

Government is the great
blackmailer... No good ever came
from the law. All reforms have
been the offspring of revolution.
H. T. BUCKLE

What can one man do?

Now break down the prison walls!

YEARS after Andorra and way behind the smaller nations there seems a possibility that Britain may now end the death penalty for murder. (It will still presumably be maintained for treason and desertion in time of war). There is just the chance that the House of Lords will not rally its cohorts of backwoodsmen to defeat the bill when it reaches their chamber, also there is the chance that if it is defeated there, Mr. Wilson will show enough of the "Dunkirk spirit" to father this poor little bastard of a private member's bill to pass it in spite of the House of Lords.

and penologists joined the ranks of abolitionists years ago without waiting for the House of Commons, the House of Lords and the great British public to catch up. The police and the warders are only agitating for their "most-favoured-category" clause to be inserted to give them a mythical protection.

The great British public claims that it has never been consulted on this matter and it should be. Was it ever consulted on the size of prison cells or on the consistency of prison porridge? There is no doubt that if it were, prompted by its strange fears, ignorance and superstitions it would vote for cramped cubicles and watery gruel. But these are matters on which no one would dream of consulting them and on which they would not wish to be consulted. Surely, the question of the treatment of murderers and other criminals like the treatment of diphtheria is not a matter to be decided by the vote.

Dingle Foot, only this week, gave this as one of his reasons for opposing the death penalty. It is indeed noticeable that juries have become more and more reluctant to bring in the death penalty in capital crimes and have been more than ever ready to give the accused the benefit of the doubt.

There is not a great deal of necessity to argue the pros and cons of the death penalty, this has been done before *ad nauseam* and we may hope it is not necessary to discuss it *ad infinitum*. Nevertheless, the problem remains, and it will be a problem even in a free society, how can we best protect society from the murderer?

Much of the discussion on the present Bill has centered round the alternative to hanging. It is possible that a deal may be made for murderers to be sentenced to a "life" imprisonment that is a life, and not the mere ten to twenty years which is the sentence today.

This prospect has turned some "thinkers" over to supporting the death penalty as a "lesser evil" (Bernard Shaw for example).

It has been pointed out, by Mervyn Turner in *The Observer* (20/12/64) that "What I have seen is decline and deterioration in short-term men as much as in those who count in years. Prison by its very nature causes regression. It cannot make a man of the offender. But it does make him a child."

In this week's crop of criminal cases we have ample argument of this point, arguments which can, and will no doubt be used by retentionists for their case. First, we have a young man sentenced to death for murder with robbery, his fingerprints were recorded by the police when he was jailed in the Notting Hill riots. Secondly, we have a man sentenced to death for his second murder, ironically enough this was committed in Wakefield prison. Thirdly, a man who had served

twenty years for murder in South Africa who found he could not adjust to normal life and even a child rebuked him for being a murderer, he took to crime and is now, no doubt happily enough, back in jail for four years. This is only a week's sample but instances come to mind which amply verify Kropotkin's verdict on prisons as "universities of crime".

Anarchists are said by some (and in extremely pure specimens are); to be opponents of reform, and prison reform is said to be only a palliative. The question of prison reform is like the question of capital punishment one must push the point to its extreme limit, the limit in the case of prisons is their complete abolition.

Crime must be recognised for the sickness that it is. Murder is a very rare outbreak and rarely contagious (except in times of war when it is legalised).

Murder, by its very fascination, has been a subject of special study and interest, but save for its extremism it is no different from any other crime and the murderer will respond to treatment the same as any other man, better than many, for he is rarely a professional criminal.

If we do get the death penalty abolished, and it will not be before it's time, it will then be the turn of the prisons to go the way of the rack, the thumbscrews and the gallows.

JACK ROBINSON.

How Juries brought about abolition

SAMUEL BUTLER in his fantasy *Erewhon* had sickness treated as crime and crime as sickness. People were jailed for catching cold (with fixed sentences) and treated with sympathy for an "acute attack of embezzlement". The pattern of human thought is that an artist or a poet imagines a thing, then the legislators see that it is so, and years afterwards, the vast mass of the public accept it, since it is the law. By then, as Ibsen points out, it is time to pass on to other truths than the accepted ones.

