

Strike force

Our 'right' to strike has never been handed down from on high. Never will it be. Our right to strike is a precious gift which we win and hold for each other by putting it into practice.

The following 41 points have been created at the suggestion of Arthur Rorris, Secretary of the South Coast Labour Council, in response to the call by ACTU Secretary Sally McManus to assert our right to withdraw our labour and our duty to break bad laws. The responses below are the responsibility of all workers whose words and deeds have taught me that there is an unbridgeable gulf between capital and labour. Or as my father put it: 'The worker has no friend but himself.'

Two vital issues are back into the contest of ideas. In some sense, McManus has opened a local window onto the anti-capitalism of Bernie Sanders, Jeremy Corbyn and the Pope. None of them can win our battles for us.

The emancipation of the working classes must be conquered by the working classes themselves. We cannot therefore co-operate with people who openly state that the workers are too uneducated to emancipate themselves and must be freed from above.

Marx and Engels, 1879.

Our duty is to make the most of the interest that is being aroused. We must not let the Short-ons of the world put a lid on it. The only way to do that is by putting the calls to action into effect.

The 41 points here take up many of the questions that activists deal with every day. They can serve as talking points and as starting places for leaflets. The paper is for general use, in whole or in part, by working people, without permission or acknowledgement.

The attack on penalty rates is the thin edge of a very thick wedge that the agents of capital must drive into our living conditions so that they can weather the next bouts of turbulence in the global economy. Locally, the winding down of mineral export and the real-

estate boom are taking their toll of our real incomes.

ORGANISE! EDUCATE! AGITATE!

The right to strike will depend upon our reviving ideas and ideals which used to be the bleeding obvious. To prevent further reverses we have to reclaim the understanding of exploitation that has been lost since the 1970s. Only by doing so, will we ever realise Marx's picture of '... a society in which the full and free development of every individual forms the ruling principle.'

Our immediate tasks are clear enough:

- > rebuild around the jobs;
- > regain a class analysis of what we are up against;
- > reclaim the vision of socialism as a sustainable, socially equally and peaceful world.

Maximum harm to the boss. Minimum harm to the workers.

1. 'Fair day's pay?' No way!

For a start, we must expose the fantasy that there can be a fair day's pay under capitalism. Yes, activism can get us our full Award rates. Collective action can keep those rates equal to the costs of reproducing our labour-power. Yet winning those minimums does not put an end to our exploitation. Every wage-slave is exploited. If we were not, the bosses would not employ us.

To be a productive worker is therefore not a piece of luck, but a misfortune.

Marx, *Capital*, I, p. 644.

'Exploitation' is not confined to 7-Eleven workers. Even if those wage-slaves had got their full entitlements they still would have been exploited.

Bangladeshi garment workers are exploited but not just because they are paid only a dollar or two a day. Even when their wages equal the costs of reproducing their labour-power, they are exploited because their bosses take the value they add over and above that needed to cover their wages.

It is quite possible that Australian electricians on \$400 a day are being exploited

at a higher rate than third-world ones on \$20. The rate depends on how much value each adds beyond what is paid to match their needs.

Understanding that there could be no such thing as a fair day's pay was once widespread. Now pleading for a fair day's pay is as progressive as the ALP (Anti-labour Party) is game to go. Protests against 'exploitation' are confined to extreme cases such as the 7-Eleven workers.

Under the rule of capital, exploitation has to be universal for capital to exist.

2. 'Getting the balance right'

The bosses claim that un-Fair Work Australia tipped the balance too far in our favour. Too far from what? Their answer is 'too far from Worst Choices'. They lack the guts to say so. The hollowed-out 'right' to protected action under un-Fair Work Australia is light years away from the powerful rights that our class had won from struggle in the previous 200 years. Protected action protects profits.

3. A virtuous circle

Working and stopping work share a vital aspect. Each expresses our humanity. Indeed, their combination made us human. They remain the basis for deepening and broadening what it means to be human.

Stopping work, like work, takes several forms. Stopping work can be going out on strike. Far more often, stopping work will be knock-off time for the day; or it might be going on annual leave or taking long-service leave; and it can be retirement for reasons of age or injury.

Those ways of stopping work have one thing in common. A shorter working-day, paid leave and tax-funded retirement were all won and defended by going on strike.

Australian labour led the world. In 1855, metal-workers in Sydney downed tools for an eight-hour day. Next, year, stonemasons in Melbourne struck for shorter hours.

Achieving that working period became known as winning 'the boon'. That term had originally meant being jolly, or to receive a blessing. Eight-hours was a source of joy and a great benefit. But it was not won by prayer or by going cap in hand. The right to stop work after eight hours was won by stopping work in collective action.

Working people won 'the boon' by breaking the law. They had no 'right' to strike. The Masters and Servants Acts made it an offence for workers to leave their Masters before a contracted time was up.

4. The state is not our friend

Our forebears earned their 'right' to strike in the same way as they won the eight-hours. Both 'rights' came from action around the jobs and throughout the community. Parliament rewrote laws only after workers had done so in practice.

