

## PDC Statement on Appeals Court Hearing

# Mobilize Labor's Power! Mumia Abu-Jamal Must Be Free!

*The following statement was issued by the Partisan Defense Committee, a legal and social defense organization associated with the Spartacist League, on May 19.*

The U.S. Third Circuit Court of Appeals in Philadelphia heard oral arguments May 17 in what could be the final stage of legal proceedings for death row political prisoner Mumia Abu-Jamal. As more than 500 of Mumia's supporters rallied outside the courthouse and many others attended the hearing, prosecutors argued to reinstate the death penalty that was overturned in a 2001 decision by federal district court judge William Yohn, which otherwise upheld every aspect of Mumia's conviction on the false charge of killing Philadelphia police officer Daniel Faulkner in December 1981. Mumia's attorneys, headed by Robert Bryan, were

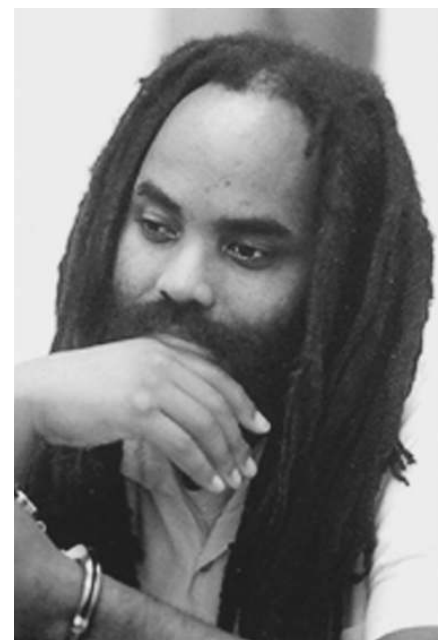
allowed to raise only two of more than 20 legal challenges to Mumia's frame-up conviction—the racially biased jury selection and the prosecutor's prejudicial summary argument to the jury that Mumia would have “appeal after appeal,” which undermined the “reasonable doubt” standard.

Also before the appeals court is the challenge to the grossly biased post-conviction (PCRA) hearings from 1995 to 1997 before the notorious “hanging judge” Albert Sabo, who presided over Mumia's 1982 trial and was overheard at the time saying he'd help them “fry the n----r.” During the PCRA hearings, Sabo barred many defense witnesses, quashed defense subpoenas and arrested one of Mumia's attorneys at the time, Rachel Wolkenstein, for attempting to present evidence of the massive disproportion in death sen-

tences handed to black people in Philadelphia compared to those handed to whites.

Following the Third Circuit hearing, Wolkenstein, who is counsel for the Partisan Defense Committee, warned that “a decision could come within weeks, and whatever they decide will likely be appealed to the reactionary U.S. Supreme Court. This makes it all the more urgent to revitalize mass protest to free Mumia on the basis that he is an innocent man and the victim of a racist, political frame-up.” Wolkenstein continued, “There should be no illusions in these federal appeal proceedings. There is overwhelming evidence of Mumia's innocence, including the sworn confession of Arnold Beverly that he, not Mumia, shot and killed Faulkner. But for more than 25 years, both the

*continued on page 8*



AFP

## “War on Terror” Show Trial

# Abducted, Tortured, Framed Up: Free Jose Padilla!

Five years after Jose Padilla was arrested on trumped-up charges of plotting to set off a radioactive “dirty bomb” on U.S. soil, he is on trial in a Miami courthouse on vague conspiracy charges that have nothing to do with the original accusation. Seized at Chicago's O'Hare airport in May 2002, Padilla was initially held as a “material witness” in the September 11 grand jury investigation. One month later, he was declared an “enemy combatant” and disappeared into a Navy brig in South Carolina. Padilla was trapped in a legal netherworld with no way to challenge his imprisonment, no contact with his family and—for almost two years—no access to lawyers. When the Bush administration finally brought criminal charges against Padilla in November 2005, the “dirty bomb” plot was dropped like yesterday's “weapons of mass destruction.”

The indictment in the criminal case does not mention a single specific terrorist attack or plot, in the U.S. or anywhere else. Instead, Padilla and co-defendants Adham Hassoun and Kifah Jayyousi are

accused of “conspiracy” to support “violent jihad” around the world by raising money for Islamic charities or traveling abroad. For this they face life in prison. In the words of the federal prosecutor, the accusations involve an “inchoate crime” rather than a “completed operation.” He added: “It's very hard to particularize” (*Washington Post*, 23 April).

Indeed. This is a show trial, pure and simple, and one with the clear intent to help enshrine as permanent features of the legal system an array of repressive laws and measures enacted as part of the “war on terror.” Thus, in announcing the frame-up charges against Padilla, Attorney General Alberto Gonzales credited the broad surveillance powers allowed under the USA Patriot Act with making the prosecution possible. The USA Patriot Act, which had the overwhelming support of the Democrats both when it passed following the September 11 attacks and again when it was renewed in early 2006, has shredded civil rights for immigrants and everybody else. Moreover, Gonzales' now widely discredited Justice Department has made clear that if Padilla wins an acquittal in his criminal trial, the Feds will *reinstate* his classification as an enemy combatant and throw him in the brig again!

The government's torture of “terror suspects” marks the Padilla case from beginning to end. The source of the “dirty bomb”



AP



WV Photo

**Left: Jose Padilla being transferred to civilian custody, January 2006. Right: Spartacists at March 2002 protest in Brooklyn against detention of Arab and Muslim immigrants.**

tale was Khalid Shaikh Mohammed, whom the authorities have not dared to put in a courtroom. While Mohammed confessed to dozens of terrorist attacks and plots, he has stated that he falsely implicated several people as a result of his being tortured. According to a lawyer for Padilla, the

sources for the original 2002 arrest warrant were Abu Zubaydah, a top Al Qaeda leader, and Binyam Ahmed Muhammad, who was being held at Guantánamo. Zubaydah, who was shot during his capture, was reportedly denied painkillers as an interrogation

*continued on page 7*



## V.I. LENIN ON THE STATE

The question of the class nature of the state is a decisive dividing line between revolutionary Marxists and reformists. The understanding that the capitalist state—which at its core consists of the cops, military, prison system and courts—is the instrument for organized violence to ensure bourgeois rule over the proletariat, and that it must be smashed through socialist revolution, is elementary to Marxism. We reprint below key passages on the state from Bolshevik leader V.I. Lenin’s *The State and Revolution* (1917)—written shortly before the October Revolution—and *The Proletarian Revolution and the Renegade Kautsky* (1918) as well as the “Theses on Bourgeois Democracy and the Dictatorship of the Proletariat,” drafted by Lenin and adopted by the founding congress of the Communist International in March 1919.

In these works, Lenin defends the Marxist understanding of the state against Social Democratic leaders, particularly Karl Kautsky, who obfuscated and falsified Marxism in the service of parliamentary reformism. Stripping bourgeois democracy of its class character—i.e., portraying the capitalist state as representing the interests of the classless “people”—inevitably leads to political support to the capitalist class and bourgeois nationalism. The German Social

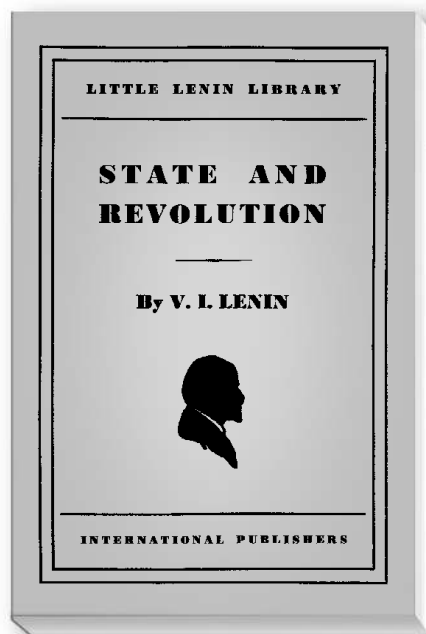


Basil Blackwell, Inc.

**Leon Trotsky, co-leader of October Revolution and commander of the Red Army, rallies soldiers of Soviet workers state, 1920.**

Democracy graphically demonstrated this when, except for a revolutionary minority, the party supported its “own” bourgeoisie during the interimperialist First World War of 1914-18.

In his writings on the state, Lenin draws upon key works, such as Friedrich Engels’



**Lenin’s *State and Revolution* explains the Marxist understanding of the state as instrument of class rule.**

*The Origin of the Family, Private Property, and the State* (1884) and Marx’s writings on the 1871 Paris Commune. After France under the regime of Napoleon III was defeated by Prussia in 1870, a right-wing government was formed, acquiring a “democratic” sanction through the electoral support of the mass of peasant petty proprietors, then the majority of the populace. When that government sent the army into Paris to disarm the predominantly working-class National Guard, the proletarian forces drove out the army. This led to the formation of the Commune, which governed the city for nearly three months before the army crushed it, slaughtering over 20,000 people. Marx and Engels described the Commune as the first historical expression of the dictatorship of the proletariat.

\* \* \*

Engels elucidates the concept of the “power” which is called the state, a power which arose from society but places itself above it and alienates itself more and more from it. What does this power mainly consist of? It consists of special bodies of armed men having prisons, etc., at their command....

A standing army and police are the chief instruments of state power. But how can it be otherwise?...

Civilised society is split into antagonistic, and, moreover, irreconcilably antagonistic, classes, whose “self-acting” arming would lead to an armed struggle between them. A state arises, a special power is created, special bodies of armed men, and every revolution, by destroying

the state apparatus, clearly shows us how the ruling class strives to restore the special bodies of armed men which serve it, and how the oppressed class strives to create a new organisation of this kind, capable of serving the exploited instead of the exploiters....

The state is a special organisation of force: it is an organisation of violence for the suppression of some class. What class must the proletariat suppress? Naturally, only the exploiting class, i.e., the bourgeoisie. The working people need the state only to suppress the resistance of the exploiters, and only the proletariat can direct this suppression, can carry it out. For the proletariat is the only class that is consistently revolutionary, the only class that can unite all the working and exploited people in the struggle against the bourgeoisie, in completely removing it....

The petty-bourgeois democrats, those sham socialists who replaced the class struggle by dreams of class harmony, even pictured the socialist transformation in a dreamy fashion—not as the overthrow of the rule of the exploiting class, but as the peaceful submission of the minority to the majority which has become aware of its aims. This petty-bourgeois utopia, which is inseparable from the idea of the state being above classes, led in practice to the betrayal of the interests of the working classes, as was shown, for example, by the history of the French revolutions of 1848 and 1871, and by the experience of “socialist” participation in bourgeois Cabinets in Britain, France, Italy and other countries at the turn of the century....

The essence of Marx’s theory of the state has been mastered only by those who realise that the dictatorship of a *single* class is necessary not only for every class society in general, not only for the *proletariat* which has overthrown the bourgeoisie, but also for the entire *historical period* which separates capitalism from “classless society,” from communism. Bourgeois states are most varied in form, but their essence is the same: all these states, whatever their form, in the final analysis are inevitably the *dictatorship of the bourgeoisie*. The transition from capitalism to communism is certainly bound to yield a tremendous abundance and variety of political forms, but the essence will inevitably be the same: *the dictatorship of the proletariat*....

To decide once every few years which member of the ruling class is to repress and crush the people through parliament—this is the real essence of bourgeois parliamentarism, not only in parliamentary-

constitutional monarchies, but also in the most democratic republics....

