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BRITISH COLUMBIA LABOUR CODE

BILL 11

HARDIAL S. BAINS

SPEECHES, ARTICLES AND EXPLANATORY NOTES ON
THE LABOUR CODE OF BRITISH COLUMBIA ACT: BILL 11
BY COMRADE HARDIAL S. BAINS, CHAIRMAN OF THE
COMMUNIST PARTY OF CANADA (MARXIST-LENINIST)
AND BY THE EDITORIAL STAFF OF
PEOPLE'S CANADA DAILY NEWS.

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Speeches, articles and explanatory notes on the LABOUR CODE OF BRITISH COLUMBIA ACT: BILL 11 by Comrade Hardial S. Bains, Chairman of the Communist Party of Canada (Marxist-Leninist) and by the editorial staff of People's Canada Daily News.

NORMAN BETHUNE INSTITUTE
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Photo shows Comrade Hardial Bains, Chairman of the Communist Party of Canada (Marxist-Leninist) delivering a speech on February 16, 1974 in Vancouver, B.C. against social fascist labour legislation.

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B.C. FERRY WORKERS WAGE STRIKE STRUGGLE DESPITE NDP OPPOSITION

INTRODUCTION

This pamphlet, on the Labour Code of British Columbia, Bill 11, is being produced for all advanced sections of the proletariat to expose the nature of the anti-labour legislation.

As the crisis of capitalism sets in, the monopoly capitalist class in Canada is trying to shift the burden of its economic crisis onto the back of the working class. Working people increasingly bear the brunt of the spiralling inflation, job insecurity, high unemployment and skyrocketing prices, and are being drawn in larger and larger numbers into the struggles against these evils. The struggles of the postal workers, the United Aircraft workers, the federal airport firefighters, the B.C. woodworkers and thousands of other Canadian and national minority workers bear witness to the rising resistance of the working class.

In order to be able to continue to reap massive profits from the sell-out of the land and labour of the Canadian people, it is vital for the monopoly capitalist class to have a stable labour situation, to achieve "industrial peace" between capital and labour. However, so long as the workers are being viciously exploited, they will resist that exploitation. This means that in order to bring about "industrial peace", the monopoly capitalist class must increasingly resort to the use of force. The capitalists are stepping up their attacks on the workers' basic right to organise themselves as a class in trade unions and on their basic right to strike. Capitalist companies are attempting to smash the unions by going over their heads and trying to bargain with workers individually. Strikes are being declared "illegal", and the capitalists are increasing the use of police, scabs and court injunctions to crush the resistance of the workers. Capitalist governments, both federal and provincial, are passing legislation which lays the basis for fascist repression against the Canadian working class. The "socialist" B.C. NDP government is in the forefront, leading the Canadian monopoly capitalist class in the field of anti-labour legislation. On the one hand, such legislation sanctions direct repression against the workers -- fines, court injunctions, jailings -- and on the other hand it makes use of political deception. This deception, which aims at turning the labour unions into appendages of the state, follows the blueprint drawn up by Mussolini for the fascist corporative state. The Labour Code of British Columbia Act - Bill 11 - is legislation of this type.

The more there is oppression, however, the more there is resistance, and the Canadian working class will never allow "industrial peace" between capital and labour.

From August 17 to 22, 1973, 2,000 unlicensed ferry workers were on strike against the B.C. Ferry Service, a crown corporation administered by the provincial government. For the bourgeoisie this strike was the "first crucial test of the NDP's labour policy" (Vancouver Sun, August 18, 1973) of class collaboration. For the workers, it was further proof that the NDP is a capitalist party which attempts to suppress the basic struggles of the working class.

In 1959, after a strike by the ferry workers, Black Ball Ferries was "nationalised" by the Social Credit government in order to ensure that this vital service to the monopoly capitalists was never again disrupted. The B.C. Ferry Service was improved and maintained by the Socreds - at the expense of the working class - as part of their overall development of the transportation services for the monopoly capitalists so as to aid in the exploitation of the land and labour of British Columbia. The NDP government is at present administering this service which is quite important to the monopoly capitalists, especially for the tourist industry, the second most "profitable" sector of the B.C. economy. Only the lumber industry is more "profitable". The ferries are also important to the capitalists to transport their goods and the work force between the mainland and Vancouver island.

After the ferries were taken over by the Social Credit government, the ferry workers became part of the marine branch of the B.C. Government Employees Union. In the early 1960's, the B.C.G.E.U. was stripped of all its basic rights by the Social Credit government, such as the right to strike and the right to collective bargaining. The Socreds did this under the hoax that the government employees were "essential" to preserve the "public interest" from damage and that the services which they render could not be interrupted.

The dreams of the monopoly capitalists for "labour peace" never came true. In 1968 the ferry workers went on strike for one week and won an agreement for collective bargaining. This year they again went on strike. The 2,000 unlicensed ferry workers (deckhands, stewards, ticket collectors, catering staff) walked off the job in a dispute over compulsory overtime, increased pay for statutory holidays and recognition of their unique status among government workers as maritime employees.

At the beginning of the struggle the NDP government agreed to look into the working conditions if the workers abided by the following conditions: "no interruption of service, no slow downs, no work to rule". The ferry workers rejected these "proposals" and exercised their basic right to withhold their labour as a means of fighting for their just demands. Immediately, the NDP

government and the capitalist news media launched an hysterical campaign to attack the ferry workers' strike. The Vancouver Sun and Province filled their front pages and editorials with attacks on the workers. The workers were termed "unreasonable" because they fought for decent living and working conditions. Their strike was labelled "illegal" because it did not meet the "requirements" of the bourgeoisie. And Robert Strachan, the responsible NDP minister, fanned the hysteria by declaring that the strike "will probably be a long one".

Despite this barrage of propaganda, the ferry workers persisted in their struggle, and their determination was such that the NDP was forced to meet their demands. The day the workers returned to work, it was reported that "Transportation Minister Robert Strachan (was) reassessing his long-standing belief that all workers should have the right to strike, after the B.C. Ferries walkout." "We had a gun to our head," he told a news conference on August 21. Two days later it was reported that Premier Barrett was "keeping an open mind on the subject" of whether civil servants should be given the right to strike, according to the capitalist press in Vancouver. Later, Barrett stated, "Now, with the right to strike is a degree of responsibility. We have not had a climate of trust in this province between labour and management. What we're trying to do, what we hope to do, is develop a more mature relationship." What the capitalists and their social democratic servants mean by "a more mature relationship" is the total subservience of labour to every whim of the capitalists to increase their profits through the super-exploitation of the working class.

The attacks by the B.C. government, the so-called "socialists" from the NDP, on the B.C. ferry workers' right to strike, expose the real nature of the NDP even further. Since the NDP was put into power one year ago by a section of the monopoly capitalist class, they have consistently promoted class collaborationist politics amongst the working class in order to undermine the class struggle. They have issued appeals for a "spirit of co-operation" and "trust" and "reason" between labour and capital. Under the Socreds, openly anti-working class legislation was passed in order to suppress the workers' basic rights, such as the right to strike for government employees. The NDP has been "studying" this legislation and has made promises to "restore" these stolen rights. However, when the workers reject class collaboration and go on strike, as the ferry workers did, then the NDP shows its fangs, denounces the strike as "illegal" and speaks in the name of the monopoly capitalist class, its real master.

The NDP, right from the start, has never supported the just struggles of the working people. It is a party which is used by the monopoly capitalists to promote class collaborationist politics among the working class. As more and more workers participate in the wave of strikes engulfing the country, they will necessarily come into conflict with the treacherous policies of the NDP and they will eventually learn to sweep away these traitors as they will sweep away all their class enemies.

- Reprinted from PCDN, Vol. 3 No. 267, September 6, 1973 -

B.C.'S NEW LABOUR CODE:

PLAN TO TERMINATE WORKING CLASS RIGHTS

The New Democratic Party government in British Columbia has drawn up a new Labour Code which fully exposes the role of class collaboration and treachery which the NDP has been chosen to play by the monopoly capitalist ruling class. The working class of B.C. has a glorious history of resisting the onslaughts of the monopoly capitalist exploiters. On many occasions in the past, B.C. workers have demonstrated that they are not willing or ready to compromise their class interests and collaborate with the enemy class. When the recent railway strike was outlawed by the Trudeau government, it was the working class of B.C. which led the many thousands of Canadian rail workers in defiance of the capitalist law. It was B.C. trade-union leaders who were prepared to be arrested rather than capitulate to the capitalist courts, police and Parliament.

The former Social Credit government of B.C. was well aware of the militancy of the workers and had made preparations to completely suppress workers' rights. The Socreds had set up a mediation commission which had broad powers to restrict the right of workers to go on strike to protect their wages and working conditions. The working class can easily recognise its open enemies such as Social Credit. The Social Credit scheme was immediately and widely denounced by all sections of the working class, and the NDP ran their 1972 election campaign promising to abolish this commission.

However, the new Labour Code enacted by the NDP in British Columbia makes even the Socred legislation pale by comparison. The Code will establish a Labour Relations Board which will remove all labour disputes from the capitalist courts. The Board itself will be run by handpicked capitalist agents who will have the power to issue the equivalent of injunctions. The Board will be able to decide who should belong to a union, what unions should be certified, and, contrary to the arguments cited in the capitalist press, will limit the workers' right to picket (picketing will not be permitted at a plant where another union has a valid agreement: the idea is to further contribute to the disunity of the working class by erecting artificial barriers between striking and non-striking workers). Lastly, there will be no appeal to higher authority. The handpicked capitalist agents will be the final arbiters in all disputes. One

of the aims of the Board will be to cut down on wildcat strikes. Therefore, it will have flying officers who will move from place to place in an effort to prevent the outbreak of strikes and arbitrate those in progress.

Dave Barrett, B.C. Premier, said right from the beginning of his term that organised labour must not think that they had elected a government which would represent them exclusively. He claimed that the NDP government would have to serve a much "broader" spectrum of society. Barrett's fundamental ideological line is that potential conflicts between the working class and the capitalist class, between labour and capital, should not be allowed to break out into the open. The NDP has always claimed that it wished to maintain social and class peace, not promote class war. The current anti-labour legislation being discussed in the B.C. legislature is a desperate attempt on the part of the NDP to bring about "class peace" in B.C. Just as all the attempts by the other capitalist parties have failed to bring about "class peace", so will the NDP also fail in this nefarious endeavour.

- Reprinted from PCDN, Vol. 3 No. 292, October 11, 1973 -

DOWN WITH THE B.C. LABOUR CODE!
WORKERS, DEFEND THE RIGHT TO STRIKE!
OPPOSE THE NDP STRIKEBREAKERS!

On October 1, 1973, the NDP Minister of Labour, Bill King, introduced a new "Labour Code of British Columbia Act" -- Bill 11. He stated that the Act is proposed "on the basis of bringing some industrial harmony to the province". This is the "reform" of labour legislation that the NDP has been preparing since it came into office in B.C. in August, 1972. This attempt to bring about "industrial peace" has been long awaited by the monopoly capitalist class. The main feature of the Act is that it gives the Minister of Labour and a revamped Labour Relations Board sweeping and unlimited powers over all aspects of "labour-management relations" in the province. This Act replaces the existing labour legislation in B.C. -- the Labour Relations and the Trade Unions Act passed by the previous Social Credit government, and the Mediation Services Act, the NDP's social-democratic version of the Social Credit's Mediation Commission Act.

The new Labour Code is designed to undermine the ability of the working class to wage struggles to achieve its just demands. It is a direct attack on the basic rights of the working class, particularly the right to strike and the right to organise and maintain working class organisations of its own choice.

The Powers of the Labour Code

The Act establishes a permanent ten-member Labour Relations Board which has "the object of securing and maintaining industrial peace and promoting conditions favourable to settlement of disputes". The power to issue injunctions, "cease-and-desist" orders, is taken away from the courts and given to the Board. The Labour Relations Board is given "exclusive jurisdiction" to prohibit "any person or group of persons from ceasing or refusing to perform work or to remain in a relationship of employment; or picketing, striking, locking out; or communicating information or opinion in a labour dispute by speech, writing or any other means of communication". The decisions of the Board are "final and binding" and are "not open to question or review in any court". In addition, the Labour Relations Board is given the power to interpret and define the legislation, and also the power to "formulate general policies not contrary to this Act for the guidance of the general public and the Board". This is what Labour Minister King calls an "administrative tribunal"!

The Labour Code provides other specific powers which undermine the very existence and integrity of working class organisations. The Labour Relations Board is given the power to impose compulsory arbitration on a union in the case of negotiations for a first contract. The Act allows for opting out of a union on so-called "religious conscience" grounds, thus undermining the union shop and trying to further divide the workers. The Board is given power to decide union jurisdictions. It can say which unions are entitled to represent which workers. It is given the power to form joint councils of unions for bargaining purposes regardless of the wishes of the workers, thus undermining the right of the working class to form organisations of its own choice. A large section of working people are denied even the right to organise into unions at all, including fishermen, agricultural workers, domestic workers, licensed professionals, teachers, etc. The Act provides for the establishment of a "labour ombudsman" who is given the power to "investigate" the internal affairs of the unions.

The basic fighting weapon of the working class, the right to strike, is also undermined by the Act. Workers cannot strike over issues involving "technological change" during the life of a contract and can only submit or be forced into binding arbitration. The right to strike can be denied if the Labour Relations Board decides that a national contract is in effect in B.C. Also, workers cannot strike until they have been forced to undergo mediation.

The Act also makes it illegal to picket an employer's secondary place of business if there is a collective agreement there. Picketing can be curtailed where two or more employers use the same location. Organisational and secondary picketing are also made "illegal".