Securing our right to strike involves more than steering amendments to the un-Fair Work Act through the Senate cross-benches. Marginal-seat campaigning will deliver workers back into the clutches of the labor lieutenants of capital – the Anti-Labour Party (aka the ALP) - who delivered us into the chains of un-Fair Work Australia as Worst Choices Lite.

Although the state is an instrument for class rule its actions are constrained by the relative strength of the classes. No ruling class can get everything it needs all of the time. That is true around the jobs. The state is thus one more site for conflict.

5. 'Great ideals'

Going on strike for a shorter day is always a step towards taking more control over all aspects of our lives. Those extra hours of free time leave us with more energy to engage in all manner of activities. The shorter day from the late 1850s gave time for play, and for education – technical and political. Each of those activities enriches us as social individuals. Games and study are work in the sense that all labour is an expression of our capacities.

The shorter day provided some of the means for strengthening the campaigns to tame capital across the board. Striking to stop earlier each day and to work for fewer weeks and years opened the way towards broader and deeper challenges. In 1916, a Melbourne union secretary, Dan Mulvogue, put it this way: 'Every new demand for better physical protection of the workers ensures a great ideal development for a future generation.' Those ideals flow from stopping work and from working alongside others of our class.

The 'boon' was only a start. Stone-masons still put in a six-day week of forty-eight hours. A forty-hour week was not won until 1948. Shop-assistants and domestic servants put in 84-hour weeks.

6. Never done

Unpaid work around the home, almost entirely by women, did not change much until the 1950s. After more married women were forced into the paid workforce, those hours came on top of their housework. They could just about manage to do both by using some of their wages to pay off washing machines on hire-purchase and by buying more pre-prepared foodstuffs. In these ways, they delivered a double 'boon' to capital. Their unequal rates of pay allowed capital to extract more surplus-value. Because households had to buy in more commodities, working mothers perform a further service for capital by turning the surplus-value that is present in those goods into profit for accumulation to fund the next bout of expansion.

7. Bosses strike back

From the start, the bosses were hard at work devising ways to reclaim what they had lost. What had they lost? They had lost the surplus-value that their wage-slaves used to add in the hours above eight out of twenty-four.

To reclaim that sum of surplus-value, the bosses imposed speed-ups and piece-rates. Workers enjoying the 'boon' on piece-rates had to work harder during their eight-hours to earn as much as they had done on a set amount of money per day.

Within thirty years, Master Builders had displaced most of the expensive craft of stone-masonry by brickwork. In the process, these contractors attacked the costs of bricklaying by replacing complicated patterns of headers and stretchers with the 'colonial' bond of nothing but stretchers up to two storeys. The brickies too were put on piece-rates of so much cash for laying a thousand. Their off-siders fought to limit the number of bricks they had to carry up ladders.

The fate that befell the stone-masons shows that there are no permanent victories. The degree of exploitation is limited by resistance collectively in unions. In the current

24/7 market for our labour-power, a forty-hour week seems like a fantasy.

8. Capital strikes

No statute punishes bosses if they 'stop work'. Instead, they are punished by the key to capitalism, that is, exploitation. If bosses stop their work of oppressing us, they can't pocket any of the wealth we provide.

Yet capital does go on strike. Its agents refuse to re-invest. Indeed, they can get what they need even if they only threaten to do so. Without the pressure of mass movements, governments come to heel. Most of these sell-outs are kept secret under 'commercial-in-confidence' clauses. One from 1985 is on record.

The Hawke-Keating removal of exchange controls threw open the doors and windows to speculators of every shape, size and shadiness. The Treasurer of the Year soon found that he could never be supine enough to suit those gougers. He got no end of a lesson on how financiers take care of the interests of capital. Late in July 1985, the New York bank Salomon Brothers phoned a senior Treasury official to regret that it was having difficulty in supporting Australia in the money markets. Foreign investors were angry at a new 15 per cent tax on their interest and dividends payments. Within hours, Keating withdrew the tax along with a limit on foreign holdings in real estate.

In public, the corporates blame 'market forces' for their inability to re-invest: 'We can't make average rates of profits,' they bleat and close down.

The bosses don't welcome that explanation when we wage-slaves say that 'market forces' of price hikes are obliging us to stop work to maintain our real incomes.

Masters are always and everywhere in a sort of tacit, but constant and uniform combination, not to raise the wages of labour above their actual rate ... We seldom, indeed, hear of this combination, because it is the usual, and one may say the natural state of things which nobody ever hears of.

Adam Smith, *The Wealth of Nations* (1776)

9. The value of work

Despite the terrible conditions under which most wage-slaves are still forced to sell our labour-power, going to paid work delivers essential benefits. Everything we humans do, and think, is some kind of work. Those activities are otherwise called labour, or the exercise of our capacities as human beings. Reading these pages is thus one kind of work, though it is far from the paid work of a wage-slave under the rule of capital.

Within the galaxy of sensuous human activities, labour makes the immensity of its effects felt through specifics. One example is a father showing his daughter how to form her letters; another was Milton composing *Paradise Lost* for five pounds; a third is a Filipina scanning in a first edition of that poem for Google Books. Labour is a galley-slave pulling on an oar, a serf spreading muck, or a wage-slave inserting transistors into a smart phone.

