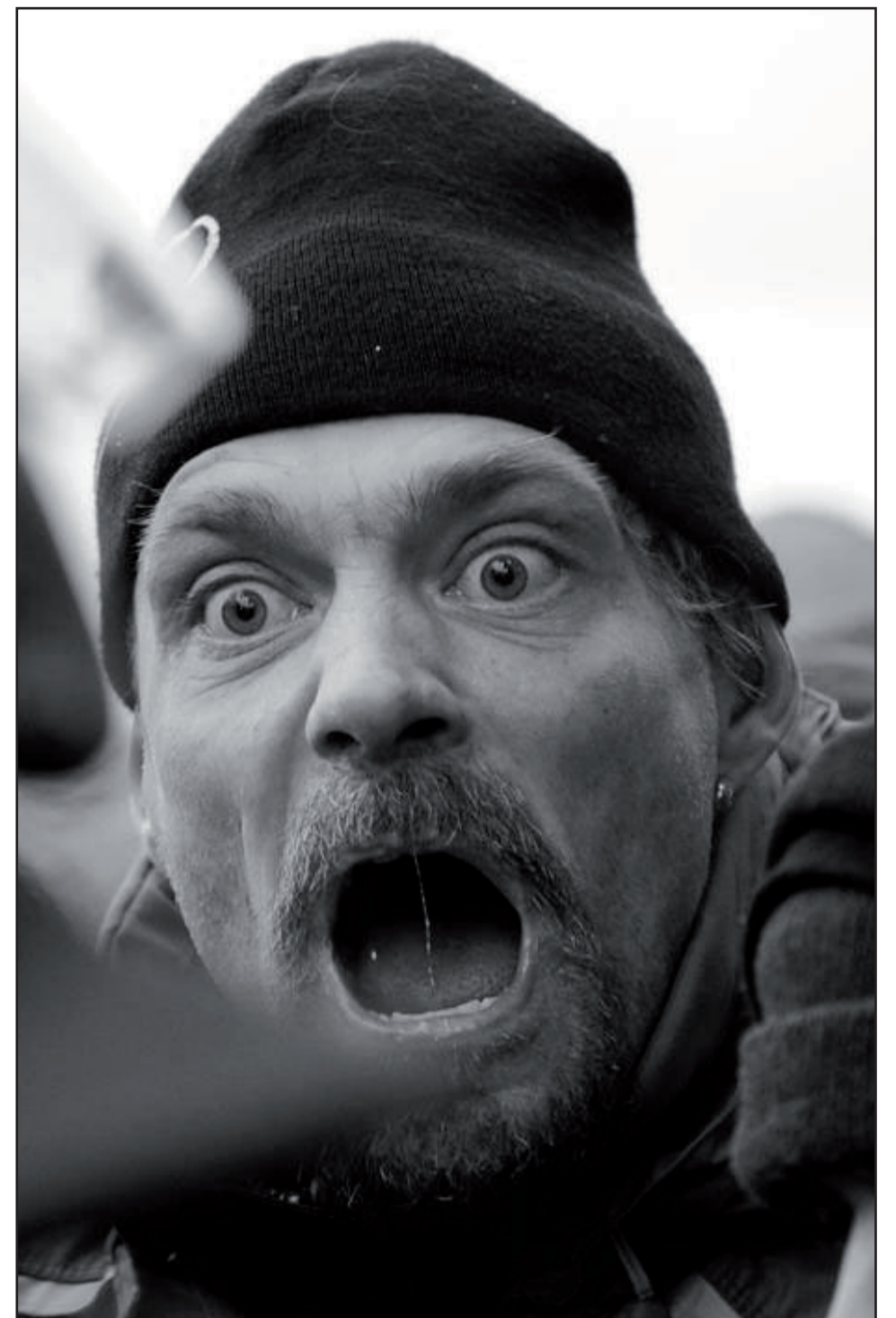
When politicians lie about everything from Iraqi WMD to their expenses claims it becomes very difficult to believe anything they say about anything at all. The case of climate change is one of the boy who cried wolf - having lied about everything else the government finds a sceptical audience when they, for once, actually have evidence on their side.

AFTER COPENHAGEN

The COP-15 talks failed to produce meaningful results due to a fundamental

Ego academy

Millionaire Rod Aldridge has renamed the former Falmer High School in Brighton - after himself. The school will now be known as the 'Brighton Aldridge Community Academy'. Under the Labour government Aldridge oversaw massive growth of the outsourcing specialists Capita Group Plc, who benefited from lucrative public sector contracts. However he resigned as chairman in 2006 after revelations of a secret £1m loan to the Labour Party.



ANGRY: a protester confronts police lines at the COP15 Climate summit

contradiction between the endless economic growth required by a capitalist economy and the principle of ecological sustainability. There is a close relationship between the size of an economy and its greenhouse gas emissions, for reasons which are easy to imagine. The more wealth, the more production and consumption, processes which are currently based on cheap, greenhouse-producing fossil fuels.

Despite the lack of any binding global agreement, there will be moves to address climate change for the simple reason business as usual won't be able to continue as usual if the planet keeps warming at the rate it is. However, as long as the response to climate change is dominated by governments and corporations it's easy to imagine who will pay for it - us.

Their solutions will be 'green' taxes and pressure on consumers, most hurting those with the least money and so the least consumer choice. But much like the

economic crisis, climate change is not caused by ordinary people but by an economic system that since the industrial revolution has been getting away with literally dumping the environmental costs of its business onto the rest of us and pocketing the profits.

So there is another possibility, a response to climate change not led by governments and corporations - who have after all shown themselves incapable of agreeing on anything anyway - but a response from below led by ordinary people, putting direct pressure on the sources of pollution - profit-driven production and growth-led government policy.

Faced with this possibility, CEOs and politicians would surely rather we believed they'd made it all up anyway to invent some new taxes. That might explain the millions of pounds being spent to create unreasonable doubt about the Earth's climate. If we don't want to pay, we'd better not be fooled.