There was no great outcry when a Conservative Government supported the Homicide Act which took away the penalty of death from some classes of murder. There were no lynchings when the arch-type murderer of fantasy the sex-fiend who rapes and kills a girl of six only suffered imprisonment, there was no overthrow of a government which only punished murder by poisoning with imprisonment. There was no demurring on a vast scale when the

demonstrably insane, the pregnant mother, the juvenile, the forger, and animal were all in their turn excused from paying the extreme penalty of death. Indeed, it was the great British public incarnate in the shape of the jury that made the death penalty unworkable in many cases, for they, conscious of the vile nature of the execution for which they had to take responsibility brought in verdicts of "Not Guilty" setting the law at naught. In the case of death for forgery it was the bankers that brought about its abolition because so many forgers were acquitted by juries who saw the injustice of so severe a penalty.



INDUSTRIAL NOTES

Employers and the White-collar Workers

In the post-war years, there has been a steady growth in membership of the white-collar unions. In fact it is from this section of Britain's working population that the unions are drawing most of their members. This reflects, in part, the increasing number of men and women who are employed in these jobs. Certain sections of these workers came in for a great deal of attack from the Tory Government when their pay claims exceeded the "guiding light".

At one time the white-collar workers thought that their position was a privileged one and that they did not need a union to protect them. Now this position is altering and they often find themselves on a much lower wage scale than the manual workers.

"We should not, however, begrudge the progress made by the industrial workers, but should seriously reflect upon our own position. What then is wrong with workers in insurance? Why are we content to allow our status to diminish year by year? Why has there been no concerted action to keep pace with our colleagues in industry?"

The above quote comes from the December issue of *Cover Note*, the journal of the Guild of Insurance Officials. From these questions, addressed to the

members of the G.I.O., it seems that they are by no means satisfied with their position in respect of wages and conditions. One of the things that has restricted the growth of unions in white-collar jobs has been, and still is for that matter, is the presence of staff associations which are backed by the management.

It seems that union organisation is having some effect after all. The employers have noted this and are on their guard, for in the same issue of *Cover Note*, the editorial tells of a 'confidential document' which was sent out to organisations who are members of the British Employers' Confederation. This document pointed out the dangers of the rising strength of the white-collar unions. The document says, "this is making it increasingly difficult for employers to resist pressure from staff unions for the negotiation of agreements. It is recognised that staff unions, because of the type of workers they represent, are generally more articulate, more militant and more effective than the manual workers' unions and that any development of staff unionism on a major scale will present serious problems for employers."

It goes on, "even where membership of staff unions is increasing, employers are under no obligation to recognize

union representation. The wages and conditions committee emphasized the difficulties which might arise from conflicting interpretations of the word 'recognition'. Even if recognition were granted to a staff union, this need not include the negotiation of wages and conditions of employment, but might be limited to informal discussions or to the laying down of procedure for dealing with requests and complaints."

"There is a danger however, that once a staff union has been recognized for any purpose at all as representing the interests of the staff workers, it will be encouraged to press for the full rights of negotiations."

The *Cover Note* editorial goes on to say that the G.I.O. encounters this 19th century attitude in the managements of insurance companies, although it does add that there has been a "modifying" of this attitude. They point out that this employer's "circular was confidential, the fact that by some accident it became public property is to be welcomed."

Of course this attitude of the employers is nothing new, but it does show that the organisations of the white-collar workers and their demands are having an effect on the employers. For too long now the staff associations have decided

upon the standards under which the employees should work. If white-collar workers are in fact facing opposition from the employers over recognition, then the recent recommendations of the International Labour Organisation about sackings without valid reason are very apt. Although these recommendations have on the whole been accepted by the Government, there are points of disagreement. The I.L.O. lists union membership or playing an active part in its organisations at work and outside working hours as 'invalid reasons' for dismissal. So they may be, but nevertheless they are still used for that purpose, not only in white-collar jobs, but in the manual industries as well. When these 'invalid' sackings arise, only the solidarity of fellow workers can defend the men involved. Unions may be accepted legally, but union organisation by the rank and file is still resisted by the employers. P.T.

Readers who are workers in industry are invited to contribute to

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