Only the third example in each set is work for wages. Paid work is part of the totality of action and thinking that has made us human. How we work and for what ends decides whether our labour will add or detract from our humanness, as individuals and as a species. In today's Australia, that outcome is still decided within the iron cage of our being compelled to work to enrich others.

That fact brings us back to why 'stopping work' and 'working' can be understood only when brought together. For wage-slaves, stopping work by going on strike is one means to secure more of the values that we add when working for wages. Striking also controls the conditions of health and safety under which we work and live.

10. Then and Now

Strikes are ethical actions which promote social goods. Stopping work is a moral duty even when it means breaking a bad law.

In 1970, the Queensland Trades and Labour Council blue-banned oil exploration on the Great Barrier Reef. That refusal is why we still have a Reef to defend.

What would happen today under the ALP's un-Fair Work Australia? If unions placed bans on the Adami coal mine in order to protect the Reef, each union could be hit with

finances of up to a million dollars and every worker up to \$7,000.

Preserving the Reef is but one example of workers defending our communities. Just before the ban on the Reef, unions and community groups united around the South Coast Organisation Opposing Pollution (SCOOP) to protect water catchments from Clutha mining.

Our duties towards our class includes putting a stop to capital's plundering the wealth of nature. Socialism is the road to sustainable survival.

Capitalist production, therefore, only develops ... by simultaneously undermining the original sources of all wealth – the soil and the worker.

Marx, *Capital*, page 638.

11. The air we breathe

From the 1970s, unionists refused to work with asbestos. They prevented its going into schools. In 2017, companies are importing asbestos products. If workers take action on the job to protect themselves and the public from the deadly substance, they face prosecution and massive penalties because the stoppage was not 'a protected action'.

By contrast, the dodgy and deadly directors of Hardie Brothers suffered no more than a ban from their holding company directorships. One of the widows voiced her outrage at such unequal treatment: 'There is no appeal from the grave.'

Not so long ago, the on-site death of a worker meant no more work there that day, with no loss of pay. Those stoppages were marks of respect. And they hit irresponsible employers in the hip-pocket nerve. Those costs were felt years before the guilty firm got a slap on the wrist from the courts.

Under the Building and Construction Commission (A.B.C.C.) - Gillard's 'tough cop on the block' - those expressions of decency and self-defence incur fines larger than any imposed on lethal employers. Indeed, the C.F.M.E.U, and individual members were charged with holding a meeting off-site to take up a collection for the family of a workmate murdered for profit.

12. Whose 'Good Old Days'?

Time was, only 300 years ago, that freeborn Britishers who failed to sell their labour-power could be whipped or have an ear cut off. Only 200 years ago, the poor were being strung up or transported to Australia for petty thefts.

Convicts went 'on strike'. Since it was harder for them to stop outright or to walk-off, they ran away. On the job, they found plenty of ways to resist super-exploitation. One means of self-defence was to pretend not to understand orders. The inventiveness of the oppressed is limitless.

During the next more enlightened phase of liberal justice, the jobless were locked up in industrial prisons known as Workhouses.

Once workers did sign on, they came under Masters and Servants Acts. Those laws assumed the existence of an implied contract between employer and employee. Both parties could be punished for breaking their agreement. Sounds fair. Except that the law was enforced by the boss's friends and fellow Masters.

The masters never cease to call aloud for the assistance of the civil magistrate, and the rigorous execution of those laws which have been enacted with so much severity against the combinations of servants, labourers, and journeymen.

Adam Smith, *The Wealth of Nations* (1776)

Worse still, the inequality of these implied contracts meant that workers had no redress if injured or killed on the job. Until 1880, English law presumed that they had accepted the 'risk'. The courts decided that the worker's 'risk' was only 'fair'. After all, the judges reasoned, capitalists had accepted the risk that they might not profit from the labourers they put in harm's way.

The mentality of 'master and servant' persisted in the High Court which used those terms as late as 1986.

13. Illegal combinations

Taking any kind of united action to protect one's wages and conditions was a criminal offence in Britain before 1825. Rewriting that

scrap of paper did not stop repression. Laws blocked the self-organisation of the British working-class until the early 1900s.

In 1834, agricultural labourers in the Dorset hamlet of Tolpuddle banded together to resist a cut in their wages from nine to six shillings a week. Although their combination was by then legal, the state got them under a law which forbade the taking of 'unlawful oaths'. The farm labourers had sworn to stand truly by each other. They were sentenced to seven-years transportation to Australia.

A mass campaign won their release two years later. That fight did far more to secure our freedom to combine than had the repeal of the Anti-Combination Act ten years earlier.

No matter what is written in a Statute book, our rights depend on our preparedness to put them into effect. On paper, we might have rights to do all manner of things. The ruling class and of its agents in the state are forever on the lookout for ways to stymie our exercise of those 'rights'. From our side of the class divide, our right to strike is decided by our capacity to do so. That 'right' exists whether or not there is a clause in some law or other saying it's okay. We'll never get from the courts what we can't hold at the gate.