The NDP's Labour Code has the Support of the Entire Monopoly Capitalist Class

The entire monopoly capitalist class, from Socreds to Liberals, has given its unflinching support to the new legislation by the "socialist" NDP. The capitalists support the Labour Code because it is designed to serve their interests. In B.C., the struggles of the working class against the capitalists have been very sharp and have resulted in severe disruptions to the capitalist economy. At this particular time in the development of U.S. imperialism in Canada, when the monopoly capitalists are engaging in the full-scale plunder of the natural resources of northern B.C., it is particularly important to them that there be as little disruption as possible. The plunder and sellout of the north require tremendous initial capital investment, and before the monopoly capitalists undertake to invest large sums of money, they want to be sure they can make large profits. The capitalists know that most strikes are a hindrance to large profits. Thus, for example, the President of MacMillan Bloedel, a huge West Coast monopoly capitalist enterprise, pointed out in an interview with the Vancouver Sun the importance of a stable labour situation in the capitalists' decision whether to invest some capital or not. He was asked whether he thought the risk to foreign investors had increased with the election of the NDP, to which he answered: "No, I don't think so. The main risk of course is one of labour interruption, and I think it's conceivable that labour relations

in this province could be vastly better under the present government than they were before. They could hardly be worse" (Vancouver Sun, June 5, 1973). The President of the Employers' Council of B.C. stated that "employers generally will take a positive approach to the legislation" and added that "... if the legislation can be used to minimise strikes and lockouts, 'we will be very happy'" (Vancouver Sun, October 2, 1973). And in the B.C. legislature, all the capitalist parties — Socreds, Conservatives, Liberals, as well as the NDP — were united in their support for the new Act and gave it unanimous approval in principle. The former Minister of Labour under the Socreds said that he firmly believes the new Code is a genuine attempt on the part of the government to resolve the industrial relations problems that have plagued the province, and he called for a "genuine attempt" by labour and management to make the legislation work. The NDP is one of the many capitalist parties. It is used by the capitalists where the open capitalist parties can no longer do the job. What the workers of B.C. would never put up with coming from the Socreds, they are expected to take lying down because it comes from the "socialist" NDP.

How is the NDP's Labour Code Different from the Labour Legislation of the Socreds, Liberals or Conservatives in Other Provinces?

Since the end of the 1960's, there has been a wave of government "reports" on labour relations. Some of these reports have been enacted into laws such as Bill 1 in Nova Scotia, Bill 19 in Quebec, the proposed Bill 89 also in Quebec, and various acts of governments in other provinces which forbid strikes in "essential" services. There have also been numerous attempts on the part of the Parliament in Ottawa to break the strikes of the workers. In 1972, the Quebec dockers' and Vancouver dockers' strikes were broken by acts of Parliament. In the fall of 1973, the strike of the non-operating railway workers was broken by an act of Parliament. On all these occasions, the capitalist press has been very vociferous in demanding government-appointed labour tribunals, labour relations boards, special legislation denying the right to strike in certain sectors of the economy, compulsory arbitration, compulsory mediation and a host of other plans which all have one common purpose: to take away the right to strike from the working class of Canada and Quebec.

The NDP presents itself as the party of the "workers", of the "little man". But, in practice, it serves the interests of big capital. This is the role assigned to the NDP by the monopoly capitalist class, that it should speak in the name of "workers" and "little men" in order to deceive the workers and serve the monopoly capitalist class. Thus, the B.C. NDP government, while speaking in the name of "workers", prays for "industrial peace", issues appeals for the "spirit of cooperation" and "trust" and "reason" between labour and capital and betrays the very interests of the workers which it is supposed to represent and fight for.

But what does "industrial peace" mean for the working class of Canada? And which class does it serve? At the Convention of the B.C. Federation of Labour, Labour Minister King said there was "a great and burning desire (who "desires" it, the capitalists or the workers? — Editor, PCDN) for industrial

peace in this province. With good-will, with consultation and cooperation, we can make it happen." He then explained how: by "minimising strike action as the usual tool of collective bargaining". Isn't this just what the capitalists want from the workers? Isn't this just what Trudeau is up to when his government passes laws forcing the railway workers or the Vancouver longshoremens back to work? For the working class, "industrial peace" means losing the right to strike, losing the right to picket, losing the right to have a union shop. For the working class, the "industrial peace" of Bill King or Pierre Elliot Trudeau is one and the same: it means bowing down and giving in to the rule of the monopoly capitalist class, to its every whim and desire, to its never-ending quest for larger and larger profits.

The NDP will not Succeed in Deceiving the Working Class and Suppressing Class Struggle

The dreams of the monopoly capitalist class for social peace between the classes will never come true. Already the NDP's call for "industrial peace" is being shattered by widespread opposition to Bill 11 in the working class. The B.C. Federation of Labour denounced the new Act and predicted that it "will cause increased labour unrest in the province". In an analysis of the Labour Code, the Federation wrote: "To our knowledge, never have such sweeping powers been given to any Labour Relations Board. The powers granted to the defunct Mediation Commission pale in comparison ... the net effect of the many changes is to restrict still further the right of trade-unions to pursue effectively the interests of their members."

In union meetings and labour councils throughout the province, workers have denounced this anti-working class legislation and have called for actions to oppose it. At a meeting of the Vancouver and District Labour Council on October 2, 1973, workers called for demonstrations and a general strike. One worker said, "We now have to fight like we've never fought before," and another said, "Let's shut down this whole country and maybe then they'll listen to us."

The working class must oppose all attempts of the social-democrats to undermine its basic rights and must continue opposition to the Labour Code on an irreconcilable basis. The NDP's Labour Code and their call for "industrial peace" are an attempt to further shackle the working class to the capitalist system of exploitation. The NDP wants the working class to accommodate itself to the dictatorship of the bourgeoisie. "Industrial peace" means all rights for the monopoly capitalist class to exploit the working class to the fullest and no rights for the working class to fight against this exploitation. The social-democrats can offer the workers nothing but betrayal, and their manoeuvres such as Bill 11 will only serve to expose further their role as administrators of the monopoly capitalist state machine, and unite the militant workers against them.

- Reprinted from PCDN, Vol. 3 No. 299, October 22, 1973 -

B.C. NDP CONVENTION: A BRIEF COMMENTARY

The second NDP Provincial Convention since the NDP was elected to power in August, 1972 was held in Vancouver on November 9-12, 1973. The convention revealed a major contradiction between the cabinet and the majority of party delegates, including the substantial block of B.C. Federation of Labour delegates, over the question of the NDP's new Labour Code, Bill 11, passed in the legislature this fall. By a vote of 320 to 290, the convention denounced Bill 11 and called for drastic revisions, the essence of which are opposite to the present Code.

The history of struggle over labour policy of the NDP government clearly reveals that the NDP government serves the B.C. monopoly capitalist class, which is subservient to U.S. and other foreign imperialist interests, and does not serve the working class or small producers who comprise the vast majority of the population in B.C. in whose name the NDP speaks.

The struggle over Bill 11 dates back to the inability of the Social Credit government to streamline labour legislation in the interests of "class peace". Their amendments to the Trade Unions Act (Bill 43), which attempted to restrict picketing through use of the bourgeois courts, failed because the masses of workers resisted the law, and even the bourgeois courts, in certain cases, were forced to "interpret" the existing labour law in such a way as to undermine Bill 43. When Social Credit tried to use compulsory arbitration through their Mediation Services Act, the masses of B.C. workers again defied the law, and in a number of militant mass actions, including a physical assault of several cabinet members during the last provincial election, convinced the monopoly capitalist class it had to use the NDP to do what the Social Credit could not do -- bring labour peace to B.C.

Of course, Dave Barrett, leader of the NDP, never said this during the election in August, 1972. He talked evasively about "better labour-management relations", and demagogically touted an eight-point labour programme which basically reflected NDP 1971 convention policy, calling for an end to compulsory arbitration, elimination of the Mediation Commission, extension of the right to strike, picket, organise, etc., and extension of collective bargaining in the area of technological change.

After the NDP victory (accounted for by monopoly capitalism manipulating a mere 7% vote shift to them and a small shift of Social Credit votes to the Conservative Party), Barrett and his Labour Minister, William King, soon revealed the class nature of their policies. In October, 1972, King amended the Mediation Act and took on himself the powers given to the three-man B.C. Mediation Commission. King said he had no "hidebound ideas" about labour relations. "Nothing is sacred as far as I'm concerned," he said (Vancouver Sun, October 21, 1972). This from a former union member and supposed "socialist"! King said he only wanted to "de-fuse the climate of confrontation that exists between labour and management", as if the two were equal, rather than as they are — exploited and exploiter — and that his policy to de-fuse the "climate of confrontation" actually liquidates the struggles of the workers and assists the monopoly capitalists in a big way.

Barrett outdid King in anti-working class cynicism. He compared labour-management relations to a marriage, and said he had a lot of "marriage counselling" experience. He bragged about speaking to the president of the largest monopoly in the wood industry in B.C., MacMillan Bloedel, and said that he agreed with the President of MacMillan Bloedel that the government should "examine all points of view" (Vancouver Sun, October 21, 1972). Thus he pretends that the state exists independent of the interests of social classes, that politics is "above" economics, when in fact every state serves one social class or another, and in B.C. the ruling class is the monopoly capitalist class whose politics is nothing more than its concentrated economic interest — the pursuit of the maximum rate of profit at the expense of the workers, professionals, and small producers in B.C.

The monopoly capitalist class had a great deal of confidence in Barrett and King, however, and its confidence was upheld in Bill 11. This Labour Code lays the legal basis for fascist repression against the working class of B.C. The Code creates a Labour Relations Board with sweeping power to interfere with the workers' defence organisations, their trade unions, to compel workers on strike to go back to work, to arbitrate, dictate, investigate every aspect of the workers' just struggles for better wages and working conditions. Nothing the Labour Relations Board does is subject to scrutiny by bourgeois institutions such as the courts, appeal boards, etc. Thus, the NDP Labour Code reflects an aspect of the efficient corporative state of Mussolini where the inefficient bourgeois democratic procedure of going through some "legal" channels is replaced by the efficient and direct fascist procedure of going from the minister to the workers. The ideological basis of the NDP Labour Code is to secure "industrial peace", and King is quite conscious that only an NDP government could sneak such a monstrously anti-working people "code" into the legislature — vainly hoping that the working class will not wage open class war against it. He said in April, 1973 before Bill 11 had been announced, that "the NDP will not remain in power forever and there must be a system set up to guarantee labour peace after the NDP loses power" (The Province, April 21, 1973). What can this mean except that the NDP is consciously enacting labour law on behalf of monopoly capitalism in order to suppress the working class. "Class peace" is only relative, while class struggle is absolute, for

as long as the monopoly capitalist class exploits the workers and small producers in B.C. there will be resistance to that exploitation. "Peace" means, in effect, repressing with the state — police, courts, prisons — those workers who fight monopoly capitalism for their just demands of better wages and working conditions. Class war means continued opposition to state repression, exploitation and wage slavery.

Just exactly how cynical King is about serving the monopoly capitalist class is evident from the composition of his all-powerful Labour Relations Board. The Chairman is a law professor from Osgoode Hall, Toronto, a certain Mr. Weiler who is an unshakeable capitalist with class interests in, much understanding of, and commitment to the monopoly capitalist system. "Representing" labour on the Board is the burned-out hack from the IWA Regional Office, Jack Moore, whose only claim to fame is that he's hated by every militant woodworker in the province, and whose appointment was made with no reference at all to the B.C. Federation of Labour, despite King's constant theme of "consultation". For monopoly capitalism, Ed Peck, from the Employers' Council, has been appointed Executive Vice-President in charge of the day-to-day administration of the Labour Relations Board. Another appointment on the Board is the Liberal Party hack, Nancy Morrison, formerly a family court judge. The composition of this Board — two lawyers, a tested class-collaborationist labour aristocrat hack, and a die-hard skilled administrator from the monopoly capitalist class — clearly indicates the class interests of King's Labour Relations Board.

The B.C. Federation of Labour wrote a lengthy attack on sixteen specific aspects of the Code, the important ones being: exclusion of domestic workers, agricultural workers, and fishermen from union protection; imposition of "national agreements" (which force workers in B.C. to work at wages and conditions set in the east); opening of the closed shop (which 74.3% of B.C. organised workers belong to, as compared to 12.2% with "Rand formula" contracts) under the bogus concern for "religious freedom"; opening of certifications in a manner conducive to inter-union raiding; legislating councils of unions against the will of individual unions; compulsory arbitration; arbitrary settlement of disputes arising from technological change; interference in strikes by mediators; restriction of picketing during organisational drives and strikes; overwhelming power of the Labour Relations Board. Dave Barrett has left the business of defending this anti-working class code to King, Health Minister Cooke, and Agriculture Minister Dave Stupich. King has made several flimsy efforts at justification. He preached his labour peace sermon, and urged workers to depend on "law rather than muscle", pleading with delegates to the convention to give his bill "a chance".

Yet when a majority of delegates denounced Bill 11 and voted for amendments that would essentially enact the demands put forward by the B.C. Federation of Labour, Barrett rejected the majority decision of his own party. Was the convention decision a vote of no-confidence in the government's labour policy? "Certain! not. It's a reflection of division within the party," says Barrett (Vancouver Sun, November 13, 1973). Will the government change Bill 11? Certainly not, again. "Obviously the party is divided in the stand

we have taken and it's understandable in a democratic organisation (sic), but we intend to carry on with the Bill as it is."

The monopoly capitalist press openly supports Barrett's cynical rejection of the majority decision of the NDP convention, and tries to down-play the significance of the contradiction there is between the monopoly capitalist class interests upheld by the Labour Code and the interests of the working class in B.C. Peter McNelly, "labour columnist" of The Province, speaking on behalf of the monopoly capitalist class, re-assures Mr. Barrett that his anti-labour legislation, at this time, is of no threat to his government: "The heralded split between the government and the B.C. Federation of Labour on the new labour code produced a clear division of opinion: About half the delegates were unhappy with the legislation and half were generally satisfied. Still, it's not the stuff from which the collapse of government is made" (The Province, November 13, 1973). The convention of the NDP clearly shows that the class struggle is raging in B.C. and that Bill 11 is the NDP's answer to this class struggle. However, far from liquidating class struggle, this anti-labour legislation is spreading it right into the ranks of the NDP itself and polarisation between the proletarian and the capitalist forces is increasing in B.C. This polarisation is consistent with the historical development of the revolutionary workers' movement and serves the basic interests of the working class. PCDN stands firmly on the side of the proletarian forces and opposes the capitalist forces.