From this capitalist democracy—that is inevitably narrow and stealthily pushes aside the poor, and is therefore hypocritical and false through and through—forward development does not proceed simply, directly and smoothly, towards “greater and greater democracy,” as the liberal professors and petty-bourgeois opportunists would have us believe. No, forward development, i.e., development towards communism, proceeds through the dictatorship of the proletariat, and cannot do otherwise, for the *resistance* of the capitalist exploiters cannot be *broken* by anyone else or in any other way.

And the dictatorship of the proletariat, i.e., the organisation of the vanguard of the oppressed as the ruling class for the purpose of suppressing the oppressors, cannot result merely in an expansion of democracy. *Simultaneously* with an immense expansion of democracy, which *for the first time* becomes democracy for the poor, democracy for the people, and not democracy for the money-bags, the dictatorship of the proletariat imposes a series of restrictions on the freedom of the oppressors, the exploiters, the capitalists.

—*The State and Revolution*

\* \* \*

Marxists have always maintained that the more developed, the “purer” democracy is, the more naked, acute, and merciless the class struggle becomes, and the “purer” the capitalist oppression and bourgeois dictatorship. The Dreyfus case in republican France, the massacre of strikers by hired bands armed by the capitalists in the free and democratic American republic—these and thousands of similar facts illustrate the truth which the bourgeoisie is vainly seeking to conceal, namely, that actually terror and bourgeois dictatorship prevail in the most democratic of republics and are openly displayed every time the exploiters think the power of capital is being shaken.

The imperialist war of 1914-18 conclusively revealed even to backward workers the true nature of bourgeois democracy, even in the freest republics, as being a dictatorship of the bourgeoisie. Tens of millions were killed for the sake of enriching the German or the British group of millionaires and multimillionaires, and bourgeois military dictatorships were established in the freest republics.

—“Theses on Bourgeois Democracy and the Dictatorship of the Proletariat”

\* \* \*

The only “correction” Marx thought it necessary to make to the *Communist Manifesto* he made on the basis of the revolutionary experience of the Paris Communards.

The last preface to the new German edition of the *Communist Manifesto*, signed by both its authors, is dated June 24, 1872. In this preface the authors, Karl Marx and Friedrich Engels, say that the programme of the *Communist Manifesto* “has in some details become out-of-date,” and they go on to say:

“...*One thing especially was proved by the Commune, viz., that ‘the working class cannot simply lay hold of the ready-made state machinery and wield it for its own purposes’....*”

...Marx’s idea is that the working class must *break up, smash* the “ready-made state machinery,” and not confine itself merely to laying hold of it.

—*The State and Revolution*

\* \* \*

“We,” the revolutionary Marxists, never made speeches to the people that the

### WORKERS VANGUARD

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# Pascagoula, Mississippi

## Powerful Strike Sold Short by Labor Tops

After four weeks of struggle and sacrifice, union workers at Northrop Grumman's Ingalls shipyard in Pascagoula, Mississippi, voted to return to work on April 4. The powerful strike by this multiracial workforce shut down shipbuilding at Ingalls, where Navy destroyers and Coast Guard cutters are built, in the midst of U.S. imperialism's murderous occupations of Iraq and Afghanistan. Workers emerged from the strike with pride in having held firm against the world's largest naval shipbuilder despite the ongoing post-Katrina economic hardship weighing down on them and other working people along the Gulf Coast. Several workers told *Workers Vanguard* that they are determined to fight again when the new contract is up in three years.

The settlement was widely opposed by the workers interviewed by WV. It includes a pay increase of \$1.68 per hour the first year, only 28 cents higher than the contract offer that was overwhelmingly rejected in early March. The agreement means "28 cents for 28 days" on strike, as some Ingalls workers put it. For many, the wage increase will not even cover the post-Katrina jump in the cost of gas. Meanwhile, family health care premiums will increase by \$50 per month over three years and still will not cover dental or vision care. But workers

did take satisfaction in making Northrop Grumman CEO Philip Teel "eat his words" after he had said he would not give more in wages, even as the company is rolling in billions of dollars of profits and handouts from the Navy.

There is anger and frustration at how the union officials ran the strike, which included giving the workers less than 24 hours' notice to show up for the contract vote. As a boilermaker at Ingalls told WV, "Any time you rush a vote, it is better for the company." With Ingalls workers spread over four states, and many having to work temporary jobs to make ends meet, less than half of the strikers were able to make it to the vote. Nonetheless, nearly 40 percent voted to reject the contract and continue the strike.

Others reluctantly accepted the settlement out of financial distress. Several of the 14 unions' strike funds were never replenished after the money was used for post-Katrina emergency relief. The company also cut off the workers' health insurance on April 1, three days before the strike's end. On April 3, the Secretary of the Navy, in a major speech, pledged "tough love" in reining in shipbuilding costs, fueling fears of Navy intervention against the strike.

It is an indictment of the pro-capitalist union tops that they did not take steps to



Fitzhugh/Sun Herald

**Pascagoula: 2,000 striking union workers of Northrop Grumman Ship Systems demonstrate in March.**

restore the strike funds. Eleven of the Ingalls unions are in the Metal Trades Council, a department of the AFL-CIO, and all are part of international unions. But, as several workers complained to WV, at no level did the labor officials give financial support to the Ingalls workers or mobilize concrete acts of solidarity for the strike. This stands in stark contrast to the record tens of millions of dollars both the AFL-CIO and Change to Win spent to "get out the vote" for mostly Democratic Party politicians in the 2006 midterm elections, or the money they have earmarked to boost the fortunes of the Democratic candidate in the upcoming presidential elections. What is required is a political fight in the unions to break the influence of the "labor lieutenants of capital," who tie workers to the parties of their exploiters in the service of containing class struggle. This requires a political expression: a workers party that fights for a workers government.

Since the settlement seven weeks ago, city officials in Pascagoula have voted to shut down four FEMA trailer parks, once again displacing their residents, including a number of Ingalls workers. The racist atrocity in the Gulf Coast in the face of Hurricane Katrina should have been met with union mobilizations demanding a

massive rebuilding effort that would have provided every unemployed person with a job at union wages, as well as decent housing and health care. But the heads of the labor federations did virtually nothing. And now when Ingalls strikers attempted to combat the ravages of Katrina—and the capitalist rulers' criminal indifference—the union tops sold them short. Ingalls workers were not powerless victims of Katrina—they showed their muscle in the strike, which could have sparked a wider struggle on behalf of the Gulf Coast's population and pointed the way forward to organizing the open shop South.

One of the groups active at the Ingalls picket lines was Black Workers for Justice, which is headed by Saladin Muhammad (who is also lead organizer of UE Local 150 in North Carolina). In a 21 April article printed in several publications, "Ingalls Workers' Strike. Lessons on Labor Resistance in U.S. Gulf," Muhammad wrote that the strike "can serve as an important catalyst for building a united and more conscious labor movement to strengthen the Reconstruction Movement throughout the region."

The first step toward building a "more conscious labor movement" is a political break with the capitalist rulers and their parties. However, Muhammad's criticism of the Democrats is that they did not support the strike, lamenting "this failure by the Democrats to challenge the injustices of this major U.S. defense contractor." Meanwhile, his "Reconstruction Movement" calls for "state and local government constitutional provisions that ensure basic rights." For all his criticisms of the labor bureaucracy, including for not supporting the strike, Muhammad is at one with the union tops in promoting the lie that the capitalist system, through the agency of the Democrats, can be made to serve the interests of working people.

The Democratic Party is the *other* party of American capitalism, committed to maintaining this system of exploitation and racist oppression. As one Ingalls worker told WV: "Politicians go with the company." The Democrats are as responsible as the Republicans for the decades of neglect of the Gulf Coast's infrastructure—and the resulting devastation—and for perpetuating the misery of those displaced.

Revitalizing the labor movement in the South will require a level of class and social struggle that challenges the very foundations of the American bourgeois order, not least the racial oppression of black people. It will mean taking on anti-union "right to work" laws, championing the struggle for black rights and fighting for full citizenship rights for all immigrants and "guest workers," such as the workers from India who in effect have been trapped in indentured servitude at the Signal shipyard in Pascagoula. To prepare for these battles ahead, there needs to be a fight to replace the labor bureaucracy with a leadership committed to mobilizing labor's power independently of the capitalist state and politicians, in the interests of all the exploited and oppressed. ■



City of Pascagoula

**Pascagoula devastated after Hurricane Katrina.**

Kautskyites of all nations love to make, cringing before the bourgeoisie, adapting themselves to the bourgeois parliamentary system, keeping silent about the *bourgeois* character of modern democracy and demanding only *its* extension, only that *it* be carried to its logical conclusion.

"We" said to the bourgeoisie: You, exploiters and hypocrites, talk about democracy, while at every step you erect thousands of barriers to prevent the *oppressed people* from taking part in politics. We take you at your word and, in the interests of these people, demand the extension of *your* bourgeois democracy *in order to prepare the people for revolution* for the purpose of overthrowing you, the exploiters. And if you exploiters attempt to offer resistance to our proletarian revolution we shall ruthlessly suppress you; we shall deprive you of all rights; more than that, we shall not give you any bread, for in our proletarian republic the exploiters will have no rights, they will be deprived of

fire and water, for we are socialists in real earnest, and not in the Scheidemann or Kautsky fashion.

—*The Proletarian Revolution and the Renegade Kautsky*

\* \* \*

Only the soviet organization of the state can really effect the immediate breakup and total destruction of the old, i.e., bourgeois, bureaucratic and judicial machinery, which has been, and has inevitably had to be, retained under capitalism even in the most democratic republics, and which is, in actual fact, the greatest obstacle to the practical implementation of democracy for the workers and the working people generally. The Paris Commune took the first epoch-making step along this path. The soviet system has taken the second.

—"Theses on Bourgeois Democracy and the Dictatorship of the Proletariat" ■

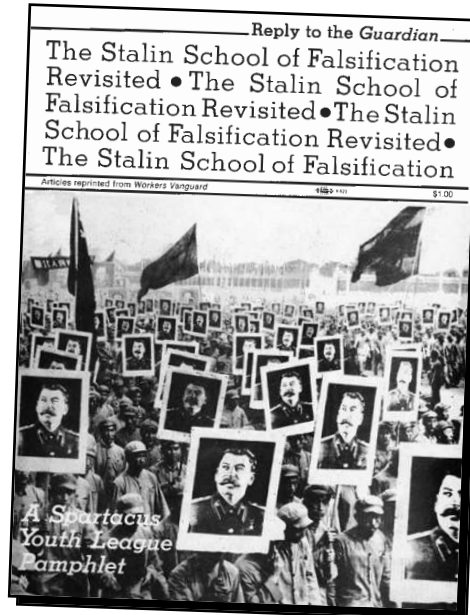
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## GERMAN IMPERIALISM AND THE LIE OF “COLLECTIVE GUILT”

*This article is an edited translation from Spartakist No. 163 (Summer 2006), publication of the Spartakist Arbeiterpartei Deutschlands, German section of the International Communist League (Fourth Internationalist). The article was based on a 2005 SpAD educational presentation.*

### PART ONE

On the occasion of the 60th anniversary of the liberation [of Germany from Nazism], there was widespread debate in society about the Third Reich and World War II. The German bourgeoisie and their SPD [Social Democratic Party]/Green government took the opportunity of the various commemorative ceremonies to advance the interests of German imperialism. In contrast to the Japanese ruling class, which honors its butchers every year—as Kohl and Reagan also did in 1985 with the SS murderers in Bitburg—the German bourgeoisie prefers, in view of their indescribably terrible crimes, to shed a few crocodile tears at commemorative events.