14. Old provinces of law and order

Until the early 1900s, relations between capital and labour fell under commercial law and criminal law. To contain the growing strength of the working class, the local agents of the capital devised 'a New Province for Law and Order', to be known as Industrial Law. Its pains and penalties were never enough to give capital the upper hand in every case. Hence, Industrial Law had to be reinforced by other repressive measures.

From 1914, the War Precautions Act heralded a drive towards industrial conscription. According to the Solicitor-General:

The regulations were mostly expressed widely to make sure that nothing necessary was omitted, and the result soon was that John Citizen was hardly able to lift a finger without coming under the penumbra of some technical offence against the War Precautions Regulations.

In 1929, the secretary of the Melbourne Trades Hall, Ted Holloway, was convicted under the War Precautions Repeal Act (1920) for encouraging something like a strike. That was 10 years after the war and 9 years after the Act had been 'repealed'. The 1926 Crimes Act made striking a criminal offence in sections of the work force not under the Commonwealth Arbitration Act. In addition, the state used the Immigration Act to deport or refuse entry to militants even if British subjects.

To break strikes, the state recruited special constables. The 500 signed up in 1925 became the germ cell for the fascist New Guard in New South Wales from 1930. In 1949, the Chifley government sent regular troops into the coal fields; the Labor cabinet also made it a criminal offence to collect or accept strike funds for the miners' families. Menzies did the same on the wharves a couple of years later. The 1950-51 attempt to ban the Communist Party aimed to cut the head off militant unions by putting 1,000 union leaders behind barbed wire.

Laws and government in every case are a combination of the rich to oppress the poor, and preserve to themselves the inequality of goods.

Adam Smith, *Lectures on Jurisprudence* (1769)

15. Organising capital

The state organises capital and disorganises workers. Politicians, bureaucrats and judges attempt to achieve for the expansion of capital what its managers cannot deliver through their corporations.

One way to disorganise workers is to organise us into tame-cat or company unions such as the AWU and SDA. A second route was to lock us into Conciliation and Arbitration.

That system regimented the workforce through penal powers. Their impact lasted until the wages breakout late in the 1960s. The number of days lost through industrial action shot from one million in 1968 to three million in 1971. Breaking point came when the Communist Secretary of the Melbourne Tramways Union, Clarrie O'Shea, refused to hand over his members' money to pay yet another of these fines.

In May 1969, the upsurge erupted after the gaoling of Victorian Tramways official Clarrie O'Shea by none other than CIA agent Sir John Kerr as a judge of the Industrial Court. Hundreds of thousands walked off. These huge nation-wide stoppages were the result of careful preparations around hundreds of job sites with walk-offs elsewhere.

The Melbourne *Age* feared that wild-cat strikes and street protests might turn into a local version of Paris '68. To short-circuit that threat, ASIO put up the \$10,000 for a front man to 'pay' the fines.

Since 1969, every legal and industrial move by the bosses and their agents has sought to restore the clout they lost in May 1969.

16. The labour lieutenants of capital

The bosses and their state had to find fresh ways to preserve the 'inequality of goods'. They moved to put their friends into high places in the labour movement and to find new ways of using old laws.

The U.S. Labour Attaché, Emil Lindahl, flew to Melbourne in March 1969 to meet Hawke in the Downtowner Motel. Lindahl came out of their negotiations to inform Santamaria's Groupers that the Embassy would be backing Hawke for A.C.T.U. President. The C.I.A. feared that A.C.T.U. secretary Souter lacked the street cred to divert the militant tide into safe channels. Hawke, Souter and the Groupers were all labour lieutenants of capital. They were not all equally useful in every circumstance.

Nation-wide strikes erupted after the C.I.A.-sponsored coup against the Whitlam government in November 1975 but were headed off at the pass by that U.S. agent of influence, R.J. Hawke as President of the A.C.T.U. 'Stay at work and donate a day's pay to Labor', he bleated. The worst he could do next year was to confine protests against Fraser's shredding of Medibank to a one-day stoppage.

17. Torts

No sooner had the O'Shea strike made the penal powers pretty much a dead letter than lawyers reverted to the powers offered to capital under Commercial Law. One of its strands is known as 'torts', which is legalese for 'wrongs', or harms. Torts allow bosses to

bring actions for damages out of any workplace stoppage. Under tort law, a strike could be interpreted as harming a business in the same way as if it had suffered from price-fixing by a cartel. Employers could sue to reclaim any loss of income. Unions faced worse than fines of just a few thousand dollars. Bosses had the right to seize all their assets by way of compensation.

Britain unions won protection from tort actions in 1906. At that time, Australian unions assumed that they were safe because of the Conciliation and Arbitration Acts. Their mistake was revealed sixty-four years later with the first of the new tort actions in South Australia in 1970. The labour movement was strong enough to make sure that the State Labor government legislated to provide the immunity that existed in Britain. That protection did not extend to the rest of the country or to Federal awards.

18. Strategy and tactics

The tussles that score every workplace every hour of the day are essential to ward off attacks on the conditions that we struggled to win. But holding the line is poor strategy even for a tactical defence. To hold what we have won, we must advance. That is what our class enemies do at every opportunity.