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B.C. NDP CONVENTION SPLIT: A GREAT OPPORTUNITY FOR MARXIST-LENINISTS TO WORK IN THE TRADE UNIONS

by Hardial Bains

The New Democratic Party (NDP) of B.C. held its convention from November 9-12, 1973 in Vancouver. This was the second convention since the B.C. NDP became the Government in B.C. on August 30, 1972, and the first convention where the policies of the NDP (especially the proposed anti-labour legislation, Bill 11) were brought to the convention floor for discussion.

The convention split on two major issues — both the issues involving the attitude of the NDP government towards the working class: (1) The convention opposed the NDP government's Labour Bill 11, by a clear majority of over 30; and (2) the NDP government opposed the implementation of the decisions of the NDP convention on Labour Bill 11 which was opposed by 320 delegates and "supported" by 290 and there were many delegates in the 290 who disagreed with several aspects of Labour Bill 11 but went along with their government for the time-being.

The B.C. NDP convention thus focussed on the working class. It is extremely important to grasp this fact. When the crisis of capitalism is setting in, the working class militancy increases, and along with it increases the repression of the working class. In B.C., the monopoly capitalists could not control the working class through direct repression (fines and the jailing of union leaders). It had to resort to political deception as well. The B.C. NDP convention reflected the rising opposition to the political deception of the NDP.

The NDP claims to be the party of the labouring masses and for "socialism" but, in practice, it goes against the basic interests of the working class. Labour Bill 11 is the instrument of suppression of the working class by other means, that is, by DICTATORIAL MEANS.

The NDP also claims to be a "democratic" party but, in practice, it even goes against the bourgeois democratic procedures adopted by it. Recent rejection by the NDP government of the NDP convention resolution against Labour Bill 11, and its refusal to implement it, is a clear reflection of the NDP government's ruling its own party by other means, that is, by DICTATORIAL MEANS.

The NDP convention revealed the two dictatorial aspects extremely well

and brought the two into focus. Many trade unionists are raising noise against this practice of the NDP government and there is general talk by various NDP'ers at the constituency level that they will stop the nomination of those NDP ministers who are going against the NDP convention in the next general election in B.C. Many trade unionists are also talking about reconsidering their support for the NDP.

But is there an alternative to the NDP? Ordinary workers are asking these questions at the work-places and in the community. This alternative is the Communist Party of Canada (Marxist-Leninist). The division in the NDP, as reflected in the NDP convention in B.C., provides a great opportunity for the Marxist-Leninists to escalate their work and to lead the working class to overthrow the monopoly capitalist system itself. In the late 1960's, also, there were several times when, locally and nationally, such opportunity arose but the genuine Marxist-Leninists missed these opportunities and genuine opposition to the social-democratic policies of the NDP leadership was diverted into another social-democratic trend without bringing about any qualitative change. The Waffle was the result of the last struggle against social-democratic leadership.

The focal point of attention at this time in the working class movement in B.C. is Bill 11. Many trade-unionists have voiced their opposition to it, as have many social-democrats and militant workers. Most importantly, this Bill 11 brings the working class into open collision with the NDP government. It is this open collision which must be strengthened—its militancy developed and expanded. This is where the genuine Marxist-Leninists have their opportunity.

The basic masses of workers have the desire to fight Bill 11. This desire is further converted into attempts to oppose Bill 11. There is a lot of discussion going on in the workers' movement and in the genuine Marxist-Leninist circles as to how to oppose Bill 11. There is the line of "not rocking the boat" and persuading the NDP government to change Bill 11— that is, work through the NDP and its government and "give the NDP government a chance". This is the line of NDP militants and generally the line of the official circles of the trade-union movement. The other line is to organise direct confrontation and opposition to the NDP government through politicising the opposition to Bill 11 and exposing the true nature and basic treachery of the NDP.

Some comrades think that the two lines are in contradiction with one another and that one form of struggle is revolutionary while the other is not. This is an erroneous view. I hold that the two forms of struggle are absolutely necessary and urgent; and that the genuine Marxist-Leninists should encourage opposition to Labour Bill 11 on both fronts. Those who wish to go through the "channels" should be called upon to increase their militancy and work and go through the channels. A section of these individuals is honest and has the interests of the basic masses of workers in mind. The basic nature of the NDP government will never change. The NDP government is brought into the political arena to bring "class peace" but the opposite is inevitable and bound to happen — that is, the sharpening of class struggle. Those who are earnestly thinking to go through the "channels" will certainly see through the NDP

government and take the road of opposition to the NDP government. A militant trade-unionist told me that "what workers want is class war. To extract even a minor concession from the capitalists, the workers have to fight for it. How can the NDP government dream of class peace!" There are many class conscious workers like this trade-unionist who are clear on the question of class war but are still not clear as to the political allegiance of the NDP. The NDP convention in B.C. was one incident which brought forth the question of the allegiance of the NDP government. This question will be called many many times in the future. Militant workers will see through the NDP and find that the NDP is the party of the monopoly capitalist class and has allegiance to the capitalist system and that workers must reject it.

While the militant social-democrats and trade-unionists fight through the "channels", the genuine Marxist-Leninists must organise direct opposition to Bill 11 by organising conferences, demonstrations and strikes in certain areas, and organising workers where the NDP government may attempt to apply Bill 11. Genuine Marxist-Leninists should create a political atmosphere, create public opinion as to the nature of Bill 11 and how it affects the workers, and call upon the workers to oppose it by direct confrontation.

This two-fold activity against Bill 11 is absolutely necessary given the conditions prevailing in B.C. at this time. This activity will certainly increase the fighting ability of the working class. Our comrades in B.C. must not miss this opportunity to organise the working class.

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MEETING AGAINST SOCIAL FASCIST LABOUR LEGISLATION IN B.C.

Comrade Hardial Bains, Chairman of the Communist Party of Canada (Marxist-Leninist), addressed a meeting in Vancouver on February 16, 1974 organised by the B.C. Provincial Committee of CPC (M-L) against the social fascist labour legislation in B.C. The meeting was attended by over a hundred people including over twenty trade-unionists from various trade unions in the Vancouver area. Several of them were veteran trade-unionists and long-time communist activists.

The NDP of B.C. passed labour legislation last November which guarantees all the rights to the capitalists and takes away even the right to organise from the workers. In fact, according to the legislation, workers of various categories, e.g. those engaged in fishing, agriculture, trapping or domestic labour are not permitted to organise themselves into trade-unions. Besides, there are various clauses which legalise raiding as well as divisions amongst the workers based on religion. The basic sophistry of Labour Bill 11, that the workers and employers are "equal" before the social-fascist labour legislation, is exposed throughout. In Part I, Section 2, sub-sections (1) and (2), the treachery and deception of the social-fascist labour legislation is extremely clear: "Every employee is free to be a member of a trade-union and to participate in its lawful activities"; "Every employer is free to be a member of an employers' organisation and to participate in its lawful activities."

Can the workers who merely own their labour-power be "equal" to employers who own the entire means and instruments of production? Can the workers and employers be equally "free" to organise themselves under the social-fascist law? Is it not a fact that the freedom of one is the enslavement of the other? The workers organise themselves for one motive and that motive alone: To resist super-exploitation of their labour power and to fight to maintain even the most minimum of living standards within the capitalist system. They can only fight through an organisation which cuts down competition amongst themselves and unites them to fight as one against the capitalists. The employers, first of all, do not have to organise themselves. Their life-line does not depend on it and, secondly, if they do organise, they do so to decrease competition amongst themselves and to increase super-exploita-

tion of the workers. It is abundantly clear that the workers organise for one purpose while the capitalists organise for the opposite purpose. The entire Labour Code, in the opening clauses, gives the "freedom" to the workers to organise (which means freedom in words) and, in the following clauses, it takes the "freedom" away (which means no freedom in deeds). To oppose the social-fascists and to defeat their nefarious logic, the workers are gathering together and denouncing this sham "equality" between the workers and the capitalists and the sham "freedom". As one of the trade-unionists put it: "If the NDP government is pro-worker then its legislation should be in support of the workers and it should not be "neutral" or "equal". Bill 11 is the legislation in support of the capitalists."

Comrade Hardial Bains spoke on the history of trade-unions, labour legislation in general, and in particular the growing opposition to Bill 11 in B.C. Comrade Bains opposed anarcho-syndicalist lines, the entire concept of one big union, of two parallel unions (one reactionary and the other revolutionary) or of the two unions in one. He strongly took the side of struggle and opposed the anarcho-syndicalist lines within the Party and outside. He resolutely supported the struggle to organise unorganised workers and the struggle against Bill 11 in B.C. and against similar legislation in other provinces and similar federal legislation. He opposed diversionary trends in the trade-union movement and gave the call to class conscious workers to develop militancy in the organised and unorganised labour movement.

Comrade Bains' speech was enthusiastically received. Several trade-unionists came forward to applaud CPC (M-L) for deepening and broadening the work in the trade-union movement. Lively discussions about the speech went on for over an hour. The meeting ended with the singing of The Internationale.

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GENERAL LINE ON THE WORKING CLASS MOVEMENT

-- Text of the speech delivered by Comrade Hardial Bains, Chairman of the Communist Party of Canada (Marxist-Leninist), on NDP anti-labour legislation, on February 16, 1974 in Vancouver, B.C.

Comrades and Friends,

I have been asked by the B.C. Provincial Committee of the Communist Party of Canada (Marxist-Leninist) to make some general comments on the NDP anti-labour legislation, Bill 11 in B.C. My comments are based on specific work our Party has done in the past few years. This includes the work I undertook from the spring of 1970 to date concerning the working class movement in a certain region of Canada where I and my committee have gained certain specific first-hand knowledge and experience of the problems facing those who are attempting to organise the unorganised and the specific role federal and provincial anti-labour legislation plays in obstructing this process. Also, I have been engaged in talking to a large number of workers who are themselves engaged in trade-union activity and who are the veterans of the trade-union movement and of the communist movement in Canada. They have provided me with valuable information and insight into the problems of organising the unorganised and the general problems of the working class movement. Also, I have talked to ordinary, unorganised and organised workers who are being brought into the movement by the impending economic crisis. These workers are mainly young and the majority of them are long-time Canadians. I held extensive discussions with immigrant workers, the majority of whom are unorganised and are the worst hit by the economic crisis. I have also heard the views of trade-unionists who are part of the CLC machine. Besides, I have analysed actual strike struggles over the past five to six years beginning with the struggle of the taxi drivers in Montreal to the strike struggle of the United Aircraft workers in Montreal. A detailed analysis has been done of some of the strikes, for example, the Dare workers' strike struggle in Kitchener-Waterloo. Furthermore, I have learned much by studying the positive and negative lines which emerged during the upsurge of the revolutionary

youth and student movement of the 1960's. Apart from the work carried out by my own committee, the Party has gained much valuable experience in organising the working class movement since the Regina Conference of May, 1969. This experience has assisted me immensely in terms of grasping the basic problems facing the working class movement. For several years (especially since January, 1972), the majority of our comrades have been carrying out organisational work in the working class movement and we have been struggling to get the Organise-the-Unorganised campaign going. Our efforts are just beginning to bear fruit and the material conditions have been created for bringing forth a high tide in this campaign. I am certain that we will have tremendous victories on this front, a major front for the work of CPC(M-L) in the coming months and years.

Over the past six years (since the re-organisation of The Internationalists in May, 1968), we have strived from time to time to participate fully in the working class movement. But our participation on this front has been limited (until more recently) because of several factors, the most important of which come under the category of the subjective condition - the question of consciousness of class struggle, the realm of political line. The upsurge in the youth and student movement brought us into the arena of the working class struggle. The main thrust of the youth and student movement was struggle against the bourgeois decadent educational system, and against the cultural aggression of the U.S. imperialists and the monopoly capitalist class. The struggle on the cultural front zeroed in on the questions relating to ideology and theory, and on the questions of motivation; for example, the question of whom to serve, the working class or the monopoly capitalist class. The youth and student movement arose when U.S. imperialism was expanding into Canada at a tremendous speed and the modern revisionists had liquidated the revolutionary movement on all fronts. The activists in the youth and student movement enthusiastically came out of the universities, and the core of the movement adopted Marxism-Leninism-Mao Tsetung Thought as its guide to action. Hundreds of youth joined the working class and took up the cause of organising the working class movement. But, in spite of good wishes and correct declarations, a line against accepting Marxism-Leninism-Mao Tsetung Thought as the theory guiding our thinking and the line of not organising the working class movement kept obstructing our work. A large amount of time was spent in criticising and repudiating this line.

This is the line of anarcho-syndicalism. It is the line of not organising the Party and the working class movement, leaving the working class movement at the mercy of the reactionaries and pamphleteering from the sidelines. We launched a struggle against this line during the Regina Conference in May, 1969 and defeated it there, but over the years the line emerged again and again. During the proceedings of the Second Congress of CPC(M-L) I pointed out: "Modern revisionism still remains the main enemy in this period but the enemy is fighting us through dogmatism now. We must hit at the precise form in which it shows itself and wage vigorous struggle against it. That precise form is anarcho-syndicalism. To overcome it and defeat it is to move forward. Not to overcome it, and to espouse it, is to be paralysed and move backward.

Comrades have to make up their minds about this."

The main propagandist for the anarcho-syndicalist line is Jack Scott, currently resident in Vancouver. Through his essays and a book on "working class" "history" and through talks (and study groups) he is peddling his "left", in form, but right, in essence, line. There are certain elements inside the Party peddling the same line. The Progressive Workers Movement (now a defunct organisation) was founded in the fall of 1964 as an anti-revisionist organisation with Jack Scott at its helm. The Internationalists for a long time supported PWM and considered it a centre of the working class movement in this country. We were influenced by this organisation concerning the working class movement. But as we ourselves went into the working class and had direct experience of the working class movement, we found that Jack Scott's so-called anti-revisionism was actually neo-revisionism and that he was a resolute propagandist for anarcho-syndicalism.