Other examples include building the Holocaust memorial in the center of Berlin or displaying a bit of anti-fascism every couple of years by organizing an “uprising of decent people,” whenever the daily racist terror, which is promoted by the state, threatens to damage Germany’s image once again. The central ideological means they resort to is preaching that all Germans are guilty of the Nazis’ crimes—collective guilt—in order to let those who are really guilty off the hook: the German bourgeoisie, the ruling class at that time and today. The issue was and is that the German bourgeoisie wants to play a role on the world stage; to promote this goal it cynically manipulates the memories of its crimes.

With capitalist reunification and the counterrevolutionary destruction of the [East German] DDR deformed workers state in 1990 and the destruction of the Soviet degenerated workers state in 1991-92, German imperialism has become stronger. It is now undertaking the first steps to compete against the global hegemony of U.S. imperialism. “German interests” are again represented in the Balkans, in Afghanistan, on the Horn of Africa, and soon they will also be represented in Congo. In 1999, [SPD Chan-

cellor Gerhard] Schröder and [Green Party Foreign Minister Joschka] Fischer proclaimed, “Never again Auschwitz,” which served to justify participating in the U.S.-led NATO war against Serbia. The sole purpose of this was to carry

for “thank you” alliance against the Nazis, Peter Gingold, a Jewish Stalinist and fighter in the bourgeois French resistance, made a speech (which got more than a little applause). What he said corresponded to a contribution he made in the

tion. The fascists were based on the petty bourgeoisie (peasants, students, the intelligentsia, civil servants, etc.) that had been ruined by the world economic crisis at the end of the 1920s, on the cops and on the lumpenproletariat, that is, the long-term unemployed and totally impoverished who had lost any connection to the working class. Fascism was the last means of rescuing bourgeois class rule.

In the 1938 Transitional Program, the founding document of the Fourth International, Leon Trotsky, co-leader of the October Revolution alongside Lenin, exposed the lies of the Stalinists and, comparing the defeat in Germany in 1933 with the experience of Russia in 1905, showed who bore the responsibility for the Nazi victory:

“The Bolshevik faction had at that time [1905] not celebrated even its third birthday. It is completely otherwise in Germany, where the leadership came from powerful parties, one of which had existed for seventy years, the other almost fifteen. Both these parties, with millions of voters behind them, were morally paralyzed before the battle and capitulated without a fight. History has recorded no parallel catastrophe. The German proletariat was not smashed by the enemy in battle. It was crushed by the cowardice, baseness, and perfidy of its own parties. Small wonder then that it has lost faith in everything in which it had been accustomed to believe for almost three generations....

“The protracted failure of revolutionary work in Spain or Germany is but the reward for the criminal politics of the Social Democracy and the Comintern.”

### The Revolutionary Tradition of the German Workers Movement

With the outbreak of World War I, the SPD went over openly to the side of its own bourgeoisie by voting for war credits to the Kaiser on 4 August 1914 and then herding the working class into the slaughter of World War I. Lenin called the SPD a bourgeois workers party, that is, a party with a bourgeois program entirely in the framework of capitalism, but with a proletarian base. It was strategically necessary to split the working-class base of the SPD from its bourgeois leadership. The SPD bears the responsibility for the defeat of the postwar revolutionary wave; their betrayal was the key to rescuing bourgeois rule. The SPD drowned the [1918-19] revolution in blood and had the leadership of the KPD—Karl Liebknecht, Rosa Luxemburg, Leo Jogiches and Eugen Leviné—murdered.

As for the young, recently founded Communist Party, it was too inexperienced. In 1923, the KPD leadership, discouraged by Stalin from fighting for power, recognized the revolutionary crisis too late. They made the call for an uprising dependent on the agreement of the left wing of the SPD, which was equivalent to giving the revolution a third-class burial (see *Spartacist* [English-language edition] No. 56, Spring 2001). Since the attempts of the German working class to find a way out of the capitalist crisis through proletarian revolution—inspired by the 1917 October Revolution—were unsuccessful, the situation resulted in a right-wing radicalization of the petty bourgeoisie.

The defeat of the 1923 revolution in Germany sealed the isolation of the young Soviet workers state at the time. The devel-



Soviet Red Army troops march in Austria, April 1945.

Yevgeni Khaldei

## The Red Army Smashed the Nazi Regime! Workers Revolution Will Avenge the Victims of the Holocaust!

through the first military intervention by German imperialism since the end of World War II, give the Bundeswehr practical experience and station troops in the Balkans. The hypocrisy of the bourgeoisie of Auschwitz then and now only serves to pave the way for the next round of dangerous resurgence of German nationalism. “*Collective guilt*” chains the working class to its own bourgeoisie and prevents it from calling the bourgeoisie to account for its crimes.

On 8 May 2005, at the Berlin demonstration by the so-called Spasibo [Russian

South Baden *Stattzeitung* (March 2005) under the title: “For the Majority of the German Population, the Defeat of the Nazis Was Their Own Defeat.” Gingold “confirmed” this infamous assertion when he said that the Germans “didn’t prevent 1933,” that is, the seizure of power by the Nazis. But the overwhelming majority of the German proletariat was in the KPD [Communist Party of Germany] and SPD and in the unions, which at the end of the 1920s were led mostly by Social Democrats. The bourgeoisie brought the fascists to power because it feared workers revolu-



AP



no credit

Left: West German chancellor Kohl and U.S. president Reagan honor Nazi SS war dead in Bitburg, Germany in 1985. Right: German Bundeswehr troops visit Auschwitz in 1999. SPD/Green government proclaimed “Never Again Auschwitz” to justify German imperialism taking part in U.S./NATO air war against Serbia.



Der Spiegel

**Left: Social Democratic leader Friedrich Ebert reviews counterrevolutionary shock troops. German Social Democrats drowned 1918-19 Revolution in blood and instigated the murder of revolutionary leaders Karl Liebknecht and Rosa Luxemburg (right).**



Der Spiegel



Panorama DDR

oping Soviet bureaucracy took advantage of the disappointment and apathy that spread among the exhausted masses, and, under Stalin’s leadership, seized control and power over the Bolshevik Party at the end of 1923 to early 1924. Stalin replaced Bolshevik internationalism and the struggle for world revolution with the dogma of “building socialism in one country.” The Communist International, founded as the party of world revolution, was transformed into an instrument to foster illusions in peaceful coexistence between the Soviet Union and imperialism, which was decisive in chaining workers to the bourgeoisie.

This counterrevolution was political, not social; the Stalinist bureaucracy was based on the collectivized property forms that had been created by the October Revolution. Thus the state remained a workers state, although bureaucratically degenerated, and it was the duty of the international proletariat to defend it against the class enemy. For many years, the Trotskyist International Left Opposition carried out a struggle against Stalin & Co. and against the destruction of the party in order to return the Comintern to its revolutionary program.

### The Betrayal by the SPD and KPD in 1933

The defeats of workers revolutions and the world economic crisis at the end of the 1920s enabled the Nazis to grow. But the workers wanted to fight and the bourgeoisie was no longer in a position to stem the danger of revolution through bourgeois democracy. There was a mass radicalization, and three consecutive bonapartist regimes—Brüning in 1930, Papen in 1932, Schleicher in 1932-33—could not get the crisis under control for the bourgeoisie, which increasingly counted on Nazi terror against the workers movement and saw the smashing of the workers movement as the only possibility to save its rule. The SPD leadership feared mobilizing the workers against the Nazis because workers would become more radicalized and slip out of the control of the SPD and its class-collaborationist program. The KPD leadership under [Ernst] Thälmann, as well as Stalin, refused, however, to force the SPD into a united front, even declaring the SPD “social fascist.” The KPD instead came up with the slogan “After Hitler, us.” In the face of the threatened destruction of the workers movement and the fascist seizure of power, this was nothing other than a declaration of capitulation.

In contrast, the Trotskyist Left Opposition warned of the danger of the Nazis taking power and fought to organize the workers in proletarian united fronts in order to smash the Nazis. The betrayal by the Stalinists and Social Democrats was enormous: while workers, organized by the hundreds of thousands into party militias, had waged street battles against the Nazis, sometimes overcoming their political divisions, the Nazis were able to come to power without a shot being fired. *The betrayal of the KPD weighs twice as heavily because it was seen as the party of the Russian Revolution in which the vanguard of the proletariat was organized.*

Nothing is more demoralizing than a defeat *without a fight*. When, following this historic betrayal, no criticism was raised in the ranks of the Third [Communist] International, the Trotskyists began to fight to build a new revolutionary Inter-

national. Meanwhile, in 1935 the Stalinists came out for building popular fronts—alliances of workers parties with sections of the bourgeoisie—against fascism. Based on class collaboration, the popular front—an obstacle to class struggle against the capitalist system that produces the Nazis—in reality paves the way for the Nazis. This was expressed most clearly in the mid 1930s when the Stalinists treacherously strangled the Spanish Revolution, which resulted in Franco’s fascists taking power.

It was the Red Army that smashed the Nazi regime and brought to an end the Holocaust—the industrial murder of millions of Jews, Roma and Sinti [Gypsies]—and the persecution and murder of Communists and countless others. After the victory of the Red Army, the lie of the



Bundesarchiv

**Nazi stormtroopers march on German Communist Party headquarters in Berlin, January 1933.**

“collective guilt of all Germans” for the Holocaust and the other Nazi atrocities was a central means of defending the rule of the German bourgeoisie in West Germany. Thus the responsibility of the bourgeoisie, which had brought Hitler to power in order to smash the working class, was shifted to “the people.” And if everyone was guilty, then no one, in particular the bourgeoisie, really was. In his memoirs, *And Red Is the Colour of Our Flag*, the German Trotskyist Oskar Hippe powerfully described the purpose of the lie of collective guilt after World War II:

“The declaration that there is a ‘collective guilt’ in the German people also belongs to this struggle against the proletariat, since from the outset they want to discriminate against the proletariat, the overwhelming majority of the people. They want to drive home the idea that their failure was due to their inferiority, and to explain once and for all that the proletariat is incapable of taking a grip on its own fate and revolutionising society.”

After the war, the KPD and SPD leaderships had their own reasons for adopting the lie of collective guilt. It enabled them to shift the responsibility for their own betrayal—their cowardly capitulation to the Nazis in 1933 without a fight—onto the shoulders of the German working class which they had betrayed. Today DKPers [members of the present-day German Communist Party] seek to blame the Nazi seizure of power on the unwillingness of the “German people” (i.e., the workers) to fight. This is an

outrageous whitewash of the betrayal of the KPD leadership. What is behind this is the program expressed in an 11 June 1945 call issued by the KPD:

“In our opinion it would be wrong to impose the Soviet system on Germany, because this road does not correspond to the current conditions of development in Germany.

“Our opinion is rather that the decisive interests of the German people in the current situation dictate another path—that of an anti-fascist, democratic regime, a parliamentary-democratic republic with all democratic rights and freedoms for the people.”

So they stood for the rule of the bourgeoisie—democratic, of course. An article in the DKP paper *unsere zeit* (10 June 2005) explained: “The call of the Central Committee of the KPD of 11 June 1945 is one of the most brilliant and creative

texts published by the German communists in their history.”

In fact, however, Nazi leaders and the bourgeoisie fled from East Germany, where the Red Army was in power, to the imperialist West. The increasing confrontation between the Soviet Union and its imperialist “democratic” wartime allies culminated in the first Cold War. Consequently, in the late 1940s in East Germany, as in the rest of East Europe, the bourgeoisie was expropriated and a deformed workers state, the DDR, was erected on the model of the bureaucratically degenerated workers state of the Soviet Union.