19. The inventiveness of capital

The il-logic of capitalism delivers powerful blows against the right to strike when job losses make workers wary about joining dole queues. With the unemployment rate around 10 percent in the early 1980s, bosses struck out. Legal guns for hire led by Peter Costello at Mallesons came up with fresh lines of attack.

Robe River, Mugginburra, Dollar Sweets and S.E.Q.E.B. each opened a novel front in the battle for workers to retain any level of collective representation. CRA put its entire workforce in the Pilbara onto 'staff contracts'. Hawke-Keating government went further by introducing Enterprise Bargaining Agreements (E.B.A.s). Phoney sub-contracting ballooned. Since the GST, ABNs have been waved about to con workers into believing that they are their own Masters.

Not that the old weapons had been thrown aside. In 1985, the Industrial Commission whacked the Plumbers with a

half-million dollar fine, which was at least ten times more than for similar offences in the past. The enormity of that punishment was to teach the rest of the unions a lesson. When Commissioner Jim Staples refused to act as a stand-over merchant, the Hawke-Keating crew locked him out from hearing further cases.

In 1998, Patricks were hand-in-glove with Industrial Relations minister Reith to clear the M.U.A. off the docks. They did not get away with their conspiracy because of the upsurge of union and community opposition along the picket lines.

The lesson from these various lines of attack is that here is nothing they won't try. As nasty as the attack dogs are, the bosses' offensives do not flow from personality failings. Rather, the viciousness of a Gillard or a Rhinehart, of Howard, Reith and Abbott, comes to the fore in order to deliver the rate of profit that corporations need to survive.

20. Time is money

The bribe of a short-term boost to take-home pay comes at the cost of surrendering any say over the length and intensity of the working day. Even tame-cat unions can retard that.

Exploitation is not just a race to the bottom with wages. More important to capital is its right to set the pace of work. Capital extracts at least as much value by speeding up the application of labour as it can by holding down real wages.

21. Mal-Practice

The authors of the Australian Constitution included Corporations in the list of matters over which the Commonwealth Parliament could make laws. They included that subsection in line with the efforts of U.S. reformers to curb the monopolising Trusts. An attempt along those lines here in 1906 flopped. Nothing more was attempted until the 1960s with a pretty weak effort. The big change came when Section 45D of the Trade Practices Act was turned away from breaking price-fixing cartels and towards outlawing secondary boycotts by their working-class victims. That deform blocked class solidarity such as transport workers demonstrated in refusing to carry the produce of scab labour. Instead of using the Corporations power to go

after crooked companies, the law treats unions as if they are profit-gouging multi-nationals.

In brief, Industrial Law has been knocked off by updated enforcements of the commercial and criminal law.

22. Royal Commissions

The one-sidedness of the law is obvious. Since 1971, six Royal Commissions have attacked trade unions. No Royal Commission has gone after the swindlers holed up in the Big Four Banks.

All six Commissions have targeted construction workers. They are singled out for two reasons. First, the hazards of their work and the uncertainty of their employment keep them militant. Secondly, construction work is not as amenable to mass production as are process lines. Therefore, the companies need the state to intervene around the jobs as a second-line of foremen. One example is the A.B.C.C.'s fining a worker who gets back more than five minutes late from lunch.

The founder of Transfield, Franco Belgiorno-Nettis, told his company's official historian that he and other businessmen cover up their crimes 'with a veneer of civilisation'. Transfield hides its crimes by patronising the visual arts. Along with the criminal Dick Pratt, his kind of philanthropists are never subject to the endless grilling of Ark Tribe who refused to do in his workmates.

23. Relative strengths

Our living and working conditions are decided by the relative strengths of the contending classes. Those strengths flow from the confidence each class gathers from its cultural confidence, workplace militancy and political nous. For capital, those attributes are buttressed by the state. For workers, our strengths are bent whenever as the state imposes compulsory arbitration, compulsory schooling and military conscription.

Class confidence grows with moral authority. Fundamental to our sense of our worth as workers is our recognition that all extra wealth comes only from the application of our labour to the wealth of nature. The bosses add nothing. The agents of capital certainly work hard. They work hard at screwing as much value out of us as they can. They lengthen the working-day – especially

unpaid overtime. They intensify the application of labour with speed-ups and time-and-motion studies. They install machines to assist them in both those ways of extracting the maximum surplus-value from our capacities.

24. Hegemony

How the past, the present and our future are represented in schools and on the mass media shapes our willingness to act collectively. Classrooms and screens, large and small, project generals, monarchs and high-flyers as the makers of history. Those depictions also affect how a wider public interpret our actions, whether at work or on strike.

It has been thus from the time millions of straining naked slaves built that magnificence which was Babylon, and those monuments which are known as the Pyramids. ... They will remain unhonoured till workers write the histories that are taught in our schools.

Charlie Sullivan, founder of the Shearers Union (1927).

When does our class lead the evening news? Only when we strike. How often does the media remind viewers that not a single wheel would turn without our labour? Never! This bias in reporting is buttressed by the picture of life in television serials. They are dominated by trained killers in the armed forces, and by law enforcers, whether police or lawyers or judges. The likes of us are there to serve the drinks. Even when a TV series centers on workers, the scripts are not built on the application of our labour – still less on its exploitation. Meal-time squabbles pad out the canned laughter.