Another drug advisor resigns

A seventh member of the government's Advisory Council on the Misuse of Drugs resigned in April claiming that scientific advice was being over-ruled by political pressure to appear 'tough on drugs' in the run-up to the election. Eric Carlin, the latest member to resign said "what we fundamentally need to do is get to the root causes of why it is that our 14, 15-year-olds are getting off their faces."

Benefits loss suicide bid

People with serious mental health problems are being wrongly classed as 'fit to work' as a result of Department of Work and Pensions assessment criteria. In one case in Scotland a man with a history of depression and self-harm took an overdose on having his claim rejected. Susan McPhee, head of social policy at Citizens Advice Scotland said "the system seems to be aimed at just reducing the number of claimants, regardless of the needs of the individual, or of the detailed medical evidence."

Battleground: higher education

Universities first to feel the force of massive public sector cuts

Higher education is at the forefront of sweeping public sector cuts as the government looks to pass the costs of the economic crisis on to students and workers. The Department of Business, Innovation and Skills which now oversees education have already confirmed at least £500m in cuts. Lord Mandleson, who heads the department has gone on record as saying that "much of the rest of the public sector will face similar constraints this year or soon after."

But for now, education is the battleground. With the rich-poor divide now greater than the 1970s, many sense that the cuts are driven as much by pre-existing schemes for restructuring that simply use the recession as their pretext. Certainly, the absorption of education into Mandleson's business-oriented super department suggests this, as does the fact that at several universities the restructuring plans predate the economic crisis they're supposedly responding to.

But the cuts, restructuring and the very idea that the costs of the crisis should be borne by those who bear no responsibility for causing it are not going uncontested. While Mandleson and managements are planning year-on-year cutbacks, there is growing resistance from students and workers across the country...

SUSSEX UNIVERSITY ON THE FRONT LINE

Late last year management announced 115 redundancies at Sussex University as part of plans to cut £3m from this year's budget and £5m from next years. Students and staff reacted with occupations and strike action and by the end of the Spring term there was a burgeoning mass movement on campus openly defying both university management and the High Court, who had granted an injunction banning "occupational protest".

The first signs of student-worker unity were seen last December when a mass meeting of students and staff drew 300 people to listen to students and trade unionists talking about the cuts. After Christmas a student-led anti-cuts campaign began holding regular demonstrations.

In February, one such demonstration led to a 24-hour occupation of a conference facility on campus that management use to generate income from external clients. The following month students further upped the stakes, occupying the Sussex House offices of the Vice Chancellor's Executive Group responsible for the cuts. During the occupation, word came through that a record 81% turnout for a UCU ballot, university staff had voted 76% in favour of strike action.

Sussex House was supposedly made impenetrable with two layers of security doors after previous student occupations. Management's reaction was immediate. The University Registrar and Secretary John Duffy fabricated a hostage situation, providing the pretext for a heavy police presence equipped with dogs and riot gear. Police were caught on film carrying out unprovoked assaults on some of the 200 supporters who had gathered outside the occupation.

Seeing the escalating situation, the occupiers elected to leave on their own terms. However management weren't finished. The Vice Chancellor personally singled out six students involved in the occupation and used a little-known executive power under University rules to suspend them immediately without giving a reason. They became known as the 'Sussex Six'.

It also transpired that while the occupation was in progress, management were presenting a pack of lies to the High Court in order to get an injunction granted prohibiting "occupational protest." Two of the more glaring fictions were John Duffy's claims that the occupiers were "holding key members of the University's staff hostage" and "causing significant damage to the University's property."



FRONT LINE: police push back protesting Sussex students

The actions of the police and management drew condemnation from staff and students. The UCU union unanimously passed a motion expressing "deep concern at the disproportionate response of management to the occupation of Sussex House" and calling for the lifting of the suspensions. Students responded by calling a mass demonstration that drew around 500 students and staff – double the size of recent demonstrations.

It was explained to the crowd that any occupation was now contempt of court and could lead to imprisonment. Hundreds of students then sprinted across campus

ahead of security and occupied a large lecture theatre adjacent to the central library square. The demand of the occupation was a simple one: unconditional reinstatement of the Sussex Six.

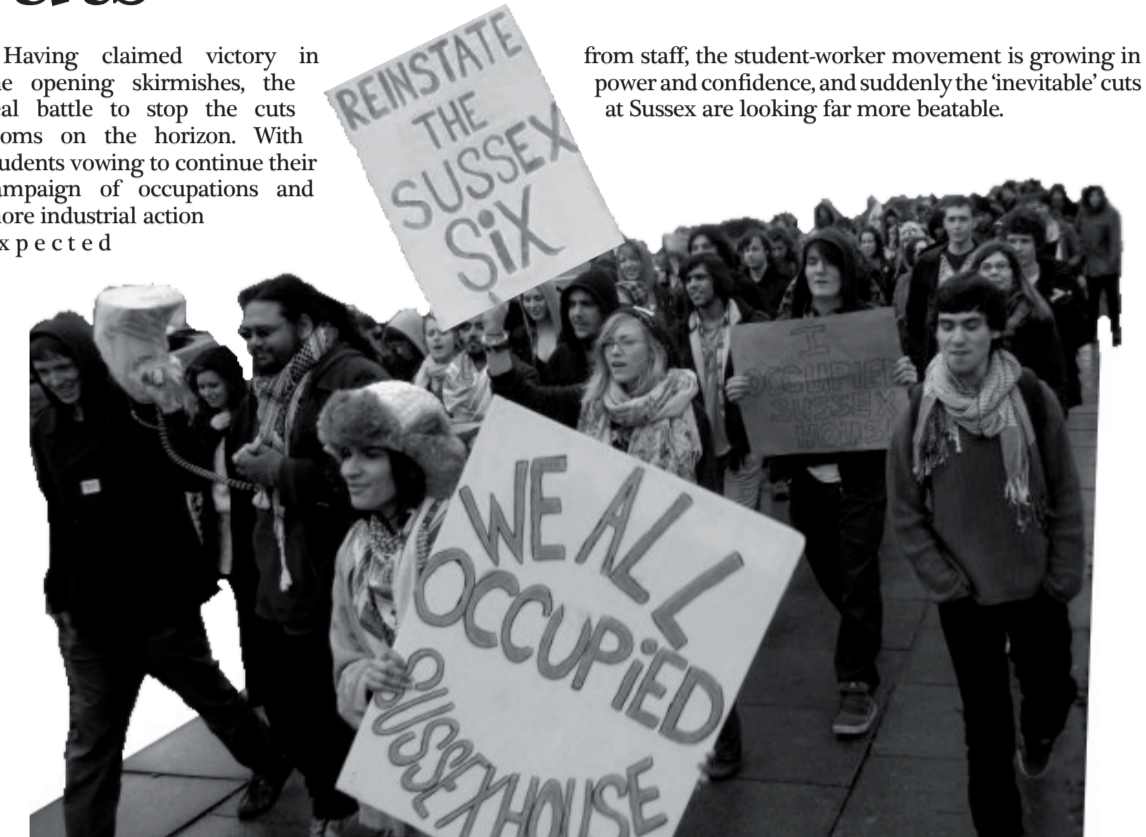
Management continued to ignore the demands and over the course of 8 days students arranged a program of teach-ins, lectures, seminars, music and poetry. Many academic and support staff came and spoke to each other and to students. It is estimated at least 1000 people passed through the occupation during the week, all breaking the High Court injunction. There was not a police officer in sight.