### World War II—An Imperialist War

One central point in the Stalinist and social-democratic propaganda on World War II, as well as in the collective-guilt propaganda, is to present World War II as a war between democracy and fascism. But World War II, like World War I, was an imperialist war; in fact it was simply the continuation of the earlier war. With regard to the Soviet Union, the Trotskyists had a side—with the Soviet Union. They also supported uprisings of oppressed colonial peoples if these were directed against imperialist domination, whether in India against Britain, in China against Japan *and* the U.S., in Indochina against France, etc.

After World War I, the victory of the proletarian revolution in Russia left its

mark on the consciousness of all classes in Europe. And both the bourgeoisie and the Trotskyists expected revolutions as the outcome of a new world war. The capitalist rulers had drawn *their own* lessons from the Revolution. For example, the fraternization of German and Russian soldiers on the Eastern Front in December 1917 was initially seen by the Reichswehr merely as a sign that the Russian army was disintegrating. In the Museum of the Red Army exhibition in the Berlin district of Karlshorst, next to a photo titled “Fraternization of German and Russian Soldiers,” there is the following comment:

“In hindsight, after the November Revolution [1918] in Germany, this rapprochement of the soldiers was regarded as the beginning of subversion by Bolshevism. Later, this understanding influenced the orders of the National Socialists in the war strategy against the Soviet Union.”

The Trotskyists had prepared very thoroughly for the occurrence of a new world war. Their model was the struggle of Karl Liebknecht and of the Bolsheviks in World War I. Their principled position was presented in the decisive programmatic document, Trotsky’s 1934 “War and the Fourth International.” The “general strategic task to which the whole work of a proletarian party during war should be subordinated” is to turn the imperialist war into a civil war. It explains:

“18. The sham of national defense is covered up wherever possible by the additional sham of the *defense of democracy*. If even now, in the imperialist epoch, Marxists do not identify democracy with fascism and are ready at any moment to repel fascism’s encroachment upon democracy, must not the proletariat in case of war support the democratic governments against the fascist governments? “Flagrant sophism! We defend democracy against fascism by means of the organizations and methods of the proletariat.... And if we remain in irreconcilable opposition to the most ‘democratic’ government in time of peace, how can we take upon ourselves even a shadow of responsibility for it in time of war when all the infamies and crimes of capitalism take on a most brutal and bloody form?”

“19. A modern war between the great powers does not signify a conflict between democracy and fascism but a struggle of two imperialisms for the redivision of the world.”

Only one point was added to the revolutionary program for World War I: the *continued on page 6*

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German Imperialism...

(continued from page 5)

duty of the world proletariat to fight for the unconditional military defense of the gains of the October Revolution, despite the usurpation of political power by the bureaucratic caste headed by Stalin:

“Defense of the Soviet Union from the blows of the capitalist enemies, irrespective of the circumstances and immediate causes of the conflict, is the elementary and imperative duty of every honest labor organization.”

When Germany invaded the Soviet Union, the Soviet Trotskyists who were imprisoned in Stalin’s camps volunteered to defend the Soviet Union with arms in hand. And when the Stalinist bureaucracy refused out of fear, the Trotskyists relinquished some of their rights and extended their working day to 12 hours to help the Soviet Union win the war.

On the question of the defense of the Soviet Union there were fights within the Fourth International; the clearest and best-documented fight was in the American section, the Socialist Workers Party. Under pressure of petty-bourgeois public outrage over the Hitler-Stalin pact and the Soviet-Finnish war, the petty-bourgeois opposition of Shachtman, Burnham and Abern

was an imperialist war. As Lenin already explained in World War I, for Marxists the question of who shoots first is irrelevant for evaluating a war. Germany and Japan made it into the ranks of major imperialist powers only at the end of the 19th century. When it came to dividing up the world, they were too late. Since they had less reserves, they had designs on the colonies being plundered by Britain and France. The U.S. was waiting to skim the cream at the end. It went to war against Japan above all to resolve who would get to exploit and enslave China and Asia.

The Defense of the Soviet Union

The Stalinist, popular-frontist fairy tale of an anti-fascist war of the democracies served only to chain the American and West European working class to their own bourgeoisies. In 1917, the Bolsheviks had seen the extension of the Russian Revolution to the advanced imperialist countries as its only road to survival. In particular, they counted on the German working class, the strongest and best-organized in Europe. But the German proletariat had been defeated by its bourgeoisie, and young German workers, now stuck in Wehrmacht uniforms, were deployed against the Soviet Union. At the time, only the Trotskyists fought for independent class politics in the tradition of



Auschwitz survivors, liberated by Red Army, tell Soviet soldiers about horrors of the death camp, 1945.

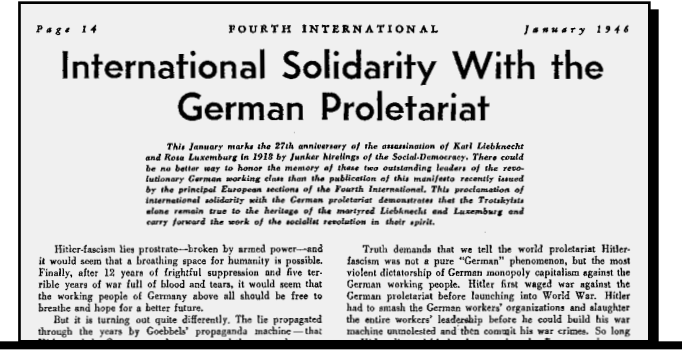
ment and bloody oppression by the Nazis.

The policies of the Stalinist bureaucracy ruling over the Soviet state, and preventing any initiative by the masses, led to the devastating loss of 27 million Soviet citizens. Three million died in the first three months alone. Stalin trusted his 1939 pact with Hitler, even though he had been warned, for instance by the heroic Soviet spies Richard Sorge and Ozaki Hotsumi. You can also find out a lot about this in Khrushchev’s secret speech at the 1956 Congress of the Communist Party of the Soviet Union under the strange title, “On the Cult of Personality.” (Except that he does not answer the question: “Where were you, Khrushchev?”) In this speech, he showed that Stalin was demoralized and hid like a coward for the first ten days following the German attack.

One of the main ways that Stalin had weakened the Soviet Union was by exterminating almost the entire officer corps three or four years earlier, including Tukhachevsky, for example. Rokossovsky, one of the most important generals in the Soviet struggle for the liberation of Europe, had fortunately not been murdered but only transferred, and was there-

desertion of German units going over to fight alongside their Soviet class brothers against the common class enemy, the German bourgeoisie. With this, the Stalinists also managed to displace the October Revolution as the goal the Soviet working class identified with and to replace it with the Great Patriotic War. This went along with the elimination by the Stalinist bureaucracy of the entire layer of Bolsheviks who had led the October Revolution.

According to the propaganda spread in the Red Army and the working class, the Germans were all fascists, the Wehrmacht was a fascist army, etc. That is why at Stalingrad there were posters and inscriptions in Russian (also documented in the museum in Berlin-Karlshorst) such as: “How Many Germans Did You Kill Today?” and “No German Should Leave Stalingrad Alive.” Later the Red Army distributed leaflets to the German soldiers to get them to capitulate, but the example of capitulation they gave was that of Hitler-loyal, arch-reactionary General Field Marshal Paulus, who had commanded the German troops in Stalingrad. They also founded the National Com-



Statement issued by main European sections of the Fourth International following defeat of Nazi Germany in World War II denounced lie “that the entire German people bear the guilt for Hitler’s crimes.”

wanted to give up defense of the Soviet Union. In 1940 they split the party, taking 40 percent of the membership with them.

In 1938, in “A Fresh Lesson—After the Imperialist ‘Peace’ at Munich,” Trotsky answered the central question of what bourgeois democracy actually is:

“Democracy can be maintained only so long as class contradictions do not reach an explosive state. In order to mitigate social frictions the bourgeoisie has been compelled to provide feed for a broad layer of petty-bourgeois intellectuals, and the bureaucracy and aristocracy of labor. The bigger the feeding-trough the more ardent is social patriotism. The reformist feeding-trough has nowadays been preserved only in those countries which were able in the past to accumulate vast wealth, thanks to the exploitation of the world market, and their pillage of the colonies. In other words, in the condition of capitalist decay a democratic regime is accessible (up to a certain time) only to the most aristocratic bourgeoisie. The basis of social patriotism remains colonial slavery.”

The Stalinists, entirely in line with their popular-frontist politics and their support for the bourgeoisies of the “democratic” imperialist allies of the Soviet Union in World War II, laid the blame for the war on Germany. But there was never “German guilt” for the war, because it

Lenin and Liebknecht. James P. Cannon, leader of the American Trotskyists, spoke to this point in 1942:

“We make a fundamental distinction between the Soviet Union and its ‘democratic’ allies. We defend the Soviet Union. The Soviet Union is a workers’ state, although degenerated under the totalitarian-political rule of the Kremlin bureaucracy. Only traitors can deny support to the Soviet workers’ state in its war against fascist Germany. To defend the Soviet Union, in spite of Stalin and against Stalin, is to defend the nationalized property established by the October revolution. That is a progressive war.” —“A Statement on the War,” Fourth International, Vol. III, No. 1, January 1942 (emphasis in original)

It was the Soviet Union that had to bear the brunt of this war. Even when it was in an alliance with the U.S. and Britain, the Soviet Union almost always faced 90 percent of the German troops (and at no point in the war was it less than two-thirds). As for the economic support the Soviet Union received, especially from the U.S., it amounted to at most 10 percent of its own industrial output. And it was the Red Army that smashed the Nazi regime. It brought the Holocaust to an end. It liberated Europe from enslave-

Wide World

Heroic Soviet spies Richard Sorge (left) and Ozaki Hotsumi, executed by Japanese imperialists in 1944.



Der Spiegel

fore able to become active again. Even Zhukov had been purged, but he was reinstated because there were not enough officers. A gigantic myth was created that Stalin led the “Great Patriotic War.” In actual fact, however, it was his generals and the soldiers of the Red Army who won the war, in spite of Stalin. Stalin’s favorite general was Vlasov, who later betrayed and went over to Hitler.

When the Stalinist bureaucracy propagated the notion that the war against Germany was a “Great Patriotic War” to defend Mother Russia, it represented a politically decisive turn. The invasion of the Soviet Union took place on 22 June 1941. Stalin made his first speech on July 3, declaring:

“The war against fascist Germany cannot be regarded as an ordinary war.... At the same time it is the great war of the whole Soviet people against the fascist German troops. This patriotic people’s war against the fascist oppressor has as its goal not only to rid us of the danger approaching us, but also to help all the peoples of Europe.”

—Exhibition catalogue, Der Krieg gegen die Sowjetunion 1941–1945 [The War Against the Soviet Union 1941-1945]

So, right from the beginning the war was waged under the motto of Russian nationalism. And that hindered the mass

mittee for a Free Germany, with Graf [Count] von Einsiedel at its head, in order to demonstrate, in line with the popular-front policy, that they did not want revolution but a settlement with the bourgeoisie. Other leaflets said that soldiers who did not surrender would be killed.

This had nothing to do with revolutionary internationalist propaganda, which would have exploited the fact that the soldiers they faced were German workers who may have been the children of Communists, or perhaps even Communists themselves. There was a big anti-German hate campaign by Ilya Ehrenburg, a Jewish Soviet author, who became the mouthpiece for Stalin’s own nationalist campaign. Although it was dropped after the Red Army reached Germany, the content of the Stalinist policy did not significantly change.

Although it was very difficult to defect, some did. Gerhard Bögelein, for example, was a German worker who changed sides and became a soldier in the Red Army. Right after the reunification in 1990, he was thrown into jail by the vindictive West German courts in Hamburg. Karl Kielhorn organized an anti-fascist committee in a Soviet prisoner-of-war camp, where they read Marx and he

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Padilla...
(continued from page 1)

device. Binyam Muhammad was reportedly whipped, hung from the ceiling of his cell and later taken to Morocco where he was tortured with a razor. "Binyam was told all along that his job was to be a witness against Padilla, Abu Zubaydah and Khalid Shaikh Mohammed," said his lawyer, adding that his client "has no conscious knowledge that he ever met" Padilla (New York Times, 4 January).