How often do you see a series about the super-exploitation by the likes of 7-Eleven? Never shall we see a single episode revealing the appropriation of surplus-value from every one of us, throughout our working hours.

Should a TV show expose corporate executives as crooks it is for their robbing each other or the government rather than all of their employees every second of the day. When did you see a crime or medical series built around the minute-by-minute struggle for health and safety? The rash of programs

like *C.S.I.* never focuses on solving the crime of workplace killings for profit.

Given the weight of this propaganda – for that is what the ‘true’ news and entertainment are – it is amazing that so many workers join unions. It is even more remarkable that so many uphold our rights, both in and outside our workplaces.

25. Free labourers are wage-slaves

Chattel slaves are owned body and soul from the day they are born until the day they die. On paper, we wage-slaves are owned only for the hours which we have sold our labour-power to capital. The judge of the Commonwealth Conciliation and Arbitration Court, H.B. Higgins, laid down this rule out in 1913: ‘working time is time purchased by the employer, who has exclusive right to it.’

Viewed in light of property relations, however, capitalists ‘own’ the right to control our capacities whether they employ them or not. That class power is one more reason for seeing ‘free’ labour as wage-slavery.

We are ‘free’ to sell our capacities to add value – or starve, beg or steal. We wage-slaves are ‘free’ because our class was violently ‘freed’ from the resources to sustain itself. Our forebears had that freedom imposed on them when they were ‘freed’ from ownership of the resources to keep themselves. In short, that freedom compels us to become wage-slaves. We are conscripted into the marketplace for labour.

26. A moment or two of truth

The big lie behind Worst Choices was that equality is possible between an individual cleaner and a global corporate with its hired guns from Freehills.

The politician-lawyer who drafted the Australian Constitution, ‘Slippery Sam’ Griffith, spelt out the truth about exploitation after reading Marx’s *Capital*.

In 1888, Griffith introduced a bill into the Queensland Legislature to redistribute wealth to the workers. Workers are its only true producers, he argued. Infringement of that ‘law of natural right’ threatened social chaos.

Griffith expounded his reading of Marx in a long essay, ‘The Distribution of Wealth’. He agreed with those who

recognise that there is something radically wrong in the present system, under which capital is constantly accumulating in greater masses than ever in single hands.

Like Marx, Griffith could see the coming of monopolising capitals, which Lenin called Imperialism.

Moreover, Griffith asserted that justice in labor contracts depended on the existence of unions. He thought it ‘notorious that there is not ordinarily, any such equal freedom of contract between the employer and the employed.’ He concluded that

a measure of freedom of contract has been obtained by combination on the part of the labourers. This very combination is an effort of strength put forth against the other part to the bargain, who, but for the combination, (and sometimes in spite of it), would be the stronger. The weaker party has, in order to procure the means of livelihood, to accept the terms which the stronger party chooses to give.

Two years later, Griffith reverted to serving his class when he sent troops against the shearers’ camp at Barcaldine.

The industrialist takes into account the fact that people exist who are hungry, and that those other people in the spiked helmets will prevent them using physical force simply to take the means where they find them which could serve to allay their hunger ...

Max Weber, 190.

Griffith demonstrated that it one thing to glimpse the truth about class exploitation and an entirely different thing to live by that truth on the side of the oppressed.

Today, ‘Oily Sam’ is the patron saint of the constitutional monarchists in a Society named after him. Its membership overlaps with that of the union-bashing H.R. Nicholls Society.

Would any member of any Australian parliament repeat Griffith’s analysis of the economic and political inequalities? Still less likely is that the ALP or the Greens would legislate his prescriptions for redressing income and workplace imbalances?

27. On your own time

Columnists for Mass Murdoch tell us: 'Pensioners are worse off and you don't see them going on strike.' Why not? For a start, they don't have the 'power' to deny capital the chance to profit from the value that workers must sell to exist.

Mass Murdoch might acknowledge 'a right to strike' – in theory. His hacks are stern in insisting that we withdraw our labour only at times when we can't inconvenience anybody. By that reckoning, the right time to strike is during one's own time - after work, or during one's holidays.

One problem with that bad joke is that fewer and fewer of us have as much 'free' time. Those in work are time poor. Many of us chase between two and three part-time jobs. Part-time temporaries are not entitled to statutory holidays, to four weeks annual leave, or long-service leave. The retirement age is being pushed up to 70. At this rate, we'll have to postpone striking until we are in our graves.

28. Crippling

Stopping work by going out on strike is only an extension of all the ways by which working people protect ourselves from the harms of the workplace. We go-slow to make sure that the only commodity we have to sell in order to survive will see us through the day, the year – a lifetime. Burnt-out workers swelled the ranks of disability pensioners – until Gillard tightened the eligibility criteria.

Bullying and harassments are forms of workplace discipline. No surprise then that they are almost universal. Office blocks are Towers of Misery and have taken the place of the Dark Satanic Mills in the early 1800s. Those in work are crippled psychologically even when not materially. Immiserisation reigns even where impoverishment is kept at bay.