On the eve of UCU's one-day strike, students called an Emergency General Meeting of the Students Union to pass a motion of no confidence in University management. 850 students packed into the hall, with up to a hundred more turned away. The EGM voted near-unanimously in favour of the motion. Later that day the University Senate also called for the re-instatement of the suspended students.

The following day students joined UCU picket lines from 7am. In the early afternoon, it was confirmed that management had backed down and unconditionally re-instated the Sussex Six. The occupation ended - victorious.

Students and staff at Sussex have shown the power of direct action – in this case occupations and strikes – to pressure management into embarrassing u-turns. In itself, this is an example for students and education workers everywhere.

Having claimed victory in the opening skirmishes, the real battle to stop the cuts looms on the horizon. With students vowing to continue their campaign of occupations and more industrial action expected



from staff, the student-worker movement is growing in power and confidence, and suddenly the 'inevitable' cuts at Sussex are looking far more beatable.

Massive cuts are planned to higher education across the UK as the Government looks to pass on the costs of the economic crisis. In some places resistance from students and workers is in full swing, and there have been some minor victories already.

Northern England

Bolton University (70 job losses)
Manchester Metropolitan University (127 job losses)
The Manchester College (300 job losses)
University of York (103 job losses)
Hull University (300 job losses)

Midlands

University of Wolverhampton (250 job losses, £8m cut)
University of Warwick (48 job losses)

Southern England

University of Sussex (115 job losses, £3.5m cut)
University of Brighton (Creche to close)
University of Gloucestershire (99 job losses, £3m cut)
University College Falmouth (52 job losses)
University of Reading (160 job losses, £10m cut)

London

Imperial College London (63 job losses)
London College of Communication (63 job losses)
King's College London (390 job losses)
University of the Arts London (300 job losses)
London Metropolitan University (550 job losses)
University College London (400 job losses, £20m cut)

Northern Ireland

Queen's University Belfast (330 job losses)

Scotland

University of Stirling (194 job losses)
University of Strathclyde (140 job losses)
Heriot-Watt University (25 job losses, £3.5m cut)
University of Aberdeen (cuts tbc, but students have already occupied against them)

Wales

Bangor University (40 job losses)
University of Wales, Lampeter (40 job losses)

All data from www.stopthecuts.net – a resource for education workers and students to network, share the latest information and co-ordinate resistance to the cuts.

At the sharp end: education workers speak out

Catalystspoketoeducationworkersacross all grades at universities throughout the country. In some cases the particular institution is not mentioned to protect the anonymity of the workers involved.

A CLERICAL SUPPORT WORKER

Voluntary redundancies are being sought in the School of Life Sciences, School of Social and International Studies, and Corporate Services. Vacant posts are not being filled and existing staff are expected to work harder. People are obviously afraid for their jobs. We are demoralised and angry, although there is no talk of resistance from the unions, who are just representing affected members on an individual basis rather than balloting members for industrial action.

A POSTGRADUATE RESEARCH STUDENT

The pressure lecturers are under in face of coming cuts, especially with regards to getting publications for the Research Assessment Exercise and its new version the Research Excellence Framework has meant that they are willing to cut corners to tick boxes, just to keep their jobs. In my own experience, they'll attach their names to work they've not written an inch of if it's by postgrad students, or even knowingly plagiarise work by their own students. Given the pressure the structures in place put them under, it definitely puts these practices in context. The coming cuts can only exacerbate this. The whole structure of HE and the fear workers are under threatens to undermine the integrity of academia altogether.

A PORTER

At the University of Manchester management are preparing the ground for future cuts. "Team Briefing" are being circulated which hammer home the message that money is short and that there will be cutbacks. Vacancies have been frozen which means that already overworked staff have to take on extra duties. Among the manual grades, management have started to cut

overtime and other enhancements. Basically, they are starting to cover out of hours work with private contractors. This means a massive cut in wages for manual workers who have traditionally depended on overtime to boost pay. And we know this is only the start. Unless action is taken to defend jobs, increasing numbers of manual jobs will be farmed out to the private sector.

A LECTURER

In Leeds, the UCU has voted to suspend the proposed 3 days of strike action. The decision was taken after management lifted any immediate threats of cuts and agreed that in future they would go through agreed procedures before implementing cuts. They have also guaranteed that there will be no compulsory redundancies until 2011. It is disappointing that the strike was called off as the threats of cuts and redundancies has only been lifted with no guarantees that management will not attempt to implement them at a future date. On the plus the campaign has radicalised workers at Leeds and it has also strengthened workplace organisation. This may prove a decisive factor in opposing any future attempts by management to impose cuts at the university.