At this time, when the general economic crisis is deepening in the capitalist world, the masses of workers are extremely concerned about it, while the monopoly capitalists are busy shifting the burden of this crisis onto the shoulders of the workers. The workers are fighting back. The resistance of the workers is causing grave concern to the capitalist circles and they are increasingly using political deception and demagoguery in order to make the organs of the state more efficient in suppressing the struggles of the workers. Specifically since 1968, new anti-labour legislation has been enacted all across Canada, and a militia is being trained to oppose the struggles of the workers. Major battles against capital are shaping up on the economic front. Increasingly large numbers of workers are being drawn into the struggle. The broad masses are getting extremely concerned about the spiralling inflation, the increasing job insecurity, the high unemployment and the sky-rocketing prices. The unionised workers are having extreme difficulty in maintaining even their previous year's standard of living. The non-unionised workers are at the mercy of the capitalists and have no defence organisation of their own to fight for job security and better wages and working conditions. Every wage demand of the unionised and non-unionised workers and every demand for better working conditions and job security becomes a battle. The militancy of workers in strike struggles and their political consciousness is increasing.

Besides using the state machinery against the workers, the capitalists are also using political deception. The New Democratic Party, which claims to be the party of the working class and has labour aristocrats in it, is in the forefront of this political deception. This party gets elected in the name of the workers and then passes legislation against the working class and in support of the capitalists. The closest ally of this party is the so-called Communist Party of Canada which also speaks in the name of the workers, but in practice, trails behind the NDP. There is increasing resentment and disillusionment against the NDP and the so-called communists (who will be referred to as modern revisionists in the rest of the speech) in the workers' movement and especially in the trade-union movement.

Anarcho-syndicalism is now re-emerging as the ally of the NDP and modern

revisionism in the working class movement in various parts of Canada, especially in the west. (It is not very strong yet but the propaganda machine in support of it is going full blast.) So-called "western radicalism" (anarcho-syndicalism), the curse and vice of the working class movement in the west, is fighting to provide an "alternative" to the NDP and the modern revisionists. Anarcho-syndicalism is the twin brother of modern revisionism and reformism in the same way terrorism is the twin brother of revisionism and reformism. At the beginning of the youth and student movement of the 1960's, as well as in the course of its development and at its height, anarchism, terrorism, reformism, etc. came up to engage in a trial of strength with Marxism-Leninism in the youth and student movement. Similarly now, when reformism is the order of the day for all sorts of opportunists in Canada, we see the beginnings of the re-emergence of anarcho-syndicalism in the working class movement rising to engage in a show of strength with Marxism-Leninism. Modern revisionists and anarcho-syndicalists work hand-in-hand even though the two despise each other. Betrayal by modern revisionism of the working class movement created the conditions for the re-emergence of anarcho-syndicalism.

The outcome of the anarcho-syndicalist line in the working class movement is first the splitting up of the movement which leads to its liquidation. It has the same effect as the modern revisionist line, but the anarcho-syndicalists come up with the so-called "left" image. An avid propagandist for this line in Canada today is Jack Scott. His basic argument in support of the liquidation of labour's day-to-day struggle against capital is as follows:

"...a series of spiralling wage demands that no longer have any meaning, since every increase disappears in increased prices and increased taxes, sometimes even before the wage increase goes into effect."

If Jack Scott's facts are taken to be true (that is, "...a series of spiralling wage demands that no longer have any meaning, since every increase disappears in increased prices and increased taxes..."), then the only truth that can be derived from these facts is that the workers should fight all the more for further wage increases and develop their militancy in struggle. Without fighting against the falling purchasing power of their dollar and for having a greater number of dollars in their pockets, workers will be reduced to no more than slaves. Jack Scott covers up his straight-forward liquidationist and class-collaborationist line by presenting a pie-in-the-sky solution: "The role of radicals should be to convince workers of the necessity to strike for higher objectives as the only solution to current problems." Again, if the words of Jack Scott are taken to be the true reflection of his feelings that he is interested to provide the "solution to current problems" then wouldn't it be better if the workers increased their militancy in fighting for better wages and working conditions as well as prepare conditions to "strike for higher objectives"? But Jack Scott's "higher objective", as we discover in many of his diatribes against the internationals, is "total break, organisationally and ideologically, with the internationals", the attainment of which will create conditions for further striking for "higher objectives". Under the hoax that "spiralling wage demands" "have no meaning" (he should ask some actual

workers whether they have or not!), and that the workers should "strike for higher objectives" without paying any attention to the level of development of the working class movement and the extent to which the economic and political crisis has set in, Jack Scott is calling for the liquidation of the struggles of the workers. (For a relatively complete analysis of Jack Scott's anarcho-syndicalism, read Section C of the Explanatory Notes.)

The significance of the re-emergence of anarcho-syndicalism is two-fold: 1) It marks the beginning of the struggle of Marxist-Leninists to provide correct orientation to the working class movement with anarcho-syndicalism as merely an hysterical attempt by the bourgeoisie to stop that struggle, and 2) it also marks the end of the road for the treacheries and betrayals of the sham anti-revisionists. Genuine Marxist-Leninists must launch vigorous campaigns to criticise and repudiate anarcho-syndicalism and implement the Marxist-Leninist line on this decisive front of the working class movement. Over the years, Jack Scott and PWM exercised a tremendous negative influence in certain left-wing circles. It was Jack Scott's line of not fighting for wage demands but of convincing the "workers of the necessity to strike for higher objectives" which gave rise to petty bourgeois revolutionism and adventurism and it is the opposition to this line which will assist the correct orientation of the working class movement now.

In their lifetimes, Marx and his close friend and collaborator, Engels, waged a vigorous and sustained struggle against Proudhon, an anarchist and anarcho-syndicalist of their time. Lenin and Stalin, in their lifetimes, kept up this attack. In North America, and in various European countries, genuine Marxist-Leninists launched one struggle after another against various types of anarcho-syndicalism. There was the struggle against dual unionism, two unions, one revolutionary and the other reactionary, existing side by side. (For the Marxist-Leninist struggle against anarcho-syndicalism, read Section B of the Explanatory Notes.)

Workers from various parts of the world are brought together by modern production. It is this condition of modern production which creates a sense of solidarity and united struggle amongst the workers. When workers are forced to bargain individually with the employer it creates intense competition (a worker has to compete for a job, in the first place, because of the high level of unemployment within the capitalist system) and strife amongst the workers. The workers are forced to work for long hours under the most wretched working conditions and the employers retaliate against any worker or group of workers who wage struggle for reform of the existing working conditions and demand a living wage. The capitalist employs his power of capital to his best advantage. He discriminates against one worker and favours the other. He buys off a tiny minority of workers and uses them as his agents at the work-place. In other words, apart from extracting maximum surplus value, he creates conditions for the perpetuation of exploitation not at the current levels but always striving to bring it to higher levels so that he keeps extracting maximum surplus value from the workers at any given time. The workers are forced by these objective conditions to organise themselves into unions which cut down competition in their ranks and transform them

from individual workers to the class of workers.

Unions provide the workers with class consciousness and class solidarity. Unions are "schools of communism". The material conditions of the workers necessarily force them to seek alternatives within the capitalist system (reformism) and outside the capitalist system (proletarian revolution). The struggle for wages and the struggle to resist the deterioration of the workers' living and working conditions is only one front of the struggle. The other front for the class-conscious workers is to assist other workers to get organised and to participate in political struggle. Organising the unorganised workers is part of the struggles taking place on the economic front. All class-conscious workers (advanced sections of the proletariat) must join their political party and wage political battles. Organisations (like trade-unions) based on struggles of the workers on the economic front mobilise the main force of revolution. The proletarian party, based on Marxism-Leninism and proletarian internationalism, organises the leading force and provides correct direction and orientation to the economic organisations of the workers. The unions are absolutely essential to convert the faceless, un-organised and directionless workers into a fighting army of labour against capital. The proletarian party is absolutely necessary to provide the proletarian army with a general staff and a host of sergeants who actually lead this army to victory over capital.

The trade-union movement irresistibly developed with the intensification of the exploitation of labour by capital. The trade-union struggle is the starting point of the movement to overthrow the dictatorship of the bourgeoisie and to establish the dictatorship of the proletariat. The workers acquire this consciousness of struggle on their own. Capital attempts all the time to break up the unity of the workers and put an end to the dogged resistance of labour to capitalist exploitation and wage slavery. Labour responds to these attacks by developing further unity and militancy in struggle. The battle goes on. Some battles are won and others are lost, but through all these struggles the working class strives to become a fighting class and prepares for final assault on capital. Unions become centres of discussion where lines are drawn between the line of class struggle and the line of class collaboration and compromise and the workers learn to differentiate between what assists labour's struggle against capital and what blunts it.

The trade-union movement in Canada is, at the present time, dominated by reactionary leadership. The vast majority of the workers are not even organised into unions. The capitalist state is attempting to force the unions to become an appendage of its dictatorship and a force against the working class itself. The NDP is leading this struggle on behalf of the capitalists and the modern revisionists are gladly assisting them. Under these circumstances, not to participate in the day-to-day struggles of the workers or not to organise the unorganised is to leave the unions under the control and influence of social fascism and fascism. Genuine Marxist-Leninists must work within the existing trade-unions and organise the un-organised. The workers on their own are capable only of trade-union consciousness. This consciousness can be transformed into revolutionary consciousness only by building the

Party of the proletariat based on Marxism-Leninism and proletarian internationalism. Anarcho-syndicalism is opposed to the day-to-day struggles of the workers, supports the disruption of the working class movement and is against the building of the Party of the proletariat.

We are going through a period in which economic crisis is looming in Canada. In order to shift the burden of the economic crisis onto the backs of the workers, the capitalists must smash all the resistance of the workers to this shift and achieve "industrial peace". Conflicts between labour and capital in the industries are the concrete reflection of capital attempting to exploit and enslave labour to the maximum and of labour resolutely resisting this attempt. "Industrial peace" means "peace" through the enslavement of labour by capital so that capital can exploit labour to the maximum without facing any resistance.

The two contending sides (labour and capital) are getting ready for combat and the lines are being drawn on the economic front. The isolated struggles and skirmishes, at this time, are merely the reflection of the greater struggles that lie ahead. The monopoly capitalist line of "industrial peace" is coming into direct contradiction with the line of class war. The capitalists are bringing in the full weight of the state on their side and are using political deception against the working class. The workers have only their defence organisations, and for many workers (the majority), even defence organisations do not exist.

Are the capitalists capable of ensuring "industrial peace"? The answer is no, but they will do their utmost to bring it about. During the 1920's Mussolini was brought into power in Italy in order to ensure "industrial peace" and to make trade-unions serve the fascist state. Mussolini, even though he deployed brute force and brought untold suffering onto the working people, failed to realise his cherished dream of liquidating class struggle and making the working masses into passive work-horses of the capitalist class. The corporative state of Mussolini failed to protect him from the wrath of class struggle. The capitalists in Canada will not achieve their fond dream of "industrial peace" either.

The targets of attack of the bourgeois state and of political deception are the trade-union movement and the unorganised workers. The capitalists would like to make the trade-union movement the appendage of the state while making it extremely difficult for unorganised workers to organise themselves. The state has on its side the labour aristocrats and various social fascist political leaders. In spite of all this "monumental" support, I am convinced that they will never achieve "industrial peace".

Is the working class movement capable of resisting the attacks of capital? The answer is yes! Not only is the working class capable of resisting these attacks but labour is also capable of launching an offensive and overthrowing capital. The working class is heroically fighting not only the direct onslaught of capital and the violence of the state but it is also fighting bourgeois trends and political deception in the working class movement.

Political deception and the attacks of the state are simultaneously used by the capitalists against labour. Take, for example, the role of the NDP in B.C.

It came into power through political deception and is now using the state against the working class. Through its anti-labour legislation, Bill 11, the NDP established the Labour Relations Board (LRB) the main objective of which is "securing and maintaining industrial peace". The LRB is provided with sweeping powers. It is almost a legislative body itself which is authorised to make its own rules as it goes along, within the powers of Bill 11 of course (which are unlimited). As one class-conscious worker remarked: "The Labour Relations Board is the most efficient way of suppressing the struggles of the workers. The LRB has been given powers which even the Almighty may not possess." The LRB is the special committee of the state to oppose the basic interests of the working class and to make the trade union movement an appendage of the state.

Bill 11 is the result of the political deception of the NDP. Here, the NDP uses as its guide all the social democratic theories about the nature of the state. For the NDP, the state is above classes and is merely a bureaucratic set-up which can be used equally by the capitalists and the working class!

Right from the beginning of the first clause of Bill 11 to the last, political deception is obviously visible through and through. Sub-sections (1) and (2) of Section 2 of Part I of Bill 11 states:

"1) Every employee is free to be a member of a trade-union and to participate in its lawful activities.

2) Every employer is free to be a member of an employer's organisation and to participate in its lawful activities."

This is the NDP's concept of "equality" of "freedom" in front of the law. The NDP, which is supposed to be the party of the working class, is formulating laws which provide "equal" "freedom" to the employer and the employed! The motive of the workers in organising themselves into trade-unions is to 1) eliminate competition in their ranks and 2) wage a united struggle for better wages and working conditions. In other words, workers organise themselves to resist exploitation of labour by capital. On the other hand, employers organise themselves to eliminate competition at the time of bargaining and strive for maximum exploitation of labour by capital. The motives of the contending parties are opposed to one another. How then can Bill 11 serve both the resistance of labour to capital and the exploitation of labour by capital? It has to serve one or the other. It can never serve both. In this instance, Bill 11 serves capital.

The employers own the means and implements of production. Labourers, on the other hand, possess only their potential labour power to sell. The employers can very well afford to delay hiring, postpone production or shut down operation altogether while the labourers must sell their labour power or else they will starve. How can there be any "equality" of "freedom" under these conditions? Freedom of one, in this case, means the enslavement of the other. Bill 11 ensures freedom of capital to exploit labour while there is no "freedom" for labour to resist this exploitation. (For detailed analysis of Bill 11 and the alliance of forces on this question, read Section A of the Explanatory Notes.)