A life which is fractured by scurrying between jobs each day is stripped of the social well-being that comes with making friends at work.

29. Flexible breaking-points

In recent decades, we have been caught in a vicious circle. The weakening of our capacities to strike has resulted in a loss of control over

the hours during which we are made to work. The more 'flexible' those hours have become to suit the exploiters, the harder it becomes for us to organise and strike.

Only by acting collectively can we secure any of our goals. The co-operation that is essential around the job one basis for the solidarity that underpins collective action to control how we carry out our work.

30. War is also paid work

Working people are conscripted into the armed forces on behalf of the corporate warfare state, that is, the capitalist class as a whole.

Well before Gallipoli disaster of April 1915 had begun, Australian workers were refusing to be conscripted for a sordid trade war. By defeating the plebiscites to compel overseas service in October 1916 and again in December 1917, our forebears held back a more overt dictatorship. Industrial conscription threatened a wider loss of their capacity to struggle around the jobs and in the community.

Dole-queue patriots in 1938 refused to load the *Wolfram* with pig-iron for the Japanese militarists to slaughter more Chinese. After the war, seamen and wharfies refused to load and crew ships carrying weapons for the Dutch colonists to suppress Indonesian independence. Twenty years later, seamen voted not crew cargo ships carrying supplies to wage war against the peoples of Indo-China. That leadership spread until 'Stop Work to Stop the War' strengthened the Moratorium of the early 1970s. Peace is union business.

In the late 1960s, Draft Resisters who stood against the lottery of death were on strike against ecocide in Indo-China.

None of these 'strikes' was legal. None was to gain what the capitalist media blackguard as 'selfish' ends. All expressed the ideals of a movement which understands why 'The Unity of Labour is the Hope of the World'.

31. Social into socialism

Taking industrial action goes beyond demands for higher wages and shorter hours.

Workplace and community campaigns unite to secure advances in the five pillars of everyday life: housing, employment, health, transport and education.

In the depression of the 1890s and again in the 1930s, unionists formed squads to defend the unemployed against eviction and prevent the repossession of their furniture.

Comparable efforts are now stopping expressways and extending rail links, to protect farmland and water from coal seam gas.

32. An agenda of our own

As well as strikes over hours, wages and safety, we need to combine struggles within workplaces with community action for a new social order in which our needs are assured. To be chained down to demands for more dollars in the pocket fails to challenge the nature and delivery of those social goods. Our movement thereby loses sight of socialism.

33. Worker control

Pivotal to such a society will be democratic workplaces. We shall never attain democratic workplaces without democratically run unions and political organisations. Rank-and-file participation at every level prepares our class for taking charge of our entire society.

Taking control of our work involves the most practical of demands:

- > control over health and safety, both physical and mental, for instance, by choosing our own health and safety reps;
- > take control of the length of the working day;
- > make 'flexibility' serve our needs and not maximise value-snatching by corporates;
- > control the intensity of the application of our labour. That is what railway workers did during the great strike in 1917 by refusing to be subject to time-and-motion regimes.

The mechanical appliances consist of a chronometer and a motion picture camera. This invention is the most powerful tool ever for the measurement of efficiency, suggesting the whip of taskmasters and owners in earlier times.

Editorial, *Australasian Engineering and Machinery*, 1913.

34. Who needs them?

Self-managed workplaces build on the fact that it is our work alone which builds this and every other country. We can produce the

goods and services our society needs without being stood over to produce more surplus-value for parasites. They need us. Let them go on strike and we'll see who starves.

All the while, the Business Council knows that its global corporate members are on the nose. Their chairperson claims that it is capital which provides jobs. The reverse is true. We wage-slaves are the only ones who can add value to the wealth of nature. Out of that added value can flow the profit for accumulation and the next rounds of profit-taking. Hence, it is we workers who keep putting up the money-capital to re-employ ourselves and each other.

35. Four freedoms

To reinforce our rights at work we had to win rights to protest, to march in the streets and to hold meetings in public places. No surprise then that the Victorian Government made such activities illegal to protect corporations from public outrage.

It is our struggles which won and sustain such political freedoms as we retain. Here is an update on the truth uttered by Hobart union organiser Samuel Champ 100 years ago:

Our liberties have not been won by mining magnates (Gina Rinehart) or merchant bankers (Malcolm Turnbull) or media barons (Mass Murdoch). Such liberties as we enjoy result from the struggles of men and women of the working-class who died on the gallows, languished in dungeons, and are buried in nameless graves. It is to them that we owe the liberties we enjoy today.

Our right to vote came from breaking bad laws – think suffragettes. Our forebears had to break bad laws to gain freedom of speech, of assembly and of the press. Activists spoke on street corners without permits and marched down roadways without by-your-leave from the walloppers.

At Eureka in 1854, Italians, Germans, Irish, Yankees and Anglos combined to break a bad law. The men and women who built and defended the stockade had committed treason. No doubt about it. No jury could be found to uphold bad laws by convicting the rebels.

Ex-convict editors who had offended the Governors kept their newspapers running

from their prison cells at Hobart and Sydney. London printers in the 1820s lined up to serve prison terms so they could publish without a licence.