A SUPPORT WORKER

We look after the audio-visual equipment in well over a hundred teaching rooms

across campus. We barely have enough staff to cover the rooms at present, but one out of our group will be made redundant. Recently our administrator did a comparison with other universities' A/V depts and we were very near the bottom of the staff/room ratio. A major part of our job is to fix problems as they occur in lecture theatres and seminar rooms with a very fast turnaround. If our team is cut, teaching may suffer if we do not have enough trained technicians to deal with problems immediately.

A senior manager has come to us several times to ask what services we can drop. This seems to us to be a pretty disgusting way of using us to justify getting rid of one of us, so we constantly refuse to do it.

A RESEARCH SCIENTIST

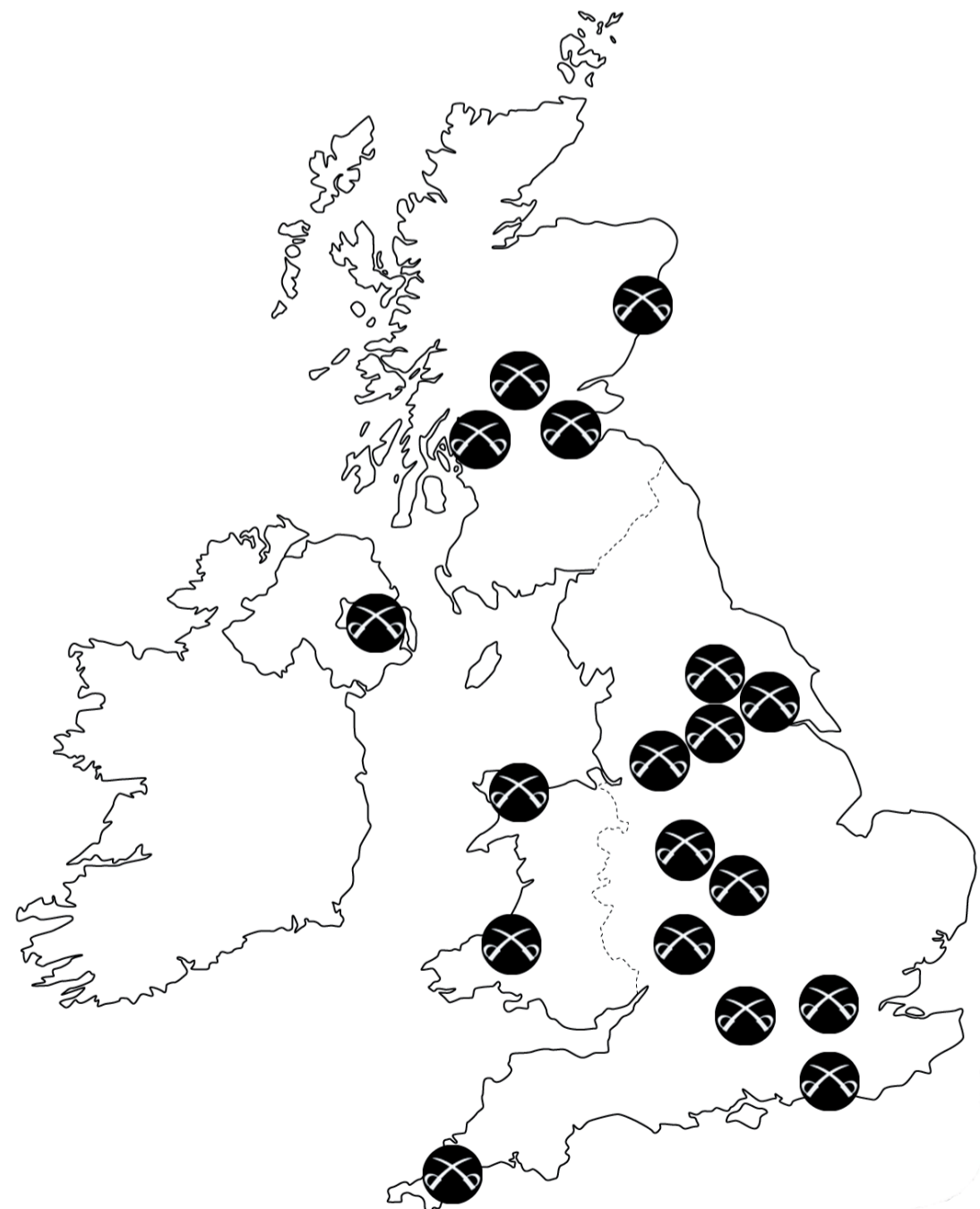
My contract is coming to an end soon and I'm waiting to hear if my boss gets his research grant renewed – but competition for funding is now worse than ever. The budget cuts in the next few years are going to be brutal: the elite labs, with the help of the 'old boys network' will make sure they keep most of the funding, the least competitive labs don't stand a chance, and everybody in between will have to engage in a brutal struggle for survival. Of course the lab heads pass on all this pressure to us, who need to produce the scientific results for publications and grant proposals.

A LECTURER

At Liverpool Hope people in one department were made to re-apply for their own jobs recently. Staff cuts followed. The union response was ineffectual - a lunchtime pavement protest (wouldn't want to generate any real pressure to defend jobs, would we?).