For three years and eight months, Padilla was tortured by extreme sensory deprivation—the windows of his tiny nine-by-seven-foot cell were blacked out, and he could only leave his cell wearing blinkered goggles and headphones. This was punctuated by blasts of harsh light and loud, pounding noise. A motion filed by Padilla's lawyers last fall demanding that the criminal charges be dismissed "for outrageous government conduct" described treatment that echoes the horrors of Abu Ghraib: Padilla was "hooded and forced to stand in stress positions for long durations of time" and "threatened with imminent execution." He was also injected with drugs believed to be LSD or PCP. However, while Padilla's lawyers presented evidence showing that he had been broken under torture and was incompetent to participate in his own defense, their motions were rejected.

As we wrote in "War on Terror": Torture, Spying, Imperialist Butchery," (WV No. 890, 13 April) concerning the government's detaining and "disappearing" those it deems enemies:

"This has been the fate of hundreds, if not thousands, of foreign 'terror suspects' around the world who have been kidnapped and disappeared, kept in CIA secret prisons where they are subject to 'enhanced' interrogation—the new Orwellian term for old-fashioned torture. The kidnapping and unlawful detention of Jose Padilla exemplify how measures first enacted against non-citizen 'terror suspects' can be expanded to encompass citizens as well."

The transparent motivation behind Padilla's indictment in 2005 was to avoid a decision in the U.S. Supreme Court on his "enemy combatant" designation. The previous year in the case of Yaser Esam Hamdi, a U.S. citizen captured in Afghanistan and imprisoned without charges as an "enemy combatant," the Court had ruled that "a state of war is not a blank check for the president" and that Hamdi must have a "fair opportunity to rebut the Government's factual assertions." At the time, however, the Court refused to hear Padilla's case, supposedly because his habeas corpus petition was filed in the wrong court.

Padilla's lawyers duly filed a new writ for habeas corpus and the South Carolina District Court in February 2005 granted the petition, ordering that Padilla be released from military custody. The Bush administration appealed to the Fourth Circuit Court of Appeals, which sided with the administration. Citing the 18 September 2001 Authorization for Use of Military Force, passed with overwhelming bipartisan support, the court declared: "Those powers include the power to detain identified and committed enemies such as Padilla." When Padilla's lawyers then appealed that decision to the Supreme Court, the government quickly moved Padilla from military to civilian custody and brought criminal charges against him, arguing that his Supreme Court appeal was moot. In this way, the White House



Washington Post

Sadistic prison guard Charles Graner beats Iraqi detainees at Abu Ghraib prison near Baghdad.

sought to preserve the legal precedent giving the government the right to declare U.S. citizens "enemy combatants" and to lock them up indefinitely.

A crucial element in the prosecution's current case against Padilla is what it calls a "data form" that allegedly represented his attempt to be admitted to an Afghan mujahedin training camp. A covert CIA agent, using a false name and partial disguise, told the jury of receiving the five-page document as part of a mass of material in a pickup truck delivered by some unnamed person in Kandahar, Afghanistan. But the "data form" does not mention Al Qaeda nor indicate what purpose it supposedly served. In fact, Padilla's name is not even on it.

The charges against Padilla's two co-defendants are just as bogus. Apart from setting up various Islamic charities, they are alleged to have been overheard on phone calls referring to "playing football" or going on "picnics," which the government claims is coded language referring to violent plots. According to the New York Times (4 January), Padilla's voice is heard in only seven of the tens of thousands of recorded conversations, and they deal with things like the death of Hassoun's grandmother and Padilla's marital problems. We call for the charges against Padilla, Hassoun and Jayyousi to be dropped and for their immediate release!

The criminal indictment against Padilla has its roots in the prosecution of Sheikh Omar Abdel Rahman, the blind Egyptian cleric who was convicted in 1995 of conspiring to carry out attacks against New York City landmarks. Wiretaps on Sheikh Abdel Rahman's phone brought Hassoun and Jayyousi to the attention of the Feds, who began to eavesdrop on them. Eventually, phone conversations with Hassoun brought Padilla into the web of surveillance. When the government decided to transfer Padilla to civilian custody, his name was simply added to the existing indictment of Hassoun and Jayyousi! Such are the convenience and utility of conspiracy charges for the government.

The U.S. capitalist rulers under both Democratic and Republican administrations have a long history of using conspiracy prosecutions against their perceived opponents. The early trade unions in this country were outlawed as "criminal conspiracies." Leftists, union organizers and opponents of the U.S. imperialists' entry into World War I were imprisoned on charges of "seditious conspiracy." Eighteen Trotskyists and leaders of the Minneapolis Teamsters union were thrown in jail in 1943 under the Smith Act for conspiracy because of their opposition to U.S. imperialism in World War II.

The draconian policies enacted by Bush & Co. under the pretext of the "war on terror" were built upon laws enacted under

the Democratic Clinton administration, such as the Antiterrorism and Effective Death Penalty Act. While campaigning on the basis that they are best suited to wage the "war on terror," the Democrats do get exercised when the Bush gang fails to limit such powers to going after the workers and oppressed at home and abroad and starts picking on its bourgeois rivals (e.g., the Justice Department purge). Reflecting the sentiment of an increasingly large section of the ruling class, the Democrats also tactically differ with the incompetents of the Bush regime over how best to serve the interests of U.S. imperialism—for example, how soon to effect the extrication from the quagmire of the Iraq occupation in order to more effectively

South Africa...
(continued from page 12)

failure to deliver services while victimising the most vulnerable sections of the working class and the poor—immigrants, prostitutes, hawkers, etc. Workers Vanguard No. 748 (15 December 2000) published an article from Spartacist South Africa protesting the use of three Mozambican immigrants as training bait for police dogs.

As under the old apartheid system, in the "new" South Africa the cops are agents of capitalist organised violence against the working class and the whole of the oppressed population. The police obey only one master: the capitalist class. We oppose the inclusion of police or security guards in the unions and the broader workers movement. For example, COSATU includes the Police and Prisons Civil Rights Union (POPCRU), and the SACP recruits cops into their own organisation. Any talk about "democratic control of the police," "winning over the police" or "raising the consciousness of the police" has nothing to do with revolutionary Marxism and everything to do with reformism. All reformist left organisations in South Africa, namely Keep Left, the Democratic Socialist Movement (formerly the Marxist Workers Tendency in the ANC), and the Workers International Vanguard League, support the membership of cops and security guards in trade unions.

The police are not "workers in uniform." In What Next? (January 1932), Leon Trotsky—chairman of the Petrograd Soviet, co-leader of the October 1917 Revolution with Lenin and organiser of the

pursue the occupation in Afghanistan, moves against Iran and counterrevolutionary machinations against the deformed workers states of China and North Korea.

As opposed to the "Anybody but Bush" swamp of liberals and so-called leftists who seek to pressure the Democrats to "fight" all the way to the White House in 2008, we understand that the system of capitalist imperialism has been and will continue to be enforced by barbaric measures of repression. As the Spartacist League and Partisan Defense Committee wrote in a July 2003 amici curiae (friends of the court) brief, the case of Jose Padilla "poses the evisceration of the rights and privileges of citizenship embodied in the first ten Amendments to the Constitution and secured on the battlefield of the Civil War and in class and social struggle over the past hundred and more years. If the imperial President is upheld, Padilla's detention threatens to become the Dred Scott case of our time, a declaration that 'Citizens have no rights that the government is bound to respect'."

While using every legal means at hand to defend such rights as exist, we fight for the revolutionary transformation of this country—for a proletarian socialist revolution that will put the capitalist class out of business once and for all and replace it with workers state power. Our purpose is to build the revolutionary workers party necessary to lead that struggle. ■

Red Army—had this to say in response to illusions that the Social Democratic Prussian police were going to defend the constitution against Hitler: "The fact that the police was originally recruited in large numbers from among Social Democratic workers is absolutely meaningless.... The worker who becomes a policeman in the service of the capitalist state, is a bourgeois cop, not a worker."

In order to hide the capitalist class nature of the ANC regime, the reformist labour leaders of the SACP and COSATU argue that "the post-1994 democratic state is not inherently capitalist, it is in fact, a sharply class-contested reality" or a "democratic breakthrough." But there is no such thing as a "multi-class state." There is either a capitalist state or a proletarian state—the capitalists and the proletariat, the two main classes in capitalist society, have historically irreconcilable interests. It is impossible to have more than one class playing a dominant role in the state. The ANC/SACP/COSATU nationalist popular front represents the subordination of the class interests of the proletariat to those of the capitalists. Illusions in the state are greatly reinforced by bourgeois nationalism, with the SACP and COSATU tops validating the ANC's "liberation" claims and painting the regime as "our" government.

Spartacist South Africa calls to break the Tripartite Alliance—for the class independence of the proletariat from the bourgeois parties and its state! What is necessary is the building of a revolutionary Leninist-Trotskyist party, part of a reformed Fourth International, which can lead the proletariat and all the oppressed forward to achieve workers rule, as part of world socialist revolution. ■

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PDC Statement...
(continued from page 1)

Pennsylvania state and federal courts have rejected or even refused to consider this evidence. The cops, prosecutors and courts—with the support of capitalist politicians, Democrats as well as Republicans—see in Mumia, former Black Panther Party spokesman and a MOVE supporter and outspoken journalist, the spectre of black revolution. The state is determined to carry out Mumia’s legal lynching or bury him in the living hell of life in prison. This must not happen!”

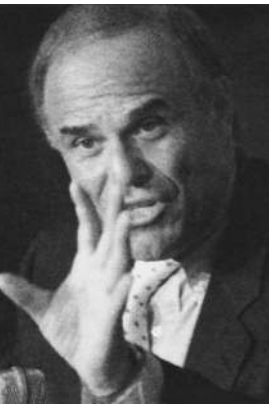
The Third Circuit panel—Chief Judge Anthony J. Scirica and Judges Thomas L. Ambro and Robert E. Cowen—peppered the prosecution with questions about the instructions and verdict form given the jury considering the death penalty as well as the prosecutor’s remarks during his closing argument at the trial that they should convict Mumia because he would have “appeal after appeal.” Many spectators commented afterwards that the judges appeared favorable to Mumia on these issues, which could lead to affirming the reversal of the death sentence and granting a new trial. Offering a more real-



Philadelphia Inquirer



Philadelphia Daily News



Winters/Philadelphia Daily News



Philadelphia Tribune

Key players in racist frame-up of Mumia Abu-Jamal (clockwise from top left): Prosecutor Joseph McGill, Judge Albert Sabo, D.A. Lynne Abraham and former prosecutor Ed Rendell, now governor of Pennsylvania.

istic view of the court, Ramona Africa, who spent seven years in prison for being the sole adult survivor of the May 1985 police/FBI bombing of MOVE’s Osage Avenue home, commented after the hearing on the “legal mumbo jumbo”: “They can sit there and look very attentive and appear to be leaning toward the defense and all of that. But it doesn’t mean anything. They can come back with a decision completely opposite.” Wolkenstein observed, “In Mumia’s 1988 Pennsylvania state appeal hearing, the chief judge of the Pennsylvania Supreme Court unequivocally told the D.A. that it was a violation of due process and the court’s own precedents for the prosecution to have made the ‘appeal after appeal’ arguments. This is the same issue now before the federal appeals court. Yet the state Supreme Court decision unanimously denied every defense claim.”