Mass Murdoch deserves to die in gaol. If he does, it won't be because he has broken bad laws that limit expression on every continent. Rather, he is as great an enemy of a free press as is any of the authoritarian regimes to which he kowtows in order to profit.

36. Walk-offs

The Gurindji walked off Wave Hill Station in 1966-67 to assert unbroken ties to their ancestral lands. They were acting in the tradition of the Port Headland mob in the Black Eureka in 1946. Seven years earlier, 170 residents had walked off Cummeragunja reserve; their protest helped to secure amendments to the misnamed N.S.W. Protection Act.

In each case, the labour movement supported those 'strikes'. The founding chair of the Aborigines Progressive Association in 1963 explained why:

'Aborigines are a working class people and it is only natural that we appeal to our fellow workers in the unions to support us in our struggle for justice and equality.'

The 1975 documentary *Protected* tells the story of the 1957 strike on Palm Island which the Queensland government broke by transferring seven of the leaders to other Reserves, that is, prisons. Fifty years on, Palm saw another 'strike' captured by the film *The Tall Man*.

37. Making ourselves human

The application of our capacities – our labour - has made us human, both as a species and as individuals. Stopping work, like work itself, is a positive, not a negative. Striking and controlling the hours and intensity of our paid work reaffirm our humanity at many levels. Controlling when, how and why we perform paid work expresses and enriches our humanness.

38. Fewer is not better

In considering the prospects for regaining our right to strike by putting it into practice, we have to begin from four facts about union membership today. It is down to fewer than

one wage-slave in six; density has not been so low since the 1930s depression. Moreover, the bulk of members are in the government sector. Most are women. Most males are in older age groups.

In many workplaces, the task will be to rebuild from zero membership, and then to advance one by one.

39. Sub-sub-subbies

A dynamic is in play against our reversing these downward trends. That obstacle is how capital now recruits and directs its wage-slaves. is how capital recruits and directs its wage-slaves.

Need to replace your fence? To have your carpets cleaned? Your children minded after school? The person who turns up will be 'self-employed'. That con job starts when sixteen-year olds are told to register for GST and get themselves an Australian Business Number. They labour under the pretense that they are not workers but start-up capitalists.

The victims of this fraud soon learn what it means to be without protection and entitlements. They also learn what it means not to get paid at all. Their own unpaid bills then drive them towards suicide.

Yet the structure of today's workforce is such that unless you subject yourself to a labour-hire parasite you don't get work. And if you complain you don't get shifts. Grumbling is useless unless we organise as Uber drivers are doing. (See Clifford Odets' 1935 play about a cabbies strike in New York, *Waiting for Lefty*.)

40. One big union ticket?

Recruiting therefore faces the problem of how to offer cover to casuals who undertake two or more kinds of low-paying jobs across the year, often every week. If it's hard enough to get younger workers to join one union let alone stay financial in two, or even three. One way through this problem is for ACTU affiliates to accept a single ticket to keep membership affordable for working students. Given the fractured nature of ever more working lives, this joint-membership might need to be extended.

41. To stand by each other

Fewer workers have any experience of engaging in any kind of industrial stoppage.

Most of our unelected officials clearly don't know how to organise even a couple of hours of protected action. How many unionists are prepared to take unprotected action today? Fairfax journalists did so after the latest round of dismissals. Those sackings spotlight the bosses' right to take unprotected action. Cricketers could stay out for months because the Players Association is not registered under Gillard's Un-Fair Work Australia.

Much of the sense of what we can achieve together has been lost. That strength will never be regained just by selling tickets. Being corralled by the chain-stores into the SDA is enough to turn any teen off unionism for life. Solidarity will be renewed only from taking action to 'stand truly by each other', to quote the 1854 Eureka Oath.

Our 'right' to strike has never been handed down from on high. Never will it be. Our right to strike is a precious gift which we win and hold for each other by putting it into practice.

Further reading

Jack Hutson, *From Penal Colony to Penal Powers*, Amalgamated Engineering Union, 1966.

Douglas Hay and Paul Craven, *Masters, servants, and magistrates in Britain and the Empire, 1562-1955*, University of North Carolina Press, Chapel Hill, 2004.

Movies to inspire

One way to rebuild a labour movement with the determination to take unprotected action suggest getting friends and fellow workers around to watch and discuss. To discuss means 'discuss' and neither to hector nor to lecture. To rebuild is first of all to listen.

The aim of all agitation is to encourage the sense of 'I could do that.'

Indonesia Calling

Australia (1946)

Indonesia Calling

Australia (2009)

Sunday Too Far Away

Australia (1975)

Protected

Australia (1975)

Strikebound

Australia (1984)

Rocking the foundations

Australia (1985)

The Dalfram Dispute 1938 Pig Iron Bob

Australia (2015)

Made in Dagenham

(2010)

UK

Pride

(2014)

UK

The Organiser

(1963)

Italy

Salt of the Earth

(1953)

USA

Harlan County USA

(1976)

USA

Strike!

USSR (1924)

Battleship Potemkin

USSR (1925)

<http://chriswhiteonline.org/2016/06/right-to-strike/>

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