SUPPORT STAFF

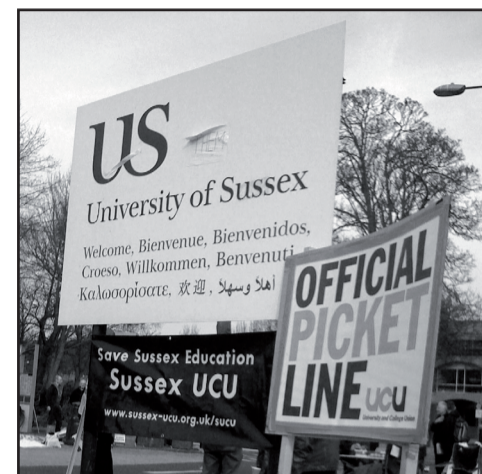
At Salford, cuts have already been implemented as part of 'Project Headroom'. A lot of posts were lost, but without official compulsory redundancies. There has also been substantial restructuring of central units in recent years ('Deciding the Future/Realising Our Vision') when all staff had to apply for new posts; this process is still not completed. As part of both processes staff 'retired' or took voluntary redundancy when it became clear there was no position for them - payouts were better for those who jumped. The official line is 'no future cuts', but we await to see how evenly the government share out the announced cuts in teaching funding mechanism. As previously not announced, using criteria that are not decided. Also it being an election year, medium term planning in HE is about guessing who will win and what they will do rather than what they say they will do.



www.stopthecuts.net

Know your rights

The right to strike



In the UK you have the right to strike, but only if certain legal conditions have been met. One of those is that the action has been approved by a certified trades union and is "official", so you are at the mercy of the union bureaucracy.

If you don't work for a period you don't expect to be paid. If you quit a job you would at least get paid for the work you had done; and you wouldn't expect fines, claims for damages from your boss for lost profits or the threat of imprisonment. If you strike illegally you can face all of those as well as losing your job.

So what do you have to do for a strike to be lawful?

There has to be a trade dispute involving the members of a certified union working in a specific industry, for a specific employer or in a specific bargaining unit. The dispute has to involve their employer, so an industry-wide strike can only be decided upon and supported by workers employed by companies involved in the dispute. If your company settles the dispute you can neither go on strike nor vote to do so even if the dispute continues everywhere else and you would benefit from a successful outcome or suffer from a defeat. For example, Third Sector workers cannot strike in support of, or vote on, any Local Government claims even where these determine their own pay and conditions.

Secondly, the decision to take industrial action has to be made by a ballot or secret vote. The decision to have a ballot would be made by the relevant delegate body for national disputes. For a local dispute a meeting would have to be held which is open to all the members affected. The motion proposing a ballot on industrial action

must be circulated to all those eligible to vote so that they know that a vote is to be held and what that vote is about; and so that they can attend the meeting and vote. The meeting must be open only to those eligible to vote. An attendance record must be kept and identification may be required.

For the motion to be carried and the ballot to go ahead the union's rules must be followed and usually a simple majority is all that is needed. However, factors such as turnout, numbers voting and the size of the majority might also come into play. Aside from the threat of a legal challenge, the union's bureaucracy has to approve the vote and to organise the ballot. They will be influenced by the likelihood of a legal challenge and of the success of both the ballot and the proposed industrial action, their relationship with the employer and their political stance. The best protection against interference is to ensure the best possible attendance at the meeting and to win the argument for industrial action before the meeting so that people will turn up and vote for the motion.

The ballot

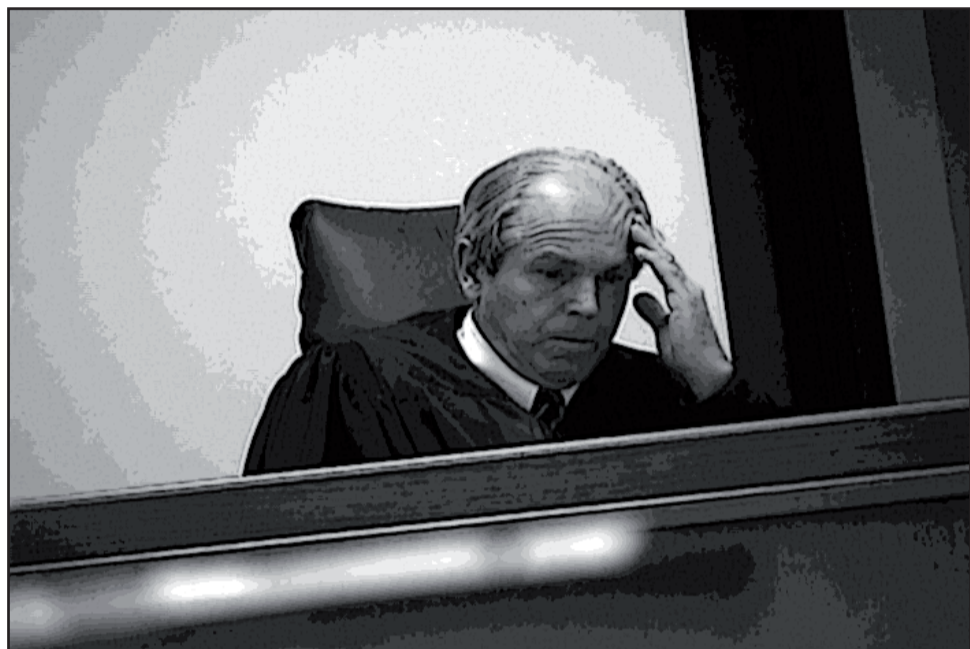
The ballot itself is the key. Membership records must be accurate and up to date. Everyone who is eligible to vote must receive a ballot paper, and no one who is ineligible can receive one. If this doesn't happen, the ballot will be overturned in court if challenged. The recent British Airways strike ballot was overturned because union members deemed unaffected because they had already accepted redundancy packages received ballot papers.

There will usually only be one question on the ballot paper, which will be vague and will simply ask if the member is in favour of "industrial action, including strike action" or "industrial action short of strike action" (such as a work-to-rule, overtime ban or boycott). No period or extent of industrial action will be specified, that is for the relevant union committee to decide and explained to the members before the ballot.

The state deliberately tries to create confusion and apathy among the membership. Low turnouts in ballots mean employers can question their legitimacy and possibly challenge them in the courts.