Erroneous views have been advanced in the past by both the anarcho-syndi-

calists and the modern revisionists which hold that the struggles on the economic front are detached from the struggles on the political front. They further state that the struggles on the economic front are "lower forms" of struggle while struggles on the political front are "higher forms". It is also incorrectly stated that the political struggles "emerge" out of the economic struggles. A study of Bill 11 and innumerable other facts prove that this formulation is entirely incorrect. How did Bill 11 come into being? Through political struggle! And what is the aim of Bill 11? Its aim is to support the struggle of the monopoly capitalists on the economic front.

Bill 11 concentrates the economic rights of the capitalists and workers in juridical form. Bill 11 is the weapon of capitalists against the workers on the juridical front, while the workers have no weapon whatsoever except to defy it. The workers can retaliate by launching strike struggles and toppling the government or forcing some concessions out of it. There are two fronts of struggle: 1) economic and 2) political. There are other fronts too, for example, the cultural, juridical, military, etc., but all these fronts serve the economic base. Political struggles reflect the ripples, the conflicts and storms taking place on the economic front and reflect them in a concentrated form. So to make distinctions between the two in a manner to belittle one struggle over the other or magnify the significance of one over the other is pure sophistry and deception. Which kind of struggle is going to be decisive will depend on the concrete circumstance. It cannot be judged in the abstract on the apriori basis.

Comrades can see clearly that in passing Bill 11, the capitalists are facing a problem that is economic but they have applied political deception to solve it. The class-conscious workers will also have to fight both battles in the way that is most advantageous to themselves. They cannot afford to prefer one type of struggle over another on an apriori basis.

At this time of looming economic crisis, if the working class does not wage economic struggles then it will weaken its political struggle and will fail to accomplish its class aims. It is criminal for a class-conscious worker or a political activist to belittle the struggles on the economic front. It is equally criminal not to involve workers in political battles.

The anarcho-syndicalists concoct "moral objections" to various struggles and compel their followers to abide by their commandments:

"Thou shalt not fight for higher wages!"

"Thou shalt not work in the international unions!"

"Thou shalt not build the political party of the proletariat!"

"Thou shalt not participate in political battles!"

And there are various other commandments. Every tactical line is elevated to the level of principle by the anarcho-syndicalist and abandoned, while every strategic position is converted into moralism and propagated.

Some comrades and friends have asked me to comment on whether or not "it is correct to work in the internationals" or "fight for better wages and working conditions" or "fight for Canadian unions", etc. I have always maintained that the correctness or incorrectness of a tactical line is decided by whether or not it serves to advance the working class movement. Sometimes, a given

tactic assists the growth and development of the working class movement, and at other times the same tactic becomes a roadblock and hinders it. It is correct to fight for better wages and working conditions and to work in the international unions at this time. The international unions cannot be transformed into fighting organisations without actually going in and waging struggles there. Those who claim that the pre-condition for the destruction of class compromise and class collaboration is the destruction of the internationals are the same ones who advocate the destruction of the capitalist system first and the waging of struggles for higher wages and better working conditions later. This is turning things upside down. We are not opposed to "Canadian unions" as such, but if the entire strength of the "left" is to be wasted in raiding internationals or protecting themselves from getting raided by the internationals, then we will have no part of it. The principle of national unions for each nation is correct but it is not possible to defeat the internationals through moralisms and with the installation of "Canadian unions" through empty phrases. We stand for Canadian unions in the fields where the internationals are not present. We stand for organising the unorganised workers into already existing unions and if in some area there is no union, then establishing independent unions. Under certain circumstances, we will also work for the breaking up of the internationals. We stand for one labour centre nationally. The Canadian Labour Congress must be forced to accept all unions into one body.

Some comrades and friends have mentioned that my suggestion that those who still have illusions about the NDP and who wish to fight Bill 11 through government and "legal" channels should continue to do so is an act of capitulation to those forms of struggle and is tantamount to creating illusions about the worth of these struggles. I would like to stress here that those who have illusions about the NDP are not going to change their minds about the NDP or about these struggles by listening to our lecture or reading some pamphlets issued from the sidelines. People change their views by actually participating in direct struggles and learning through negative and positive experiences. The line of telling someone that we already know about the worthlessness of a type of struggle is a wrong line. What I have said is that it is a good thing that there exist certain elements in the NDP who are quite antagonistic to Bill 11 and are ready to wage some struggle against it through the NDP. What we want to accomplish by supporting these individuals is a fight against the anti-working class elements right in the heart of the NDP itself. If these elements are serious and are able to give to anti-working class elements in the NDP a good fight, then they will certainly make a contribution on that front. Furthermore any suggestion that these friends should leave the NDP right now without causing at least a bit of disorder within the NDP is to harm the interests of the working class movement and it can only isolate us from certain fighting elements within the NDP. I am not suggesting to any of our comrades that we should ourselves wage that kind of struggle. I am opposed to working within the NDP. I have always maintained that it is better to work for communism directly, but if certain elements are not yet ready to do so but have pro-communist sentiment then it is not correct to suggest that these elements should do nothing until the time they are ready to work for communism. There are

struggles they can involve themselves in and make a contribution to the revolutionary process. I still maintain the same views.

The question has also been raised as to what, if anything, we will accomplish by opposing Bill 11. It is true that we are not strong enough at this time to topple the NDP regime, but there is no reason why we should not engage in some fight (even if it is on the ideological and propaganda front) for the time being. What we will gain by this agitation is an ability to launch further struggles plus certain influence in the working class movement. This much "gain" is good enough for the time being.

There are some comrades who think that any struggle short of insurrection is a waste of time. I hold that this is a very harmful attitude towards the working class movement. The movement can be advanced only if we are in the thick of struggles and learn the art of class struggle through waging various types of struggles. How to use even a minor sort of struggle for reform, for revolutionary purposes, is an art learned by revolutionaries through struggle. Our revolutionaries also must learn this art.

On the question of the tactical line, our comrades have to firmly grasp that in order to smash the citadel of the enemy, it is extremely necessary to be close to the citadel and actually have through-going knowledge of it. To come into contact with a fortress is not reactionary but revolutionary and to learn how to blow up the fortress and actually do so is not such a terrible thing either. The anarcho-syndicalists do not want to go near the fortress (and they gesticulate and wildly wave their arms at whosoever tries to go near it) because it belongs to the enemy, while the modern revisionists have actually become part of the enemy's defences. From the outside, the trade-unions appear to be the citadels of capitalism, and their leadership has been usurped by the agents of the enemy class, but the basic nature of the trade-unions is still against capital and this nature has not changed (and cannot be changed). Times do change and things have the tendency of turning into their opposites. As the economic crisis deepens and the capitalists further increase their efforts to make the trade-unions the appendage of the state, the broad masses of workers will fight ever more courageously and militantly and will convert the same trade-unions into fighting organisations. One tendency covers another. Beneath the treachery and betrayal of certain trade-union leaders lies the real fighting spirit of the basic masses of the organised and unorganised workers. There is a real volcano ready to erupt which the capitalists are trying to plug through the violence of the state and political deception. They will never succeed in this nefarious deed.

We are faced today with the simple and straight-forward question of organising the unorganised and leading the working class movement in its political struggle against the capitalist system. In this struggle, we must have clear heads and feet firmly on the ground.

Our Party has won some initial victories on several fronts. We have a daily newspaper which goes to various working class circles and its influence is growing. We have the Party with branches in all major cities with cadres capable of carrying forth a line and implementing it. We have working class cadres already engaged in work in the working class movement. We have

some experience in organising the unorganised. We are relatively more united in thinking and action and stronger ideologically, politically and organisationally than before. We are very close to providing a detailed analysis of the economic situation in Canada. We have gained much experience through negative and positive examples during the period of disseminating Mao Tsetung Thought and waging the resistance movement against the attacks of the police and of the holy alliance of the "left". There is an economic crisis looming and workers are generally astir. With such an excellent situation inside the country, there is a still more excellent situation on the international scale. There is a growing struggle against super-power politics and generally the revolutionary trend is developing throughout the world whereby countries want independence, nations want liberation and people want revolution. Under these conditions, the responsibility of all genuine Marxist-Leninists, all class conscious workers, and all revolutionary intellectuals is to get down to the nitty gritty of strengthening the working class movement by -

- 1) Working within the already existing trade-unions and fighting for the correct line there;
- 2) Organising the unorganised workers;
- 3) Strengthening the national working class newspaper, and,
- 4) Supporting all oppositional trends.

Comrades and Friends, in conclusion I would like to re-assert that no matter what the monopoly capitalist class does, it is doomed to extinction. This is the eve of the social revolution of the proletariat and comrades and friends must believe in the inevitability of the social revolution of the proletariat and struggle to bring it about.

THE WORKING CLASS WILL CERTAINLY WIN!

THE CAPITALIST SYSTEM IS BOUND TO BE OVERTHROWN!

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EXPLANATORY NOTES

INTRODUCTION

I have divided the Explanatory Notes into three sections: The first section of the Explanatory Notes deals with Bill 11 and the class alliance of forces on this NDP anti-labour legislation in B.C. for the purpose of repudiating the social-fascist theories about the state, the political deception of the NDP, and of stressing the necessity of waging a rigorous struggle against the attempt by the monopoly capitalists to turn the trade-unions into an appendage of the state.

In the second section of the Explanatory Notes I cover the ideological struggle which Marx and Lenin waged against anarchism and anarcho-syndicalism for the purpose of 1) further repudiating Jack Scott's anarcho-syndicalism, and 2) elucidating the Marxist-Leninist line on the trade-unions and the day-to-day struggle of the workers.

The third section deals with the anarcho-syndicalism of Jack Scott. I have chosen to criticise and repudiate Jack Scott's anarcho-syndicalist line for a variety of reasons, the most important of which are: 1) Jack Scott claims to be a "Marxist-Leninist" and a "militant trade-unionist", and 2) in order to

justify his own claim to this "fame", Jack Scott has in recent years written the following documents:

- a) SWEAT AND STRUGGLE (1974)
- b) BRITISH COLUMBIA AND THE AMERICAN LABOUR MOVEMENT (1973)
- c) INTERNATIONAL UNIONS AND THE IDEOLOGY OF CLASS COLLABORATION (1972)

These three documents present an excellent case for anarcho-syndicalism and give me an opportunity to deal with Scott's anti-Marxist views on the fundamental questions facing the working class movement. Jack Scott is the only contemporary writer who is seriously presenting an argument for anarcho-syndicalism and for this reason he must be criticised and opposed. Furthermore, Jack Scott headed the first anti-revisionist centre in this country, and his organisation, the Progressive Workers' Movement, was the first serious organisation to take up the task of opposing modern revisionism, building a Marxist-Leninist party and leading the working class movement. His organisation was established in the fall of 1964 and the first publication of this movement appeared in November of 1964. PWM lasted for about five-and-a-half years and then collapsed. In the beginning, PWM had in its ranks an overwhelming majority of workers, many of whom had come out of the trade-union movement and the "Communist" Party of Canada. At the time of its collapse, the movement consisted of only a handful of ex-students. How this transformation took place is a significant history which must be analysed and summed up. Moreover, in October, 1964, Jack Scott and his comrades adopted Marxism-Leninism and proletarian internationalism as the theoretical guide to their organisation, but, as time passed, we found that Jack Scott abandoned all the teachings of Marxism-Leninism and substituted national chauvinism for proletarian internationalism. Today Jack Scott is an avid propagandist for anarcho-syndicalism and rabid national chauvinism.

Furthermore, Jack Scott's latest book deals with the history of the working class in Canada. This book completely distorts that history. It is important to set the history of the working class straight, especially in the present circumstances when Jack Scott is using that history to do propaganda for anarcho-syndicalism. I am concentrating on Jack Scott for the sole purpose of repudiating in depth his anarcho-syndicalism and I leave the criticism and repudiation of some other writers for a later period.

The main motivation behind writing these Explanatory Notes is to advance the struggle of the working class movement, to point out the erroneous tendencies and to prepare public opinion for the purpose of consolidating our work on the correct basis.

In preparing the Explanatory Notes, as well as my speech, I have been extensively assisted by my comrades. In fact, the line I am presenting is the outcome of the hard work which hundreds of young workers and students undertook by participating in the political battles over the past decade and more; in particular, it is the result of the work (field work as well as research work) which comrades have carried out since August of last year. I have merely led this work and have concentrated the conclusions for presentation to the

class conscious workers, communist organisers, revolutionary intellectuals and other political activists. This is the starting point in the clarification of the Marxist-Leninist line on the working class movement in Canada, and what I have said in the speech and have written in these Explanatory Notes is not the last but the first word on this question. Hundreds of our comrades will take it from here and implement the line amongst the masses, thereby creating material conditions for the further summation and clarification of the line. It is only in struggle against the erroneous line and through revolutionary practice that the correct line develops.

SECTION A LABOUR CODE OF BRITISH COLUMBIA ACT, BILL 11

The Labour Code of British Columbia Act, Bill 11, was passed by the NDP government in B.C. on November 7, 1973. This legislation is anti-labour, and not only encompasses all the previous Social Credit legislation, it also updates it. Any pretence that this legislation assists the working class is thrown out of the window. The NDP got elected in August, 1972 on the promise that it would redress some of the excesses of the Social Credit government against labour. But after the elections, the NDP passed legislation which is even more anti-labour and dictatorial than any which had existed before. In discussing Bill 11, I have divided my comments into three parts: 1) Comments on important sections of Bill 11, 2) Comparison of NDP legislation with Social Credit legislation, and 3) The alliance of class forces on Bill 11.