Most of the questions from the judges during the two-hour proceeding focused on the issue of racial bias in the prosecution’s selection of the jury. Bryan said that prosecutors struck 15 potential jurors from the jury pool, ten of whom were black and five white. That, he said, constituted “prima facie evidence” of racial discrimination. But the judges sharply questioned whether Mumia’s attorneys had previously tried to establish a pattern of racist bias in his 1982 trial, including by determining the racial makeup of the more than 100 people who made up

the jury pool. Wolkenstein pointed out, “The legal argument made on May 17 by Mumia’s attorneys was incomplete. At the 1995 PCRA hearing, we subpoenaed the Philadelphia County Commissioner of Jurors to establish the racial composition of the entire jury pool, but Judge Sabo quashed that subpoena with the agreement of the prosecution!”

Wolkenstein continued, “We also fought to get additional evidence before the courts. In April 1997, we submitted a supplemental PCRA petition after a ten-year-old videotaped training lecture by then-assistant D.A. Jack McMahon was made public which confirmed that it was the policy and aim of the D.A.’s office to exclude black jurors. This racist practice was also confirmed in a study by David Baldus, documenting that during a ten-year period blacks were 5.2 times as likely as whites to be thrown off Philadelphia juries. The Philadelphia D.A. vociferously opposed the introduction of this evidence, and both the Pennsylvania Supreme Court and Judge Sabo refused Mumia’s petitions to even hold hearings. Contrary to the D.A.’s position argued on May 17 and the statement of Mumia’s current lawyer, Robert Bryan, that the defense was ‘a day late and a dollar short’ in presenting evidence of the racist jury-rigging, it was the D.A. and the courts that prevented this evidence from being heard during the PCRA hearings.” She summed up, “Characteristic of this injustice system, particularly as seen throughout the history of Mumia’s case, the D.A.’s blocking of this evidence previously is now cited as the basis for the court to refuse to even consider it.”

As a member of Mumia’s legal team from 1995 to 1999, Wolkenstein uncovered the confession of Arnold Beverly and other key evidence. In a June 1999 affidavit, Arnold Beverly says that he was hired to kill Faulkner, who was reportedly interfering with prostitution, gambling, drugs and police pay-offs, and that “Jamal had nothing to do with the shooting.” Wolkenstein stressed that “no court, including the Third Circuit, has ever considered this or any other piece of the massive evidence of Mumia’s innocence and of the state frame-up.” Wolkenstein resigned from the legal team when Mumia’s lead attorney at the time, Leonard Weinglass, suppressed the Beverly confession. After Mumia fired Weinglass two years later, his next team of lawyers submitted Beverly’s affidavit to both state and federal courts, as well as a declaration by Mumia in which he stated: “I did not shoot Police Officer Daniel Faulkner. I had nothing to do with the killing of Officer Faulkner. I am innocent.” The courts



PDC contingent at May 17 Mumia demonstration in Philadelphia.

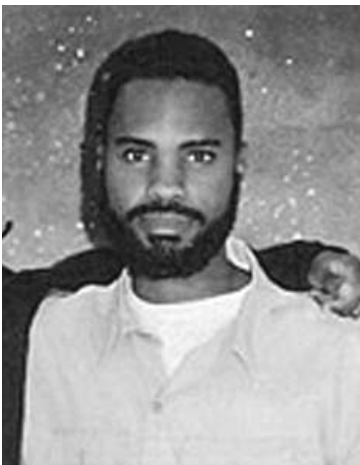
Free Jamal Hart!

Class-War Prisoner Thrown into Solitary

The Partisan Defense Committee has recently learned that class-war prisoner Jamal Hart has been placed in solitary confinement. The PDC sent the following May 5 letter of protest to Ronald Holt, the warden of FCI Schuylkill prison in Minersville, PA.

We are writing to protest the latest harassment and persecution of Jamal Hart. We have been informed that Mr. Hart has been thrown into solitary confinement for a month and denied all personal visits and phone calls for six months. While his habeas corpus petition is before the Third Circuit Court of Appeals, Mr. Hart is currently denied access to his legal documents.

Mr. Hart, who is imprisoned only because he sought to highlight the case of his father, death row political prisoner Mumia Abu-Jamal, should not have spent even one day in jail. He was sentenced to 15½ years on bogus firearms possession charges in 1998. Mr. Hart’s petition argues that his draconian sentence is based on an assault charge that does not exist. If his habeas



Monique Code

corpus petition is granted, Mr. Hart would receive a reduced sentence and would finally be released for time served.

The harassment of Mr. Hart is an outrage! We demand that he be freed from solitary confinement immediately and that he have access to all his legal correspondence. Stop the persecution of Jamal Hart now!

refused to even consider these statements.

Wolkenstein explained that “the courts have suppressed the Beverly evidence because it demonstrates that the injustice done to Mumia was not the work of one rogue cop, prosecutor or judge but the workings of a ‘justice’ system whose purpose is to repress the working class, minorities and the poor on behalf of the capitalist ruling class. Meanwhile, the police and prosecutors have stopped at nothing in their attacks on Mumia: intimidation of witnesses, suppression and falsification of evidence of Mumia’s innocence, and campaigns against any who stand in defense of Mumia.” In the weeks leading up to the May 17 court hearing, the Fraternal Order of Police harassed and threatened Mumia’s supporters, forcing a change of venue for a birthday celebration for Mumia in Philadelphia, and New York City cops harassed a hip-hop event for Mumia.

Addressing the race and class bias inherent in the U.S. capitalist legal system, Wolkenstein stressed that “the kind of pressure that can have an impact on the courts is the social power of the multiracial labor movement demanding that this innocent man be freed now.” The PDC mobilized contingents for the May 17 protests in Philadelphia and San Francisco under the slogans:

“Mumia Abu-Jamal Is Innocent—For Class-Struggle Defense to Free Him Now! There Is No Justice in the Capitalist Courts! Abolish the Racist Death Penalty!” The rally in Philadelphia was organized by the International Concerned Family and Friends of Mumia Abu-Jamal and the New York Coalition to Free Mumia, while in San Francisco it was organized by the Mobilization to Free Mumia Abu-Jamal.

PDC Labor Coordinator Gene Herson commented, “We support utilizing every legal recourse on Mumia’s behalf, but without illusions in the capitalist court system.” He pointed out, “It was mass international protest, crucially including trade unionists, that stayed the executioner’s hand in August 1995, after a death warrant for Mumia had been signed. The multiracial labor movement—those who create the wealth of this society and who can shut it down—must be mobilized independently of the forces of the capitalist state.” He contrasted this class-struggle perspective to “those groups who have focused on calling for a new trial for Mumia. This means relying on the same racist courts that railroaded Mumia to death row. It means sowing illusions that Mumia can get justice from the same capitalist state that killed 38 Black Panthers as part of the FBI’s COINTELPRO operations, and that massacred eleven black people, including women and children, in the 1985 firebombing of MOVE.” Herson added, “If successful, the fight for Mumia’s freedom would strike a blow against the government’s evisceration of democratic rights in the name of the ‘war on terror.’ It would give labor a sense of its own power. The fight for Mumia is the fight for black liberation, for the liberation of us all, part of the struggle for socialist revolution.”

Speaking for the New York Labor Black League at the Philadelphia rally, Tom Cowperthwaite said that the “prosecutors, racist cops and politicians of both Democratic and Republican parties” have targeted Mumia “because he speaks the truth about bloody U.S. imperialism and the brutal system of exploitation and racial oppression that is capitalist America.” Cowperthwaite, a member of New York City’s Transport Workers Union Local 100, addressed the crucial need to mobilize labor’s power on Mumia’s behalf. He noted, “When we brought the



# International Rallies Demand: Free Mumia!



Workers Hammer



Spartakist

**Left: Paul Moffat of the Communication Workers Union speaking at May 5 London Mumia rally organized by PDC. Right: Mumia rally called by Committee for Social Defense (KfsV) in IG Metall union building in Berlin, May 12.**

As Mumia Abu-Jamal's May 17 appeals court hearing approached, the Partisan Defense Committee's fraternal organizations in Britain and Germany held rallies demanding Mumia's freedom, drawing an impressive range of partici-

prisoner—as he enters what could be the final stage of legal appeals (see article, page 1).

Despite their wide range of views, speakers at the rallies agreed on the call to free Mumia on the basis that he is innocent of the December 1981 killing of Philadelphia police officer Daniel Faulkner and that his life remains in danger. The rallies also demanded: Down with the racist death penalty! Within this framework, both rallies featured spirited debate over the way forward in the struggle for Mumia. At bottom, the debates boiled down to one's attitude toward the capitalist state and its cops and courts, which have stolen 25 years of Mumia's life and still hold out the threat of his execution.

It took an outpouring of mass protest internationally, crucially including trade unionists, to stay the executioner's hand in August 1995 as Mumia faced a death warrant. But the masses who raised their voices for Mumia at that time were soon politically *demobilized* by bourgeois liberals and reformist leftists who subordinated the fight for his freedom to the demand that he receive a new trial. That demand expressed a program of reliance on the very courts that railroaded Mumia to death row for a killing they know he did not commit. Throughout this period, we have politically fought against this course, counterposing a policy based firmly on the class struggle.

As the main speaker at the rallies, Rachel Wolkenstein, counsel for the U.S. Partisan Defense Committee (associated with the Spartacist League/U.S.), emphasized the state's determination to kill Mumia or lock him away for life. The

capitalist rulers, she explained, see in Mumia defiant opposition to their system of racist oppression. "This means quite literally that Mumia is a dead man on leave as far as the state is concerned." As a member of Mumia's legal team from 1995 to 1999, Wolkenstein, along with Jonathan Piper, another attorney associated with the PDC, was instrumental in uncovering evidence of his innocence. Most notably this included the sworn confession of Arnold Beverly that he, not Mumia, shot and killed Faulkner.

With Mumia's case on a legal "fast track," liberal and reformist forces have been increasing their activity around his case, seeking in the main to block developments toward class-struggle defense based on a Marxist understanding of the capitalist state and its legal system. As we reported in "Class-Struggle Defense vs. Faith in Capitalist 'Justice'" (WV No. 892, 11 May), such types include the writers David Lindorff and Michael Schiffmann, who have issued books that profess to support Mumia's legal battles but challenge key evidence of his innocence, centrally the Arnold Beverly confession. These authors also cast doubts on Mumia's unambiguous May 2001 statement: "I did not shoot Police Officer Daniel Faulkner. I had nothing to do with the killing of Officer Faulkner. I am innocent."

Our article noted that the core purpose for Lindorff and Schiffmann is "to *undermine* the fact of Mumia's innocence and the extent and depth of the frame-up carried out by the forces of the state, who want to see him dead." The statements by Beverly and Mumia, along with a July 2001 affidavit submitted by Wolkenstein to state and federal courts and other supporting affidavits, are included in the PDC pamphlet *The Fight to Free Mumia Abu-Jamal—Mumia Is Innocent!* (now available in French and German as well as English). As Wolkenstein told the rallies, "the Beverly evidence exposes the fraud that the American bourgeois legal system can provide justice." Wolkenstein put the issue squarely:

"To free Mumia now, to save him from execution or the slow death of a lifetime in prison, it is necessary to organize on the basis of a class-struggle defense. While that means utilizing all possible legal proceedings, class-struggle defense is based on an understanding of the nature of the capitalist state that puts no reliance on its courts but relies on the power of the mobilization of the working class and its allies."

## London

The May 5 rally, held at the University of London Union, drew more than 90 people. Speakers included three trade-union

*continued on page 10*

## Mumia's Greetings to London and Berlin Rallies

Ona Move!