Issues indispute

The industrial action has to be around a clear issue - a pay claim, of the reinstatement of a victimised union member, of the withdrawal



HEADACHE: solidarity can bypass Britain's notorious anti-strike laws

of redundancy threats - over which the union is in dispute with the employer. Things can get tricky if negotiations progress or if the employer changes its stance. So, a significantly improved pay offer may make the result of the ballot no longer relevant or mean that industrial action is suspended while agreement is sought. Employers can also get an injunction against the continuation of industrial action or even against the validity of the ballot in the changed circumstances. In such cases, either the dispute has to be called off or the action suspended while another ballot has to be held.

Notice

The last condition is notice of the industrial action, which must be at least seven days' for the action to be lawful. Dodgy union officials have been known to call off strikes when employers have said that they have not received notice, such as during the London Metropolitan University strikes last year when UNISON officials called off one strike at the last minute because the employer said that notice had not been received. That might protect the union's corporate interests, and its officials, but if workers strike regardless or unaware that it has been called off they lose legal protection.

So, what can happen if the strike is not lawful?

Workers lose the legal protection against victimisation for trades union activities. You can be sacked for breach of contract. Even if the strike is lawful you will lose pay; if boycotting an activity which constitutes a significant part of your job, you may also have a proportion of your pay withheld.

The basic legal protection unions and their members enjoy is immunity from torts - legal damages. Basically, your boss can sue you and your union, if they have backed unlawful action, for damages for loss of profits, loss of business, damage to reputation, etc. caused by the action. This is why unions and their officials will oppose unofficial action and formally repudiate it - to avoid legal responsibility and damages - regardless of their real attitude towards it. If the action is unofficial action, those deemed legally responsible will be sued rather than the union and its officials.

Worse may follow defying a court injunction. Striking in defiance of one constitutes contempt of court and you can be fined or jailed indefinitely until the contempt is purged. However, the employer will usually have to go back to court to demonstrate that you are breaching the injunction and factors like bad publicity, the dispute spreading, etc. may dissuade them from this. In the '80s four building workers successfully defied an injunction against them taken out by John Laing for picketing its building sites in protest at blacklisting.

If that's legal protection, why bother?

Not everyone is ready for a full-scale confrontation with the law. Real protection comes through strength of organisation and economic clout, and you need the former to get over the hurdles to hold a lawful strike anyway. Once you've got that far, the widest possible participation by members through picketing and other activities will keep momentum going. Winning over non-union members and others continuing to work is crucial and should be based on argument and moral pressure, not abuse or intimidation which will only alienate them. An active strike will give people confidence in themselves and their organisation and empower them in the struggles which will come after the strike. It will also throw up new leaders who renew the organisation and replace those exhausted in the struggle.



Government moves against file-sharing

Lord Mandelson, the business secretary, has warned internet users that the days of free filesharing are numbered as he unveiled the government's plan for cracking down on online piracy by mid-2011. However, leading internet service providers (ISPs) responded by labelling the plans 'unworkable'. Under the proposed Digital Economy Bill, the government would adopt a '3 strikes' policy for people who download films or music without paying, with warning letters escalating to disconnection from the internet. ISP TalkTalk said the plans were "ill-conceived" and said it was prepared to challenge measures "in the courts".

British Telecom and Carphone Warehouse estimate that running the enforcement system would cost about £2 per broadband line per month - a total of £24 per broadband line per year. With 17.6m broadband connections in the UK as

of September 2009, that means it would cost £420m annually to run a system to defeat a problem the music industry complains costs it £200m in potential profits per year.

So-called 'illegal downloading' - which is not actually a crime - happens when people use free software to share music or video files on their computers with others around the world free of charge. Web experts estimate that between a quarter and a half of all internet traffic is attributable to such activity. Copyright-holders groups are keen to paint such non-commercial sharing as "stealing", and have led several high-profile campaigns including the infamous DVD trailer that compares sharing music with stealing somebody's car.

A similar industry campaign was run in the 1980s with the advent of blank cassette tapes under the slogan 'home taping is killing music'. Two decades on and music

is alive and well, while the cassette tape has been replaced by digital mp3 technology. Free sharing does not meet the legal definition of theft and the police only become involved with large commercial piracy operations. The recent collapse of criminal proceedings against the founder of the Oink.me filesharing site has reaffirmed this legal status.

Filesharers have responded to the bill with bemusement, pointing out that it is virtually impossible to tell whether files being shared are copyrighted or not, or even if internet activity is file sharing or not. Next-generation file sharing software is already incorporating security features such as encryption, and free tools such as PeerGuardian allow filesharers to prevent known anti-filesharing agencies from connecting to their computers to gather information on them.

These were among the reasons the government's own 'Digital Britain' report rejected threatening to disconnect filesharers from the internet. However, keen to appease copyright-holders' groups the business secretary has pushed ahead with the proposals in spite of such advice, and despite research that suggests music fans who download for free also spend on average 75% more per year on music than those who only use commercial download services like Apple's iTunes store.

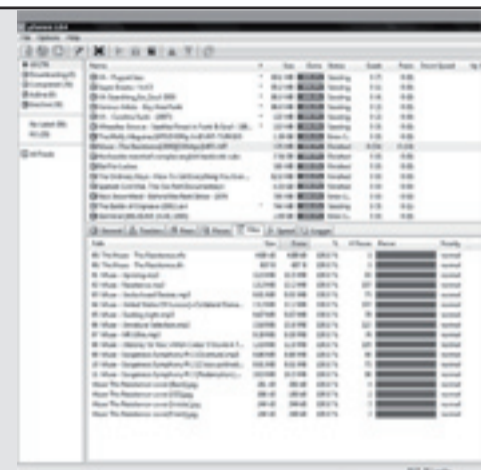
In spite of the proposals, it looks as though free filesharing is here to stay. Recently, high profile artists such as Radiohead have given away their albums for a voluntary donation, while popular bands such as the Arctic Monkeys made their name by making their songs freely available on the internet, creating a loyal following at their gigs long before receiving heavy radio airplay.