I. COMMENTS ON IMPORTANT SECTIONS OF BILL 11.

There are 153 sections of Bill 11 divided into 9 parts starting with the Interpretation in Section 1. These parts are as follows:

	INTERPRETATION (Section 1)
Part I	RIGHTS OF EMPLOYEES AND EMPLOYERS AND UNFAIR LABOUR PRACTICES (Sections 2-11)
Part II	LABOUR RELATIONS BOARD (Sections 12-38)
Part III	ACQUISITION AND TERMINATION OF BARGAINING RIGHTS (Sections 39-60)
Part IV	COLLECTIVE BARGAINING PROCEDURES (Sections 61-78)
Part V	STRIKES, LOCKOUTS, AND PICKETING (Sections 79-91)
Part VI	ARBITRATION PROCEDURES (Sections 92-112)
Part VII	SPECIAL OFFICER (Sections 113-127)
Part VIII	LABOUR OMBUDSMAN (Sections 128-137)
Part IX	MISCELLANEOUS PROVISIONS (Sections 138-153)

There are many comments which can be made on these parts of Bill 11, but the most important points which expose the basic anti-labour content of Bill 11, as well as the NDP's concept of the state and of class struggle, are as follows:

A. BILL 11 DECLASSES A SECTION OF THE WORK FORCE.

In Section 1, Interpretation, important sections of the working class are declassified. Sub-section (1) of Section 1 reads: "... 'employee' means a person

employed by an employer, and includes a person engaged in police duties, and a dependent contractor included in an appropriate bargaining unit under Section 48, but does not include a person who, in the opinion of the board, . . . (iv) is employed in domestic service, agriculture, hunting, or trapping". It is amongst the domestic servants and the agricultural workers that there is maximum exploitation and it is noteworthy that these sections of the work-force are left out of Bill 11. Also, large numbers of domestic and agricultural workers are immigrants and it is they who require the protection of their rights, but, under Bill 11, they cannot organise themselves into trade-unions and are thus open to vicious class and national oppression.

B. BILL 11 PROMOTES THE BOURGEOIS CONCEPT OF EQUALITY

The NDP claims that it is a "socialist" party and a "working class" party but the thinking and ideology on which the NDP bases its laws are all bourgeois. From this thinking and ideology stems all political deception and it is this fact that has earned the NDP the infamous title of being social fascist (socialist in words but fascist in deeds). The thinking and ideology of the NDP are not based on class struggle and working class rights but are based on class-collaboration and bourgeois rights. Sub-sections (1) and (2) of Section 2 of Part I state:

"Every employee is free to be a member of a trade-union and to participate in its lawful activities."

"Every employer is free to be a member of an employers' organisation and to participate in its lawful activities."

This set the framework for the deception which the NDP has embarked on in Bill 11. The NDP is clearly presenting to the people a false sense of justice and an upside-down view of what is right and what is wrong by arrogantly implying that "employees" and "employers" are "equal" in front of the law and that the two have "equal" "freedom". By pretending that both have "equal" rights to organise, the NDP is attempting to pull the wool over the workers' eyes.

The employers form associations of their choice for one purpose and one purpose only: to decrease competition amongst themselves and to exploit the workers to the maximum. When these associations are no longer useful to them they will disband them. Besides, the employers do not need permission from the government to organise. They will form their organisations whether or not the government legalises them. The reason for this is that they have another capitalist law on their side, the law of private property and the subsequent freedom that comes from this law - the freedom to exploit labour at the price agreeable to the property owners. With this law on their side, the capitalists do not need any further laws. The sub-section which reads: "Every employer is free to be a member of an employers' association" is merely political deception, as it is absolutely meaningless to talk about employers' rights within the capitalist system since the entire system is geared to guarantee the exploitation of labour by capital.

On the other hand, the workers organise themselves into unions in order

to reduce competition in their ranks and to wage a united struggle against capital in order to secure decent living and working conditions. Within the capitalist system there is no defence of labour and no laws forbidding exploitation of labour. Labour has to fight capital every inch of the way to procure the most elementary and necessary "privileges", the right to live and work under decent conditions. Workers gained the consciousness to organise themselves into unions through bitter struggles with capital and for them to maintain a union, once it is accepted by bourgeois law, is yet another monumental struggle.

To compare the right of an employee to form a union with the right of the employer to join an association is political deception of the first order. The employers and their associations are never the target of attack by anyone while the unions are always the target of attack by the employers. So how can there be "equality" of "freedom" between the employers and the employees. "Equality" of "freedom" would exist if the workers were given the right to join a union (on a compulsory basis) the moment they became employed and if the employers were by law forbidden to attack the unions. The NDP claims to be a "working class" party. If this is the case, then why doesn't the NDP pass a bill whereby all workers become members of the union the moment they are employed and collective bargaining is introduced as the only form of bargaining in all production units in B.C? If the NDP government does not wish to go to that extreme in supporting the workers and opposing the capitalists, then at least it could set aside several million dollars to be used to hire trade-union organisers. But, instead of doing this, the NDP government has passed this anti-labour legislation making it all the more difficult to organise unions and defend them.

Furthermore, most of the struggles the unions are waging are economic struggles. One of these is the fight for higher wages. Wages determine the rate and amount of profit which the capitalists make. The higher the wages, the lower will be the rate and amount of profit. The lower the wages, the higher will be the rate and amount of profit. An increase in one means a decrease in the other. In the case of the employers, it is the profit motive which is leading them to form their associations, but in the case of the workers, it is the struggle to subsist which is forcing them to organise themselves into unions. How can the two opposing and contradictory motives have "equality" of "freedom" in front of the NDP law? Rights for one means no rights for the other, and Bill 11 guarantees all rights to the employers but no rights to the workers.

C. THE NDP CONCEPT OF "FAIRNESS"

In Section 3 under the heading "Unfair labour practices", the Labour Code sets down theoretical fairness - that is, fairness in words, but in practice Bill 11 guarantees the right of the employer to do whatever he pleases. Sub-section (2) of Section 3 reads: "...nothing in this Act shall be interpreted to affect the right of an employer to suspend, transfer, lay off, or discharge an employee for proper cause". And the whole world knows that an employer has no difficulty whatsoever in concocting "proper cause". While the Labour Code

gives the right to the employer "to suspend, transfer, lay off, or discharge an employee for proper cause" and the employer does not have to go through any hassles, if the employee chooses to object to this suspension, transfer, lay off or discharge, he will have to go through a complicated and tedious procedure of filing a grievance, etc., etc. And even then it is someone else who will decide whether the employee should be re-instated or not. Quite clearly, the employer can swing the hatchet at will, but the employee will have to make an appeal to yet another tribunal after his head has already been chopped off! How fair the NDP is!

Section 3 furthermore has sub-sections which make it appear as if the Labour Code is disciplining the employers, but this is pure deception. For example, sub-section (2) reads: "No employer, and no person acting on behalf of an employer, shall (a) refuse to employ...because the person is a member or officer of a trade-union..." but when the employers refuse to hire someone they are not foolish enough to suggest that their refusal is based on the fact of the employee being a member of a union but on the fact that the employer has "proper cause" to do so.

In terms of "fairness", the basic assumption on which the NDP operates is that the employers and the employees are "equal" in front of the law although the employers OWN and CONTROL everything while the workers have ONLY THEIR LABOUR-POWER TO SELL. Under these circumstances, how can there be any "equality" and "fairness" in front of the law? If, even within the capitalist system, the NDP had any concern for the working class, then it should have taken the RIGHT TO HIRE AND FIRE away from the employers and should have handed it over to government bodies which would be organised on the basis of serving the employees' interests. Even this much reform within the capitalist system is not carried out by the NDP government, not to speak of overthrowing capital and establishing a socialist state.

D. CURTAILMENT OF TRADE-UNION ORGANISING AT THE PLACE OF WORK

In Section 4 under the heading "Limitation on activities of trade-unions", the class nature of the Labour Code expresses itself more fully. Various sub-sections of this Section forbid canvassing for a trade-union at the place of work, and oppose "any activity that is intended to, or does, restrict or limit production or services" (sub-section (2)) and thereby further guarantee the control of the employer over everything that is going on at the place of work. For example, the employer can label any legitimate activity of the employees as "activity that is intended to, or does, restrict or limit production or services" and use that as "proper cause" to attack the trade-union or individual workers.

There are two aspects to this Section: 1) The workers are forbidden to discuss and exchange views with one another on the most important question in their lives - that is, a trade-union, an organisation which fights to defend the rights of the workers, and 2) The employers who own and control everything have unlimited time and rights to discuss whatever they please and strengthen their organisations. Again, the fraud of "equality" is evident.

Neither do the employees have the right to canvass amongst themselves to form their associations nor do the employers have the right to canvass against the workers' association. But the employees must organise to defend themselves while the employer can always use "proper cause" to fire militants, so they do not need to canvass against the union directly. In real life, the employers do fire and lay off militants by showing "proper cause". This Section says nothing as to how the employers' associations should behave themselves.

Besides, all the propaganda organs of the state, high schools, universities, technical institutions, radio, television, movies and you name it, all canvass against unions and create anti-union public opinion. There is not a word written forbidding this sort of anti-union activity. Of course, the NDP will retort that everyone has the "freedom" to express himself while in fact those who own and control the state have more freedom than those who don't. Moreover, the entire thrust of the propaganda machine is to discredit unions and it is never impartial in presenting its case to the people. It is partial in favour of the employers.

Furthermore, the employer who controls the plant (and owns it) can always find reasons to cut down production and lay off workers as a form of intimidation while the workers have no recourse whatsoever within the law.

Finally, the workers have to deal with the agents of the employers (many times actual policemen) at the place of work who provide information to the employers against the employees and who, more significantly, under the grateful eyes of the employers, create public opinion against the unions and work for splitting the unity of the workers.

Again, Section 5, entitled "Coercion and intimidation prohibited", reads: "No person shall use coercion or intimidation of any kind that could reasonably have the effect of compelling or inducing any person to become or refrain from becoming, to continue or cease to be, a member of a trade-union." "Inducing any person to become" a member of a trade-union is equated with "refrain from becoming" a member of a trade-union. This is outright treachery! "Inducing a person to become" a member of a trade-union is the basic right of every worker so that:

- 1) the competition amongst the workers themselves is cut down; and
- 2) the workers are united in their battle against capital.

To "refrain from becoming" members of a union can only hurt the basic interest of the workers and assist the employers. So, while the activity of asking workers to refrain from becoming members of the union should be outlawed, the activity to induce persons to become members of the union should not only be legalised but also encouraged and rewarded. Instead of equating the basic right of a worker to induce his or her class brother or sister to become a member of a union with the basic ambition of the capitalist to stop the workers from becoming members of the union, a "workers" party such as the NDP could at least outlaw anti-union propaganda and legalise pro-union propaganda. The NDP government could interfere in this matter on behalf of the workers and declare that all workers must become members of the unions.

By equating the act of "inducing any person to become" a member of a

trade-union (a working class right) with "refrain from becoming" a member of a trade-union (an employer's ambition), the NDP government is really providing the employers with the opportunity to do what they are hypocritically forbidden to do in Section 3, sub-section (2) of Part I (which is high-sounding verbiage in the first place): "No employer, and no person acting on behalf of the employer, shall (a) refuse to employ or to continue to employ any person, or discriminate against any person in regard to employment, or any condition of employment, because the person is a member or officer of a trade-union..." (and there are other similar clauses, (b), (c), (d), (e), and (f) which give the impression that the rights of the trade-unionists are protected). But Section 5 takes away all the rights of workers and hands them over to the employers: "No person shall use coercion or intimidation of any kind that could reasonably have the effect of compelling or inducing any person to become or refrain from becoming, or to continue or to cease to be, a member of a trade-union". The employer can charge any worker with coercion, especially when the trade-union is not yet organised and workers do not have an organisation to fight with. This section as well as the last sentence of Section 3 "...but, except as expressly provided, nothing in this Act shall be interpreted to affect the right of an employer to suspend, transfer, lay off, or discharge an employee for proper cause" deprives the militant workers of any rights while the employers are given the green light to attack the militants.

It is the feature of the Labour Code that some of the "good things" (that is, the rights of the workers) are guaranteed in words but opposed in practice while some of the "bad things" (rights of the employers) are opposed in words but guaranteed in practice.

E. THE NDP'S CONCEPT OF "GOOD FAITH"

Section 6 of Part I deals with the point concerning "good faith": "No trade union or employer shall fail or refuse to bargain collectively in good faith in the Province and to make every reasonable effort to conclude a collective agreement...". What is "good faith" and what is this "to bargain collectively in good faith"? As I have mentioned before, the motivation of the employers and the employees in bargaining are based on two opposing interests. While the workers negotiate a living wage and decent working conditions, the capitalists aspire not for minimum, average, or reasonable profits but the maximum profits possible. With this motivation for maximum profit how can the capitalists bargain collectively in "good faith"? In real life, what is "good faith" for one is bad faith for the other and it is the NDP's super-deception to suggest that there is such a thing as "good faith" above classes and class interests.

F. PROMOTION OF DISUNITY AMONG THE WORKERS

Sub-section (1), Section 7, of Part I states: "A trade-union or council of trade-unions shall not act in a manner that is arbitrary, discriminatory, or in bad faith in the representation of any of the employees...whether or not they are members of the trade-union...". This section deliberately pro-

motes disunity amongst the workers and provides encouragement to those who do not wish to be members of the trade-union. These individuals who do not wish to be members of the union and for whom the unions must fight, objectively take the side of the employer. The NDP legislation perpetuates this disunity amongst the workers. In sub-section (2), Section 7, of Part I, the Labour Code guarantees the unity of the employers: "An employers' organisation shall not act in a manner that is arbitrary, discriminatory, or in bad faith in the representation of any of the employers in the group appropriate for collective bargaining."

On the surface, Section 7 stands for equality, of course, and calls for the representatives of the workers' and employers' associations not to be "arbitrary and discriminatory", but in actual fact, underneath, Section 7 (sub-sections (1) and (2)) calls for disunity amongst the workers in the same plant or in the same trade or craft while it works for the unity of the employers. This further exposes the political deception of the NDP.