I want to thank the PDC and all supporters of our freedom struggle for coming together, for struggling, for fighting for people like myself, and, of course, myself. It has been a long and often bitter struggle, but it is not over yet. I thank you for everything you have done, and I thank you for the work we are about to embark upon. The struggle ain't over until we all are free.

Ona Move! Long Live John Africa!

From Death Row, this is Mumia Abu-Jamal.

pants from the trade-union movement, civil libertarians and leftists. The May 5 Partisan Defense Committee rally in London and the May 12 Berlin rally organized by the Committee for Social Defense (KfsV) were part of an international campaign to revitalize mass, labor-centered protest on behalf of Mumia—an innocent man and America's foremost class-war

Big Apple to a grinding halt for three days in December 2005, we weren't just striking for ourselves but for everyone ground down by the racist, greedy, labor-hating bosses. An injury to one is an injury to all! There's no substitute for the class struggle!"

As the powerful Congress of South African Trade Unions wrote in the March 2007 issue of *Shopsteward*: "Mumia's freedom will not be won through relying on the capitalist rigged justice system. What can really turn the tide is the power of united millions across the world—working people united in struggle to free an innocent man." Indicating the potential for mass, labor-centered protest, hundreds of trade unionists and prominent individuals internationally have signed a PDC-initiated statement titled: "We Demand the Immediate Freedom of Mumia Abu-Jamal, an Innocent Man." The statement, which cites the Arnold Beverly confession, has appeared in the

*Nation* magazine and a number of major black newspapers in the U.S. and leftist publications in Europe. Recently adding its voice to this call is the Metro Detroit chapter of the Coalition of Black Trade Unionists. Other signatories include Nobel Prize winning author Nadine Gordimer, Manning Marable, Henry Louis Gates Jr., Cornel West, New York City councilman Charles Barron, Illinois Congressman Danny K. Davis and former Georgia Congresswoman Cynthia McKinney.

Rachel Wolkenstein emphasized, "The ruling class is deadly serious that Mumia Abu-Jamal may soon be another victim of the barbaric death penalty. The frame-up of Mumia symbolizes what the racist death penalty in the U.S. is all about: a legacy of chattel slavery, the lynch rope made legal. We oppose the death penalty on principle—we do not accord the state the right to say who lives and who dies. Mumia must be freed, now!"■

## JOIN THE CAMPAIGN!

### Funds are urgently needed for legal defense!

**Make a contribution today, payable to "National Lawyers Guild Foundation" (earmarked for "Mumia") and mail to: Committee to Save Mumia Abu-Jamal, P.O. Box 2012, New York, NY 10159.**

**Organize protest!** Pass motions in your unions, campus, community and religious organizations demanding Mumia's freedom. Get your union or organization to make a contribution and join rallies and protests for Mumia. Publicize Mumia's case in your union or organization's newsletter.

**Spread the word!** Contact the PDC for copies of *The Fight to Free Mumia Abu-Jamal—Mumia Is Innocent!* This pamphlet arms activists in the struggle for Mumia's freedom by presenting the political basis of the state vendetta against Mumia and the explosive evidence which completely destroys the more than two-decades-long frame-up of this eloquent fighter for black freedom. It is available for \$1. Get the PDC button: "Free Mumia Abu-Jamal! Abolish the Racist Death Penalty!"—\$1 each. Order the PDC video, *From Death Row, This Is Mumia Abu-Jamal*—\$10 for DVD, \$15 for VHS. Bundles of the 4-page brochure, *Mumia Is an Innocent Man: Free Mumia Abu-Jamal!*—\$2 for 25 copies. Order from/make checks payable to Partisan Defense Committee at our New York City address below.

### Partisan Defense Committee

e-mail: [partisandefense@earthlink.net](mailto:partisandefense@earthlink.net) • Web site: [www.partisandefense.org](http://www.partisandefense.org)  
P.O. Box 99, Canal Street Station, New York, NY 10013 • (212) 406-4252  
P.O. Box 802867, Chicago, IL 60680 • (312) 563-0442  
P.O. Box 29574, Los Feliz Station, Los Angeles, CA 90029 • (213) 380-8897  
P.O. Box 77462, San Francisco, CA 94107 • (510) 839-0852

# Mumia Rallies...

(continued from page 9)

representatives: Paul Moffat, Eastern Region Secretary of the Communication Workers Union; Glenroy Watson, Chair of the Finsbury Park branch of the Rail, Maritime and Transport (RMT) union and General Secretary of Global Afrikan Congress; and Stephen Hedley, also an RMT member. Moffat stressed the “duty to expose the conspiracy to commit cold-blooded, premeditated murder of Mumia Abu-Jamal.” Indicating the wide resonance for Mumia’s case among trade unionists, the Scottish Trades Union Congress passed a motion in April declaring “That this Congress believes that Mumia Abu-Jamal should be freed immediately from prison, as he is innocent, and the inherently racist death penalty should be abolished.”

Other speakers included civil liberties lawyers Gareth Peirce and Matthew Ryder. The two are particularly known today for opposing repression carried out in the name of the “war on terror,” under whose rubric the U.S. and British rulers have waged devastating wars in Afghanistan and Iraq while taking the ax to democratic rights “at home.”

The rally, chaired by the PDC’s Kate Klein, began with taped greetings from Mumia and a showing of the PDC video *From Death Row, This Is Mumia Abu-Jamal*. Klein explained that in Britain the PDC was launched in 1989 with the campaign to raise funds for the civilian victims of Jalalabad in Afghanistan following Mikhail Gorbachev’s treacherous withdrawal of Soviet troops, which left the civilians to face the revenge of the CIA-backed *mujahedin*. In regard to Mumia, Klein stated, “the kind of pressure that will have an impact on the courts is the social power of the multiracial workers movement worldwide demanding freedom for this innocent man.” Later in the program, Eibhlin McDonald of the Spartacist League/Britain stressed that campaigning for Mumia is an opportunity to deal a blow against both the U.S. ruling class that wants to see him dead and the “special relationship” that unites British and U.S. imperialism.

Several speakers drew parallels between Mumia’s case and the anti-Irish frame-ups conducted by the British capitalist state. Gareth Peirce noted that she has “sent many faxes in the middle of the night on behalf of Mumia in the past. Not just for myself. I’ve added the names of Gerry Conlon, Paddy Hill, Billy Power, Paddy Armstrong,” referring to the Guildford Four—innocent people framed up in Britain in the 1970s for an IRA bombing—whom Peirce defended. She added that the campaign for Mumia could not have sustained itself over all these years “if there was not an absolute understanding of the integrity and truth and justice of what it was saying, and of the man it was saying it about.”

Stephen Hedley commented, “I come from the north of Ireland, which is still occupied under British rule.” The Mumia video, he said, “reminded me of home.” Hedley noted that the civil rights movement in Northern Ireland was inspired by the black civil rights movement in the U.S. and that the American state’s intent

to kill Mumia is similar to the British state’s treatment of anyone who raises his head above the parapet. In Northern Ireland, this includes “collusion between the police and the Loyalist paramilitaries to take out not only political activists but also lawyers who defended those activists.” While making clear that he has political differences with the PDC, Hedley commended the rally as “a very, very good example of awareness raising.”

A number of speakers hammered on the need to fight the rulers’ equation of political opposition with “terrorism.” Wolkenstein pointed out that the PDC took up Mumia’s case some 20 years ago because of both its opposition to the death penalty on principle and its struggle

for a “mainstream” audience and for allies in the capitalist Democratic Party. We wrote: “At bottom, the ‘new trial’ slogan is an appeal to liberals who see Mumia’s case not as the frame-up of an innocent man but as an isolated ‘miscarriage of justice’.... These groups *obstruct* the development of a defense movement based on the understanding that it is the class nature and racial bias of the capitalist state that is behind the cops’ and courts’ virulent hatred of Mumia, and that the road to winning his freedom lies in class-struggle defense.”

At the rally, Wolkenstein replied to Adams that while we vigorously oppose the strategy of reliance on the capitalist state, we have always supported scrupulous legal work on Mumia’s behalf. In

racist death penalty!” It was around such slogans that the PDC mobilized a contingent for the May 17 demonstration outside the U.S. Embassy in Grosvenor Square, making up almost a third of the 100 people there.

## Berlin

More than 100 people turned out for the May 12 rally at the IG Metall union hall. The political debate actually began at a protest for Mumia just hours earlier, when supporters of the KfsV and the Spartacist Workers Party (SpAD) mobilized a contingent that included at its peak a third of the crowd of 300. A principal leader of the protest was Michael Schiffmann, who made clear that the class-struggle views of the KfsV and SpAD were not to be heard from the stage of the rally. A banner placed prominently near the stage read: “Stop the Execution of Mumia—For a Fair, New Trial.”

Many came right from the protest to the KfsV rally, which drew several political exiles in addition to trade unionists and leftists and heard greetings from the Democratic Kurdish Center (Berlin Brandenburg). No stranger to bourgeois repression, the Kurdish group could not come because it was staging a protest at that time in defense of Abdullah Öcalan, leader of the Kurdish nationalist PKK who is imprisoned in Turkey.

In explaining the KfsV’s aim of class-struggle, non-sectarian defense, Werner Brand pointed to its history of defending anti-fascist militants and victims of the anti-Communist witchhunt that followed the capitalist reunification of Germany in 1990, including Markus Wolf, Heinz Kessler and many others. His comments drew applause, including from former members of the East German Stalinist party, the SED.

Gert Julius, chairman of the Tempelhof/Schöneberg local of the DGB union federation and a representative of the Coalition for Social Justice and Human Dignity, referred to a statement by Karl Marx that the prevailing opinion in society is always the opinion of the rulers. Julius went on, “He should have added that the prevailing legal decisions are always the legal decisions of the rulers.” He applauded the work of Mumia’s present lawyer, Robert Bryan, and advocated using “all humanly possible forms of defense,” a sentiment shared by all in the room. From its reformist standpoint, an article in the leftist newspaper *junge Welt* (14 May) used Julius’ remarks as a counterpoint to the speech by Rachel Wolkenstein which, it reported, “polemicized unmistakably” against the demand for a new trial and the “reformist left” that tries to “limit the protests by appealing for support from bourgeois-liberal forces.”

At the protest earlier that day, German Communist Party (DKP) representative Michael Czech informed our comrades that he was ordered by his party not to address



Spartakist

KfsV contingent at Berlin May 12 demonstration calls for Mumia’s freedom.

against the state’s branding of political opponents as “terrorists.” Both the Black Panther Party, of which Mumia was a leading member in his youth, and the MOVE organization, which he supports, were considered the “terrorists” of their time, which meant that the state could simply blow them away in the dead of the night or frame up their supporters on vague conspiracy charges. Matthew Ryder, who was among those who spoke out for Mumia in 1995, noted that invoking terrorism “creates a permanent state of emergency and a permanent state of fear. Under the guise of fighting terrorism, the most extreme forms of state political action can be sanctioned.”

It was the question of relying on the capitalist courts for justice for Mumia that sparked controversy during the discussion period. Wolkenstein had noted in her presentation that when the bulk of the opportunist left in the U.S.—the Workers World Party, Socialist Action, the International Socialist Organization (affiliated at the time with the Socialist Workers Party in Britain)—took up Mumia’s cause, particularly during and after the mass protests in 1995, they rejected mobilizing around the call to free him. Instead, they organized centrally around the demand for a new trial. Many of these “socialist” groups now raise “freedom for Mumia” in conjunction with demanding a new trial. But their politics remain in the framework of reliance on the bourgeois state, a program directly counterposed to mobilizing working-class power for Mumia’s freedom.