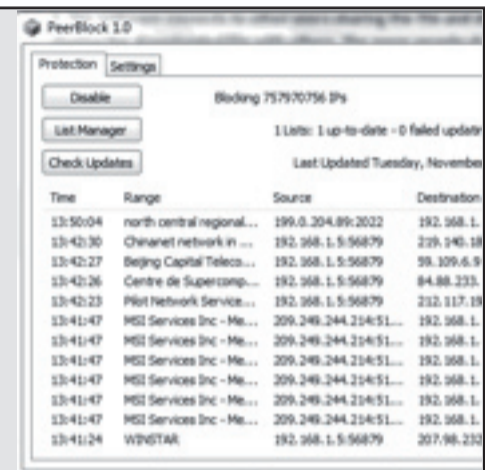
1. User installs a free software 'client' such as µTorrent or BitComet.



2. User visits a 'tracker' website such as The Pirate Bay and downloads a 'torrent' file which points their software client at other users who are sharing the music or film file they want to download.



3. The software connects to other users sharing the file and downloads it, whilst simultaneously sharing the downloaded file with others. The more people sharing, the faster this works. Whole albums can be downloaded in a matter of minutes.



4. For extra security many filesharers use free software such as PeerGuardian or PeerBlock to prevent computers known to be linked to anti-filesharing organisations from connecting to their software client, making it harder to gather information on or identify them.

Your rights at work

Regardless of work status (temporary or permanent, agency, full or part-time) or our contracts of employment, most of us have certain basic rights. These include:

- 1. The right to be told in writing how much and when we are to be paid.**
The Minimum Wage for those over 22 years of age is set at £5.80. For 18-21 year olds it is £4.83 and for 16-17 year olds it is £3.57. For agency workers, wages must be paid on the agreed day, even if the hiring company has not paid the agency.
- 2. The right to at least 28 days paid leave per year.**
Any employment contract should set out leave entitlements. If it doesn't, then 28 days must be given (which can include public holidays). All workers, agency workers, homeworkers, trainees, so-called casuals and most freelancers are included in this. Holiday entitlement starts immediately, e.g. on day 1, we get 2 days leave, and, after 6 months, we get 14 days (for part time workers it is less, and it applies to jobs started since October 2001).
- 3. The right to breaks of at least 20 minutes after each 6 hours of work.**
We are entitled to at least 11 hours' rest in each 24 hours and a minimum of a day a week off. Rest breaks for under 18s are minimum 30 minutes every 4 1/2 hours.
- 4. The right to refuse to work any more than 48 hours each week.**
We cannot be forced to work over 48 hours per week unless we have agreed to it in writing (note that this is averaged over any 17 week period, so we can be forced to do more in any one week).
- 5. The right to sick pay when we are ill.**
We are entitled to statutory sick pay if we

- normally earn over £77 per week and we have been working for over 3 months (or are deemed to have been in continuous employment for 13 weeks).
- 6. The right to maternity/paternity leave when we have children.**
From April 2003, most mothers are entitled to 26 weeks' paid maternity leave and an additional 26 weeks' unpaid leave. To get maternity pay, we must earn over £77 per week and have been working for over 6 months by the time the baby is 15 weeks from being due. For the first 6 weeks, this should be 90% of average earnings, then a flat rate of £100 for 20 weeks. If pay can't be claimed, Maternity Allowance may be claimed from the DSS. Fathers/male partners get 2 weeks' paid paternity leave (subject to the same qualifying conditions as for maternity).
- 7. The right to be free from harassment.**
We are all entitled to a workplace where there is no racial or sexual harassment, bullying, prejudice or discrimination. Agency and part-time workers have the same rights as full-time workers.
- 8. The right to defend ourselves.**
We all have the right to protection from dismissal for asserting our statutory employment rights. We also have the right to join with our fellow workers and organise ourselves collectively, and to join a trade union.
- 9. The right to refuse work that is unsafe or where training is not provided.**
We all have the right to refuse to work if we find ourselves in imminent danger. Also, laws governing agencies mean they should not send us to jobs for which we are not qualified, and they must ensure that proper training is provided.

Post deal fails workers and public

After an enthusiastic start at the end of 2009, quickly followed by a union retreat, CWU and Royal Mail negotiators have finally hammered out a deal that both sides are happy with. Unfortunately in this instance, 'both sides' does not include the workers involved - the offer on the table is far from ripe. Despite being presented in the media as a hugely generous 6.9% pay rise, the reality is far from this. The 6.9% is over 3 years - likely to below inflation, or in real terms pay cut. Worse still, the union have agreed to almost the entirety of Royal Mail's 'modernisation' agenda - massive redundancies, increased loads and radically reduced payments for the delivery of door to door (or as everyone usually calls it, 'junk') mail - alongside the removal of the cap on how much junk can be delivered. However, what the union has secured for itself, is further guarantees of their consultation in terms of the changes. What is important is apparently not that these huge damaging reforms are stopped, but that the union is asked first. Indications of where the union was likely to stand have been showing for a long while

- after all, the CWU itself had accepted the 'modernisation' in 2007, calling off the widely supported action which was being fought against it. Further signs were to be found after the strike days last year, when the union called off planned strike dates on the vague promise of 'meaningful negotiations' from Royal Mail managers. Despite an angry and supportive workforce, a management immersed in a culture of bullying and the trump card of the busy Christmas season, the CWU seemed content to throw away all of the cards it was holding, seemingly on little more than the promise that management would take them seriously. In the time since then, while small figures may have been adjusted up and down and cosmetic changes made to the deal, the bulk is still the same - less staff, doing more work, for less money, with less job security. The fact that even a supposedly 'left-leaning' union behaves this way underlines why it essential for workers to control their own struggles and fight on their own ground. When there is no one to represent and mediate your battles, it is a lot harder to be sold out.



One law for the rich

Employers increasingly looking to injunctions against industrial action

With last years cancelled BA strike and more recently at Network Rail, there has been a spate of strikes called off on the insistence of the courts. Despite following the highly stringent requirements of the Tory anti-strike laws (for more info, see 'the right to strike' on page 6), judges have taken it upon themselves to grant injunctions against these lawfully held ballots - effectively revoking the right to strike

on incredibly flimsy premises.