Section 9 of Part I provides for negotiating an agreement which guarantees closed shops, while Section 11 of Part I actually opposes these provisions. Section 11 reads: "Where (a) a collective agreement requires membership in a trade-union as a condition of employment or continued employment; and (b) an employee included in, or affected by, the collective agreement satisfies the board that, by reason of his religious beliefs he is opposed to joining, or belonging to, a trade-union, the board may, by order, exempt the employee from compliance with that provision of the collective agreement..." This means that in a place where the militancy of the workers is high, the employer could encourage individual members of a union to undermine the unity and solidarity of the workers by reason of their "religious beliefs". It is noteworthy that under these circumstances, the Board will categorically intervene on behalf of the individual worker with "religious beliefs" and not on behalf of the unity, militancy and solidarity of the union.

G. LABOUR RELATIONS BOARD: SUPRA-STATE AGENCY OF THE MONOPOLY CAPITALIST CLASS

Part II includes Sections 12-38 under the general heading LABOUR RELATIONS BOARD. This Part deals with the general objective of the LRB which is, according to Section 27 (1): "The board may exercise the powers and shall perform the duties conferred or imposed upon it under this Act with the object of securing and maintaining industrial peace and promoting conditions favourable to settlement of disputes, and, for this purpose, the board may from time to time formulate general policies not contrary to this Act for the guidance of the general public and the board; but the board is not bound thereby in the exercise of its power or the performance of its duties."

The objective of "industrial peace" is the objective of the monopoly capitalists. The main objective of the LRB is to bring about "industrial peace". It is quite clear then that the LRB is the special committee of the state to oppose the basic interests of the working class and serve the basic interests of the monopoly capitalist class.

It is worth noting that the LRB and Bill 11 make no mention of the causes of the industrial disputes. Its chosen objective is not to FIGHT FOR DECENT WAGES AND WORKING CONDITIONS for the workers, but instead, "industrial peace"!; that is, "peace" under which the workers are exploited and the maximum surplus value is realised from their labour by the monopoly capitalists. The NDP's "industrial peace" is the "peace" accomplished at the cost of the needs and desires of the working class in order to serve the needs and desires of the monopoly capitalists.

As well as dealing with the general objective of the LRB, this Part deals with the method by which the general objective of the LRB will be accomplished. The method is thoroughly dictatorial and autocratic and Bill 11 provides the LRB with unlimited powers. Section 33 explains the extent of the powers bestowed on the Board: "33. The board, in respect of matters under sections 16, 28, 31, 34, 38, and 90, has and shall exercise exclusive jurisdiction to determine the extent of its jurisdiction under those sections, or to determine any fact or question of law that is necessary to establish its jurisdiction". These Sections 16, 28, 31, 34, 38, and 90 literally provide the LRB with all judicial and civil powers it needs to control completely and thoroughly the life of the trade-union movement. The LRB does not have to go to any court to get permission to execute any of its tasks. The LRB can summon, search or force an individual to provide evidence without having to go through any court or lay any specific charges, etc. The entire operation of the LRB is in contradiction with the basic right of the workers to sell their labour-power at the price agreeable to themselves and it curtails the activities of the workers to the maximum. As one worker told me: "The LRB is the most efficient way of suppressing the struggles of the workers. The LRB has been given powers which even the Almighty may not possess."

The LRB is composed of a Chairman and a Vice-Chairman or Vice-Chairmen. Members will consist of an equal number of employers and employees. This "equality" is, once again, deceptive. The employers own their property and no representative of the workers is there to supervise that property, while the LRB, which primarily deals with the struggles of the workers, has employers sitting on it, making decisions about the struggles of the workers and knowing everything the workers are planning against them. In addition, the Chairman, Paul C. Weiler, is an Ontario lawyer and an "expert" on laws of labour arbitration. Mr. Weiler did a study for the notorious Woods Report which is described as: "A survey of trends and problems in the administration and enforcement of collective agreements, particularly the capability of arbitration to deal with the problem of change during the term of a collective agreement." This is precisely the "problem" which faces the monopoly capitalists — keeping "industrial peace" for the duration of the collective agreement, which is why so much of Bill 11 is devoted to it.

The workers cannot commit themselves to handing over their struggles to the LRB when the employers do not, under any circumstances, hand over their own operations to any commission or board. Why should the workers' associations get certified or decertified at the whim of the Labour Relations Board?

The Labour Relations Board is the SUPER-CHAIRMAN of all the working

class organisations. It keeps tabs on everything. No longer can the trade-unionists operate within their constitutions. The by-laws of the LRB supersede all the by-laws of the individual trade-unions. Through the LRB, the concept of organised labour is one of organised labour in support of "industrial peace" and nothing more or less.

H. THE NDP'S BASIC STAND AGAINST COLLECTIVE BARGAINING

Part III deals with the ACQUISITION AND TERMINATION OF BARGAINING RIGHTS. In order to understand Part III, note should be taken of the use of the words "acquisition" and "termination". This Part includes Sections 39-60. The LRB can give bargaining rights to or terminate the bargaining rights of trade-unions, but it has no jurisdiction over employers.

The LRB operates on the fundamental premise that WORKERS HAVE NO RIGHT TO COLLECTIVE BARGAINING while the CAPITALISTS HAVE THE RIGHT TO INSTITUTE INDIVIDUAL BARGAINING. This is to say that what the capitalists desire goes. In other words, the capitalists can profitably deal with individual workers, depress wages and cause disruption in the ranks of the workers. If the workers do not want this to happen then they have to "OBTAIN" BARGAINING RIGHTS ON THE COLLECTIVE BASIS and be subjected to the Labour Relations Board. This simply means that workers have no collective bargaining rights — they can either fight with the individual employer or collection of employers or HAND OVER THEIR RIGHTS TO THE LABOUR RELATIONS BOARD. In actual fact, the Labour Relations Board becomes the body which bargains for the workers on behalf of the capitalists.

So, ACQUISITION OF BARGAINING RIGHTS, in actual practice, means HANDING OVER THE BARGAINING RIGHTS TO THE LRB and TERMINATION OF BARGAINING RIGHTS means taking these back from the Labour Relations Board. Under the capitalist system, workers have no choice but to fight within this framework. The workers are forced to do two things: 1) work through the LRB, and 2) work without going through the LRB — that is, legal and illegal types of work. ("Illegal" work in the sense that organised workers are not going through the LRB.)

All of Part III of the Labour Code deals with how the organised workers must go about handing over their bargaining rights to the LRB. Furthermore, this Part also advocates that workers should fight with one another for jurisdiction and raiding is legalised under Section 40, sub-section (4) which reads: "Two or more trade-unions claiming to have as members in good standing in those trade-unions a majority of employees in a unit that is appropriate for collective bargaining may join in an application under this section, and the provisions of this Act relating to an application by one trade-union, and all matters or things arising therefrom, apply in respect of the application and those trade-unions as if it were an application by one trade-union." Not only does this Section make provisions for raiding but it also perpetuates the Social Credit government amendment to the Labour Relations Act which allows for decertification or a change in certification to take place in the seventh or eighth month of a contract instead of the eleventh or twelfth month, the latter being more conducive to workers staying in their union.

Further important points in this Part are: Section 51(1) — in which permission can be given by the LRB to any employer who may want to manipulate wages and conditions to prevent unionisation; Section 53 — which fails to give workers protection, especially in construction trades, from having "their company" sold out from underneath them, thus liquidating the union agreement (Section 53 also does not explicitly cover municipal workers); Section 57 — which provides for compulsory trade-union councils which force the advanced sections of workers to come under the domination of the backward sections, instead of the other way around (the advanced leading the backward in struggle).

The provisions for collective bargaining in Bill 11 contain some of the most repressive aspects of the Bill. In the sections dealing with Compulsory Arbitration for the First Contract (Sections 70-72), for example, a mockery is made of organising the unorganised. The employer has only to wait for an impasse, refuse to negotiate and then the LRB is called in to make a settlement in accordance with prevailing rates in the same industry. In this way, the worker not only doesn't have to struggle but the state STRICTLY FORBIDS him from struggling!

In Part IV of the Labour Code, entitled COLLECTIVE BARGAINING PROCEDURES, Sections 74-78 deal with technological change, a crucial area for workers to fight in (e.g., re-classification of postal workers and falling wages due to new techniques). Here the whole apparatus of the LRB prevents the workers from re-opening their contract in order that the workers may fight. Instead, based on the need for "industrial peace", the whole issue is taken out of the realm of class struggle and put into the hands of a supra-state agency which is "above" classes and class interests. These Sections provide for "...final and conclusive settlement without stoppage of work, by arbitration or such other method...". Section 74 reads: "Every collective agreement entered into after this Act comes into force shall contain provisions for final and conclusive settlement without stoppage of work, by arbitration or such other method...". So once again, on the one hand, the initiative and ability of the workers to fight is taken away by the state, while on the other, no restrictions whatsoever are placed on the employers. The main purpose here is to prohibit the worker from striking.

Part V of the Labour Code, entitled STRIKES, LOCKOUTS AND PICKETING in Section 86 restricts the power of picketing in order to allow production to carry on provided the employer is covered by another union agreement. Section 86 reads "Where two or more employers carry on business, operations or employment at a common site or place and there is a lockout or lawful strike by or against one of them, and picketing is taking place, the board may, on the application of any interested party, or on its own motions, in its discretion, give directions respecting the picketing so as to reasonably restrict and confine the picketing to the employer causing the lockout, or whose employees are on strike." This means that on construction sites and areas where two different unions are working the workers will be split up and worker solidarity will be smashed. This is a section clearly designed to break up the workers' struggles.

Most of the provisions in these sections are direct carry-overs from So-

cial Credit legislation and are designed to prevent workers from using their initiative for the duration of the collective agreement. Although strikes are still legally allowed, the entire framework provided by Parts IV and V is designed to serve the implementation of the corporative state structure. That is, it provides for the collaboration of a class of professional negotiators with the state and the employers. Restriction of picketing is more severe under the NDP legislation, however, than under Social Credit rule. For example Section 84 prohibits informational picketing. Sections 85(1) and 86 put the power of picketing strictly into the hands of the supra-state agency and in effect make more enforceable the restrictions on picketing brought in by the Social Credit government with their Bill 43. Bill 11 leaves it up to the LRB to decide where picketing is "reasonable".

Part VI of the Labour Code, entitled ARBITRATION PROCEDURES, places the whole emphasis on grievances and job disputes in order that these be referred to compulsory arbitration. Here again an attempt is made to liquidate and diffuse the initiative, unity and fighting spirit of the workers, while the state upholds its facade of "neutrality". A reading of the Bill on arbitration awards is a reading of the history of class struggle. The over-riding aspect of the arbitration awards is that they side with the employer. Furthermore, workers know by experience that they can only take their strongest cases to the arbitrators, which means that for every case which is taken to arbitration, there are many which are not and which are simply lost. The other developing trend is that of workers' taking the initiative into their own hands and taking action on those issues which affect them. It is precisely because of this developing trend that the monopoly capitalists are placing greater emphasis on "industrial peace".

I. NDP'S ANTI-LABOUR DICTATORSHIP IN OPERATION

Part VII of the Labour Code, entitled SPECIAL OFFICER, is a refinement of the Social Credit legislation and an attempt to get out of the bourgeois courts. Basically, it provides for a person to be appointed by the LRB to "settle" a class struggle which might easily break out during the term of a contract, "...in the interest of industrial peace". Section 113 of Part VII reads: "Where there is a dispute, or difference arising out of, or relating to a collective agreement, or a likelihood of such a dispute or difference, during the term of a collective agreement, the minister may, in the interest of industrial peace, appoint a special officer." The special officer replaces the court. He carries the power of the Labour Relations Board and has all the power under the Public Inquiries Act. Hence it is clear that the NDP has streamlined their Labour Code to hit specific industries in B.C. For example, Sections 113-121 outline the powers of the special officer, designed in particular to prevent wildcat strikes, especially in the forest industry. Section 122 provides for an Industrial Inquiry Commission, again a special agency of the Labour Relations Board, which will, together with the various other agencies of the LRB, perform the same tasks as the Mediation Commission Act which, in the August 1972 elections, the NDP declared it would abolish. Section 124 provides for a Construction Industry Advisory Council which together with the compulsory

joint bargaining and trade-union councils are clearly designed to enforce "labour peace" in the construction industry, especially during periods of intensive capital expansion into resource extraction industries.

Part VIII of the Labour Code, entitled LABOUR OMBUDSMAN, has as its main aspect that while the role of the Labour Ombudsman has the appearance of being one of "redress" and "investigation", in fact, it is a powerful position which provides a legal basis for undertaking complete investigation into any trade-union in the province. Legally, this power is extended to investigation of the LRB and employees (as can be seen in Section 129(a)-(c)) but the actual relations of class forces in the B.C. state apparatus are decidedly in favour of monopoly capitalism and against the working class. On the other hand, Section 133 points out that the Ombudsman, for all his power of investigation, has only the power to make a "recommendation" and has no power to enforce any change of decision or policy. Furthermore, Section 137(3) says that the Ombudsman cannot in any way interfere with the LRB or its agencies. This clearly makes the role of the Ombudsman completely subordinate to the supra-state agency which means that while the Ombudsman will have no role in interfering on behalf of the working class, this Part of Bill 11 provides the mechanism through which thorough investigation of the unions can be carried out.

Part IX of the Labour Code is entitled MISCELLANEOUS PROVISIONS. Section 143 of the Labour Code provides for trade-unions to make their financial statements public. This section does not, however, apply the same provision to all employers.

Section 147 defines the trade-union as a legal entity which allows for a trade-union to be sued, and subsequently disbanded and the officers fined.

Section 138 provides for fines for any offence committed against the Code. This section perpetuates the same hoax of "equality" between employers and employees, and levies fines which represent a pittance for monopoly corporations such as MacMillan-Bloedel, but are equal to several months earnings for the average worker.

The NDP prides itself on having deleted the portions of the Social Credit legislation which allow for jail terms for offences. This is further deception on the part of the NDP as the actual weapon of imprisonment is still embodied in the Labour Code only it is concealed under the Public Inquiries Act. Under this Act any worker or trade-union official who refuses to cooperate with the LRB will be charged with "contempt of a Supreme Court Judge". See the following footnote on the Public Inquiries Act for further explanation:

PUBLIC INQUIRIES ACT

Section 7(1) of the Public Inquiries Act reads:

"Every Commissioner appointed under this Act has the like protection and privileges, in a case of any action brought against him for any act done or omitted to be done in the execution of his duty, as are by law given to the Judges of the Supreme Court."