Speaking from the floor, Niki Adams of Legal Action for Women argued that she and others “are calling for a new trial because we are taking our direction from Mumia, who is working very closely with his lawyer, Robert Bryan.” Adams made clear who this call is geared toward when she told a May 17 protest in London, held on the day of Mumia’s court hearing: “The demand for a new trial brings in people that may not be convinced about Mumia’s innocence but can see the trial was deeply unjust.”

Adams’ comments were a pristine expression of the strategy that had earlier demobilized Mumia’s supporters. We pointed out last issue in “Class-Struggle Defense vs. Faith in Capitalist ‘Justice’” that the reformist left years ago adopted the approach argued by Adams in a bid

fact, she said, “The current legal actions in Mumia’s case come from the work that I and Jon Piper did—the people on the legal team who are associated with the Partisan Defense Committee.” Refuting Adams’ claim that those who call for a new trial are “following Mumia’s lead,” Wolkenstein stated, “I have known and worked with Mumia Abu-Jamal since February 1987. I visit him regularly—before I became his lawyer, when I became his lawyer, after I stopped being his lawyer, including a week ago. He knows perfectly well every word I said here.” She continued, “He sent greetings to this rally, brief though they were, making the point that he was fighting for his freedom. That is not an accident.”

Wolkenstein pointed out that in earlier struggles on behalf of class-war prisoners, the call wasn’t “New trial for the Guildford Four, or for Angela Davis, or Huey Newton.” In regard to calls for unity, she explained that we advocate united-front defense—common actions around agreed-upon slogans with full freedom of criticism. “In our opinion,” she continued, “the unifying theme is ‘Free Mumia. Mumia is an innocent man. Abolish the

### SPARTACIST LEAGUE/U.S. Local Directory and Public Offices

Web site: [www.icl-fi.org](http://www.icl-fi.org) • E-mail address: [vanguard@tiac.net](mailto:vanguard@tiac.net)

National Office: Box 1377 GPO, New York, NY 10116, (212) 732-7860

- Chicago** ..... Box 6441, Main PO, Chicago, IL 60680, (312) 563-0441  
[chicagospartacist@sbcglobal.net](mailto:chicagospartacist@sbcglobal.net)  
**Public Office:** Sat. 2-5 p.m., 222 S. Morgan (Buzzer 23)
- Los Angeles** ..... Box 29574, Los Feliz Sta., Los Angeles, CA 90029, (213) 380-8239  
[slsycla@sbcglobal.net](mailto:slsycla@sbcglobal.net)  
**Public Office:** Sat. 2-5 p.m., 3806 Beverly Blvd., Room 215
- New York** ..... Box 3381, Church St. Sta., New York, NY 10008, (212) 267-1025  
[nysl@compuserve.com](mailto:nysl@compuserve.com)  
**Public Office:** Sat. 1-4 p.m., 299 Broadway, Suite 318
- Oakland** ..... Box 29497, Oakland, CA 94604, (510) 839-0851  
[slbayarea@sbcglobal.net](mailto:slbayarea@sbcglobal.net)  
**Public Office:** Sat. 1-5 p.m., 1634 Telegraph, 3rd Floor
- San Francisco**... Box 77494, San Francisco, CA 94107, [slbayarea@sbcglobal.net](mailto:slbayarea@sbcglobal.net)

### TROTSKYIST LEAGUE OF CANADA/LIGUE TROTSKYSTE DU CANADA

- Toronto** ..... Box 7198, Station A, Toronto, ON M5W 1X8, (416) 593-4138  
[spartcan@on.aibn.com](mailto:spartcan@on.aibn.com)
- Vancouver** ..... Box 2717, Main P.O., Vancouver, BC V6B 3X2, (604) 687-0353  
[trotskyist\\_vancouver@shawcable.com](mailto:trotskyist_vancouver@shawcable.com)

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The Russian Question Point Blank:  
Why Spartacists Said  
“Hail Red Army!” in Afghanistan  
Saturday, June 2, 4 p.m.

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## South Africa

# Protest Apartheid-Style Police Brutality Against Union Bus Drivers!

JOHANNESBURG—According to a *City Press* (5 May) article, a Johannesburg police unit is being probed for carrying out “apartheid-style torture” of members of the South African Municipal Workers Union (SAMWU) who had been on strike for more than two months earlier this year against the Metrobus system controlled by the local African National Congress (ANC) government. The *City Press* reports:

“According to (Dumisani) Langa [the SAMWU branch secretary], their 12 members were picked up at their houses in the early hours of separate days last month and taken to the Germiston police station. Once there, police officers allegedly tied their hands behind their backs. They then allegedly beat them up, attached live electric wires onto their bodies and doused them with water. The cops then allegedly covered their mouths and noses with an old tyre tube to starve them of air.”

Langa continued that the SAMWU members “were gruesomely tortured and forced to make confessions linking them to the deaths and violence that marred the Metrobus strike and after failed attempts to get our members to sign prepared incriminating statements, they were just released without even being charged or taken to court.”

Langa confirmed the story to *Workers Vanguard*. The union suspects that the employer colluded with the police by giving them a list of names of workers on strike and their addresses. Langa said that workers were arrested in different parts of Johannesburg, including the city centre, Krugersdorp, and Soweto, and were later taken to Germiston, where they were told on arrival that they had no rights and were

going to be beaten if they did not confess or identify those responsible for attacks on scabs.

Examples of this brutalisation included cops forming a boxing ring around one of the victims. One large cop announced he was boxing champ Mike Tyson and said

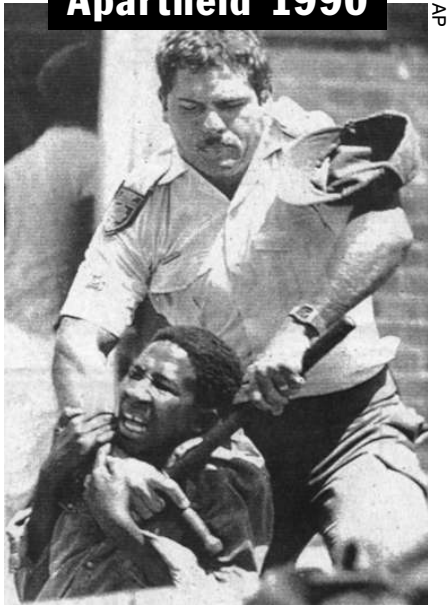
released immediately: Cops and courts—hands off the Johannesburg bus drivers!

The reason why the bosses are so hostile to the SAMWU bus drivers is that their strike was a powerful example of class struggle that shut down bus operations, in contrast to relying on “concilia-

Unions (COSATU) in a popular front—that is responsible for maintaining the wage-slave system. That system benefits the new black elite as well as the same old white capitalist class responsible for the Soweto and Sharpeville massacres and other crimes against the non-white majority.

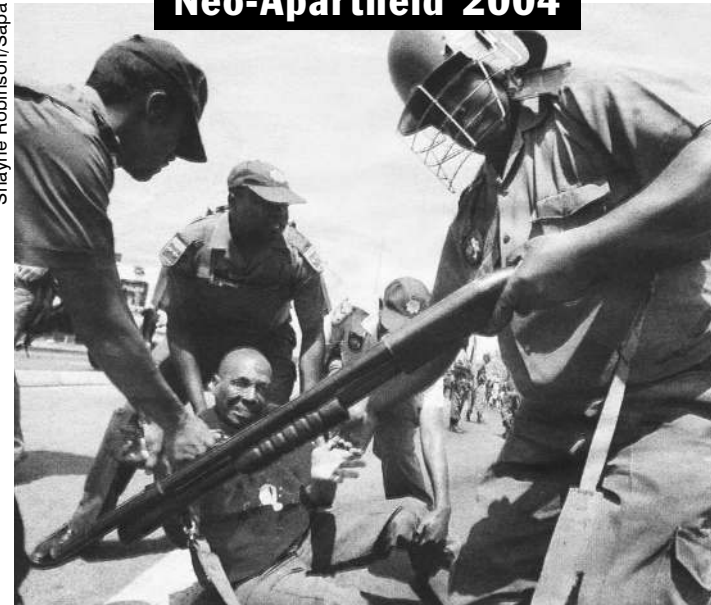
A massive explosion of workers struggle in the 1980s was a key factor contributing to the negotiated end to apartheid rule. Another was the counterrevolutionary destruction of the Soviet degenerated workers state, whose existence had provided the ANC room to manoeuvre in the Cold War divide between the USSR on the one hand and the U.S. and other imperialist powers on the other, with the Soviets providing military aid to the ANC. The white rulers, backed by the imperialists, became confident that capitalist profits could be maintained by installing a black government. The demise of apartheid significantly altered the legal and political superstructure but preserved capitalist property relations and the capitalist state. While it is the ANC and no longer the white racist government that calls the shots, the post-1994 system of neo-apartheid capitalism has kept the overwhelming mass of the population in poverty and maintained intact racial and national oppression.

### Apartheid 1990



**Police: enforcers of capitalist rule. Left: Cop attacks anti-apartheid demonstrator in Bloemfontein. Right: Under ANC-led government, police brutalize demonstrator protesting water and electricity fees at Soweto township.**

### Neo-Apartheid 2004



they would fight it out—but only the cop had the right to hit! One of the strikers, arrested earlier and then released, has now been taken into custody again, facing unspecified charges. This is *detention without trial!* Spartacist South Africa, section of the International Communist League, demands that the union comrade be

tion” and arbitration in the bourgeois courts. The strike won real gains, including the reversal of an arrogant move by the employer to stop a long-existing policy of paying workers for accumulated sick leave. The strike also won the reinstatement of three dismissed shop stewards and the rehiring of 19 other workers.

The police atrocities—committed by black cops—are well in line with the Marxist understanding that the cops are part of the capitalist state, together with the military, courts and prisons. Police are enemies of the working class and defenders of capitalist wage slavery. As Bolshevik leader V. I. Lenin wrote in *The State and Revolution* (1917), “The state is an organ of class *domination*, an organ of *oppression* of one class by another.” The bourgeois state cannot be reformed or pressured into acting on behalf of the working people and the oppressed. The capitalist system must be overthrown through workers socialist revolution and replaced by a workers state. One’s attitude toward the bourgeois state is what draws the final line between reform and revolution.

In South Africa it is easy and very cheap to describe the old, white-supremacist apartheid state as reactionary. The fact is that it is the current, “new” South African state under the bourgeois-nationalist ANC—joined by the Communist Party (SACP) and the Congress of South African Trade

The fact that the state, including the police forces and the army, contains many more black faces does not mean that it is any less an institution for capitalist oppression. In an effort to propagate the nationalist lie that the only oppressors are white, the ANC goes to considerable lengths to rewrite history. One example is the memorial in the Orlando West section of Soweto to Hector Petersen, a student slain by the apartheid regime during the 1976 student revolt in Soweto, which shows only white cops and soldiers. In fact, numerous black cops were involved in this massacre.

It is the ANC-led government’s police that today act as guardians of capital. Writing after the brutal murder of two miners by security guards at the black-owned East Rand Proprietary Mines in October 2002 following a two-day general strike by COSATU, we warned that “the murders on the picket lines are the face of what’s to come” (*Spartacist South Africa* No. 3, Summer/Autumn 2003). Today, as a possible strike of several hundred thousand public sector workers looms, the National Intelligence Agency—whose boss is SACPer Ronnie Kasrils!—ominously visited the offices of the South African Democratic Teachers Union (SADTU) in a naked attempt at intimidation (*Sowetan*, 10 May). The government attacks impoverished township residents protesting the

*continued on page 7*



**Members of South African Municipal Workers Union on strike in Johannesburg, 2005.**