The line being peddled is that ballots are unlawful on the basis that ballots had been sent to staff no longer working for the company. In terms of the thousands of people being balloted, this represents a tiny fraction, but this has been enough for the courts, even in the face of 90% vote for action in the case of BA. Despite the legal principle of de minimis - not

applying severe penalties for minor irregularities - the judges are still more that happy to show their true face and contempt for democracy where workers defending their conditions are concerned. Strikingly, the courts have felt little need to hide their contempt for the law when it suits them, and those whose interests they represent - with rulings announcing that they have taken into account the 'inconvenience' the strikes would cause. This is entirely outside of the law - the question of inconvenience having no legal bearing on whether the ballots were lawfully conducted. Even when the laws have been entirely written with the purpose of attacking workers' struggles, the courts are still willing to bend and break them to make them even more punitive. This confirms what many workers have long contended - that the courts are not neutral arbiters of the law, but a weapon in the hands of the ruling class, there to uphold the system that profits them. While they are willing to give the façade of neutrality when they can, when push comes to shove, they side against the workers.

The unions in these cases are large

bureaucracies, with databases of thousands (sometimes millions) of workers. Realistically, no database of this size in the country is able to be guaranteed free of error. Staff move on and do not inform the union, details get lost and companies send on incorrect information. These are problems that are not restricted to unions, but to any large organisation, from the HR department of any large corporation or government department, to the UK electoral roll. If the standards that are being applied to the unions here were held to general elections, we would never see another government elected again - 100% accuracy on this scale is effectively impossible.

This is why this represents such a dangerous precedent - these rulings effectively given any company the ability to have any strike declared unlawful, no matter what.

Of course, in some ways, none of this comes as a surprise. The laws being used were written for a reason - to make it harder for workers to fight for better conditions, so the fact they are being used this way should not be a shock. What is interesting however,

is that they are being used in such a punitive way, against unions who are fully willing to follow the laws. As the crisis continues to bite, the state is determined that the working class pays for it, and is not willing to 'play nice' anymore. What is rarely mentioned by even those supportive of workers' struggles is that a large part of these laws were not 'anti-union' as they are often called, but anti-strike. The laws constrain class struggle within the acceptable mediated bounds of union struggle, forms which while potentially inconvenient to the ruling class, do not threaten it in the way that the self organised wildcat actions of the past could.

With the widespread unofficial strikes of the 1970s a distant memory, the state seems to have decided it no longer needs the trade unions as a pressure-release valve for shop floor discontent. But with the legal channels increasingly restrictive, unofficial, wildcat action becomes the only option for workers looking to take action in defence of their jobs, wages and living standards. Such action renders judges rulings moot.



Sudoku

Fill the grid so that every column, row and 3x3 square includes all the numbers from 1 to 9.

	3			5		4		7
	4		1					6
		8		6				9
2	6		9				8	1
				3				
3	9				1		6	4
8				4		2		
4					8			7
9		7		1				4

The real 'Spooks' play dirty

The government's secret service MI5 has found itself at the centre of a torture scandal. The allegations stem from former Guantanamo Bay inmate Binyam Mohammed that British agents were complicit in his torture by the American CIA.

Mr Mohammed was abducted by US forces in 2002 under the 'extraordinary rendition' program under which suspects were secretly flown to one of a network of secret prisons in various countries, before being transferred to the notorious prison camp at Guantanamo Bay.

The evidence against Mr Mohammed was a 'confession' allegedly obtained under torture, but all charges were subsequently dropped and he was flown to Britain in 2009. Upon his release he claimed that he had been tortured while in US custody and that British agents were also present.

Evidence soon came to light to substantiate the allegations. Firstly, his US military appointed lawyer Lt-Col Yvonne Bradley stated in an interview with Channel 4 news that she had no doubt that Mr Mohammed had been tortured.

Then in December a US Judge found there was "credible" evidence to support Mr Mohammed's claims.

However the British Foreign Secretary Alan Johnson said the accusations were "baseless, groundless." Subsequently the UK Appeal Court ruled that materials relating to the case held by the Foreign Secretary must be revealed.

On their release it emerged that key passages present in the draft judgement were removed after demands by lawyers acting for the Foreign Secretary. These included findings that the security services had failed to respect human rights, deliberately misled parliament and maintained a "culture of suppression" with regard to evidence of their wrongdoing.

Commentators have observed that the mounting evidence including the two court judgements shows that either the British government knew the US were practicing torture in the aftermath of the 9-11 attacks or that the British Secret Service conspired with the Americans to keep it secret.

Either scenario further undermines the case that the 'War on Terror' was fought for 'freedom' and 'democracy' as opposed to economic interests. With British troops still deployed in both Afghanistan and Iraq, the question has to be asked how



many Abu Ghraibs, Guantanamo Bays and extraordinary renditions can be passed off as bad apples or exceptions rather than the norm.

The very nature of MI5 as a secret service means the full truth may never be known. But with suggestions of complicity in at least 15 other cases of torture the conclusion that there is a pattern of human rights abuses stemming from the highest levels of the British state is increasingly difficult to avoid.

Catalyst

Newspaper of the Solidarity Federation - International Workers' Association

Catalyst is the free newspaper of the Solidarity Federation (SolFed). SolFed is an organisation of workers who believe in taking control of our lives where we live or work, rather than leaving things to the dictates of politicians, managers and so called 'experts'.

Our members are workers across all industries, students, pensioners and unemployed. Through solidarity and acting together, we can deal both with our local problems and at the same time work to change the bigger picture, and change

the system that means power and profit for the few.

We believe we should apply the same principles to actions we take around local issues to those we take at work. Across industries, we organise in Networks; geographically we organise in Locals, to support each other in our struggles and to fight for our interests, both in and out of the workplace. We are part of the International Workers Association, organising with like minded people across the world.

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