Section 7(2) reads:

"No action shall be brought against any Commissioner appointed under this

Act, or any other person whomsoever, for anything done or omitted to be done in the execution of this Act, unless the action is brought within six calendar months next after the doing of such thing or the omission."

Section 10 reads:

"The Commissioners acting under any Commission issued under this Act, by a summons under their hands and seals, or under the hand and seal of any one of them, may require the attendance as a witness (at) which time shall be a reasonable time from the date of the summons of any person, and in like manner by summons to require any person to bring and produce to them all documents, writings, books, deeds, and papers in his possession, custody, or power touching or in anywise relating to or concerning the subject-matter of the inquiry; and every person named in and served with any such summons shall attend before the Commissioners and answer upon oath, unless the Commissioners otherwise direct, all questions touching the subject-matter of the inquiry, and produce all documents, writings, books, deeds, and papers as aforesaid, according to the tenor of the summons."

Section 11 reads:

"If any person on whom any summons has been served by the delivery thereof to him, or by the leaving thereof at his usual place of abode, fails to appear before the Commissioners at the time and place specified in the summons, or having appeared before the Commissioners refuses to be sworn, or to make answer to such questions as are put to him by the Commissioners or to produce and show to the Commissioners any documents, writings, books, deeds, and papers in his possession, custody, or power, touching or in anywise relating to or concerning the subject-matter of the inquiry in hand, or if any person is guilty of any contempt of the Commissioners or their office, the Commissioners have the same powers, to be exercised in the same way, as any Judge of the Supreme Court in the like behalf; and all gaolers, sheriffs, constables, bailiffs, and all other police officers shall give their aid to the Commissioners in the execution of their office."

II. COMPARISON OF NDP'S LABOUR LEGISLATION WITH FORMER SOCIAL CREDIT LABOUR LEGISLATION

The NDP government's Labour Code is an act of political deception. This Labour Code encompasses the essence of the former Social Credit government's anti-labour laws and, in addition, further streamlines, consolidates and "legalises" the exploitation of labour by capital in the interests of the monopoly capitalist class. This contribution to the capitalist class has been made by none other than the NDP which prides itself as a "workers party", the same NDP which came to power in August, 1972 on the promise of abolishing the anti-labour Mediation Commission Act (MCA) and Labour Relations Act (LRA) of the previous Social Credit government. The "socialism" which the "socialist" NDP has offered the workers of B.C. is in fact the most vicious anti-labour legislation, aimed at bringing about "industrial peace" whereby the

monopoly capitalists can, unperturbed and peacefully, carry out maximum exploitation of labour in order to gain maximum profits for themselves. We have chosen the following important sections from the NDP's Labour Code to show that this legislation is a mere refinement of the former Social Credit labour legislation and that, in fact, the NDP's labour legislation is more anti-working class, and more repressive, than that introduced by the Social Credit government:

A. INTERPRETATIONS

In this preliminary section, the Labour Code of the NDP and the Labour Relations Act of the Social Credit government are identical: under both laws, workers in the domestic service, agriculture, hunting and trapping are excluded from any form of trade-union protection. Workers who earn their living in these sectors experience some of the lowest wage rates and the greatest job insecurity and have most need of defence organisations to fight for their rights.

B. RIGHTS OF EMPLOYEES AND EMPLOYERS AND UNFAIR LABOUR PRACTICES

1) Both the Labour Code (LC) of the "socialist" NDP and the Labour Relations Act (LRA) of the "free-enterprise" Social Credit, perpetrate the political deception that employees and employers are "equal" in front of the state and laws of the bourgeoisie. Under the hoax of serving the "public interest" and being "fair" to both employees and employers, the LC and the LRA serve the basic interests of the capitalist class as opposed to the basic interests of the working class.

2) Under the Labour Code (Section 6) as well as in the Mediation Commission Act (Section 10), out-of-province companies can apply to impose settlements negotiated in lower wage areas in Canada on workers in B.C. This restricts the right of B.C. workers to fight for wages and conditions won by their fellow workers in B.C.

3) One of the main attempts of both the labour laws of the Social Credit and those of the NDP is to promote maximum disunity amongst the working class. The Labour Code promulgated by the NDP outdoes the Social Credit legislation on this point by including a "religious conscience" section which is designed to create splits and divisions amongst the workers. Under this Section, any worker who does not want to join the trade-union on religious grounds is exempt from doing so, thereby weakening the strength of the united workers in their battle against capital. In addition, Section 11 prepares conditions for the elimination of closed union shops which comprise about 75% of union agreements in B.C.

4) In both the Labour Code of the NDP (Sections 7 and 8) and the Labour Relations Act (Section 7(1)-(6)) the onus is placed on the employer to show cause that he didn't fire a worker for union activity. This apparent protection for the worker is a fraud in real life as employers have never been known to have any difficulty concocting reasons why a worker should be fired if he proves

to be a militant.

C. LABOUR RELATIONS BOARD

1) Under the Labour Code (Sections 12-38) as well as in the Labour Relations Act (Sections 62-71), the basic deception of a board or tribunal which is above classes and class interests and which can "impartially" arbitrate the battles between capital and labour is perpetrated. Both the Social Credit and the so-called socialist NDP present the courts, as well as the arbitration boards, as "neutral" in order to deceive the workers that they should have faith in the monopoly capitalist state machine. While under Social Credit rule the courts were utilised extensively for repressing the strike struggles of the workers, under the NDP the juridical powers of the Board are extended in the direction of establishing a special Labour Court separate and distinct from the regular bourgeois court system.

2) The composition of the Board as outlined in the NDP legislation (LC Section 14(2)) and the Social Credit legislation (LRA Section 62(1)-(5)) is essentially the same. The NDP have added the stipulation of "equal" representation of employers and employees. This is a further reflection of the hoax which the NDP would like the workers to believe, that workers can be "equal" with employers before the law and that by having "equal" numbers on the Labour Relations Board, the workers can expect that "justice" will be meted out "equally". The workers do not want to be "equal" to the capitalists. The workers' best interests can be served only by overthrowing the capitalist system and by establishing the dictatorship of the proletariat over the bourgeoisie. Within the capitalist system there is no such thing as "equality" in front of the law. The entire LC and LRA prove conclusively that there is dictatorship of the bourgeoisie over the proletariat. And when the "socialist" NDP provides "equal" representation on the LRB between employees and employers, it is mobilising the sold-out labour aristocrats to assist the representatives of the employers to exercise dictatorship over the workers. Furthermore, the Chairman of the LRB is a well-trained and notorious expert on anti-labour legislation and it is under this Chairmanship of Mr. Weiler, a well-educated member of the capitalist class, that the "representatives" of the trade-unions are supposed to share "equality" with the employers. What a fraud! Under the Social Credit, the monopoly capitalists failed to establish absolute dictatorship of capital over labour and accomplish class peace, so now the NDP is assisting them to do the same with the cooperation of the "trade-union representatives". But this attempt of the NDP to accomplish "industrial peace" is bound to fail just as all the attempts of the Social Credit to attain the same previously came to no good end. The fact that the NDP is forced to have "equal" representation on the LRB points to the increasing strength of the working class and not to its weakness. The working class fought the LRB of the Social Credit when it had "unequal" representation and it is bound to fight the LRB of the NDP when it has "equal" representation. The only difference is that the role of traitors to the working class will become more clear now than before and it is bound to develop the militancy and unity

of the working class.

3) Both the NDP and the Social Credit granted enormous powers to the Labour Relations Board and its agencies. The Social Credit Labour Relations Act (Section 62(6)) grants the Labour Relations Board and its agencies full powers under the Public Inquiries Act passed by the Social Credit government in 1966. The NDP Labour Code (Section 18) grants the LRB and its agencies the powers under the Public Inquiries Act Sections 7, 10, 11. These crucial sections confer upon the LRB and all its agents among other things, "...the like protection and privileges, in case of any action brought against him for any act done or omitted to be done in the execution of his duty, as are by law given to the Judges of the Supreme Court". In other words, under the Public Inquiries Act, any trade-unionist who refuses to co-operate with the LRB is liable to face charges of "contempt of a Supreme Court Judge", and be subsequently jailed. In this way, the NDP has hidden the weapon of imprisonment which it is fully prepared to use against militant workers, while the Social Credit flaunted this weapon openly. (Mediation Commission Act, Section 52: "Every person who hinders or obstructs the Commission, or any person authorised by the commission under Section 44, in the exercise of any power conferred by that Section is guilty of an offense and is liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment not exceeding three months, or both." The identical clause was adopted by the NDP, December 11, 1972, when the NDP merely transferred the power of the Commission into the hands of the Labour Minister himself. Thus Bill 33 still remains essentially the labour law in B.C. as only a few parts of the new labour code have been proclaimed. Presumably the NDP is proceeding to proclaim each Section of Bill 11 as they need it and/or as they prepare the necessary administrative apparatus to enforce it.) This further shows the treachery of the NDP as well as the increasing strength of the working class. During the time of Social Credit, militant workers were not intimidated by jailings and prison sentences. Instead of being intimidated, the militant workers became increasingly militant and took up the task of overthrowing the Social Credit government. At the present time, the NDP government fears the strength of the trade-union movement and is afraid to challenge labour openly. So the NDP is now hiding the weapon of prison terms which will be brought into the open at an appropriate time. This weapon, which failed to accomplish the desired results at the time when the Social Credit was wielding it, is also going to be of little value in the hands of the NDP.

4) On the question of the jurisdiction of the Board, the NDP has widened the scope of the Board, extending its jurisdiction into such areas as deciding "...whether an organisation of trade-unions is a council of trade-unions", "...whether a person or organisation is a professional strike-breaker" (LC Section 34), granting the Board even wider jurisdiction than it possessed under Social Credit.

5) With regard to certain areas of jurisdiction of the Labour Relations Board, the NDP has enormously extended the powers of the Board. The following examples have been chosen to illustrate the sweeping powers now possessed by the Board under NDP law: (Section 19) The Board can accept evidence whether or not the evidence would be admissible in court; (Section 20)

The Board can force attendance and testimony to the Board; (Section 21) The Board itself defines its own rules or procedures and practice; (Section 28) The Board can "...on the complaint of any interested person" order any trade-union and its officers to refrain from "contravening" the Code; (Section 30) The Board can make orders with the power of the Supreme Court of B.C.; (Section 31) The Board can provide exclusive jurisdiction for the Board to act free of any court interference; (Section 32) The Board can eliminate the courts in granting ex parte injunctions, or any other injunctions; (Section 33) The Board has exclusive jurisdiction to define its own legal limitations making it a supra-state agency which stands outside bourgeois institutions such as the legislature; (Section 35) The Board is provided with sweeping powers to inspect any files, etc. of the trade-unions or their officers including the authority to enter premises to obtain these documents, compel witnesses to give evidence under oath and produce any documents which the Board may consider necessary. All these powers with which the NDP has entrusted the LRB go back to the Social Credit scheme of establishing an all-powerful tribunal, a body which would replace normal bourgeois institutions and which would have far reaching powers with no recourse for the workers to seek redress or appeal. The NDP is attempting, with its Labour Code, to do what the Social Credit government could not do without massive resistance and opposition by the workers, that is, through political deception, establish all the apparatus of the corporative state, thereby stripping the workers and their defence organisations, the trade unions, of any rights, and converting the trade-unions into appendages of the state.

D. ACQUISITION AND TERMINATION OF BARGAINING RIGHTS

1) Under the Labour Relations Act of the Social Credit government (Section 10(1)), the time when an application for change in certification could be made was changed from the 11th and 12th months of a contract to the 7th and 8th months. This change, which is a direct encouragement to raiding of one union by another has been maintained by the NDP (LC Section 39(2)).

2) Almost the entire section of the NDP's Labour Code which deals with how a bargaining unit is certified is taken word for word from the previous Social Credit legislation (LRA Section 12(1)-(11)). The only significant difference is that the NDP law (Section 43(2)) makes it possible for a union which has only signed up 35% of the unit to apply for a vote which must obtain 50% plus one to be granted certification. This will allow not only for unorganised workers to apply for certification but could also be used for raiding purposes, and thereby create further division amongst the workers.

3) Both the NDP Labour Code and the Social Credit Labour Relations Act have left a loophole (LRA Section 12(9)) (LC Section 51(1)) open to the employer whereby an employer can seek permission to alter wages or conditions of work while a certification vote is being conducted. This loophole serves the sole purpose of undermining the struggle of the workers to organise the unorganised sections of the working class.

4) Both the Social Credit and NDP legislation allow yet another loophole

for the employers. (LRA Section 12(11)) (LC Section 53(1)) Here the employers are, through the so-called selling of their companies, allowed to slip out of collective agreements. This can be used in particular in the construction industry.

5) Under the NDP's Labour Code (Sections 57 and 58), new regulations have been introduced whereby the LRB will establish councils of trade-unions for joint negotiations which can be compulsory. This approach is consistent with the over-all attempt to create "industrial peace". For years the craft unions in the building trades have been able to force the monopoly capitalists to make concessions over wages and conditions because of the solidarity of the unions in refusing to cross the picket lines of any craft on strike on a construction site. The aim of compulsory joint bargaining will be to eliminate this weapon of the workers.

E. COLLECTIVE BARGAINING PROCEDURES

1) Both the Social Credit and the NDP legislation (MCA Section 3(3)) (LC Section 61(3)) grant the employer the right to dismiss any worker for "proper cause" during the period when certification has been reached and negotiations for the first contract are under way. During this time, the employer uses any pretext possible to get rid of militant workers. Both the "free-enterprise" party and the "socialists" maintained clauses whereby the employer could fire militant workers in this way.

2) Much of the procedures and outlines for bargaining in the Labour Code are the same as they are in the Mediation Services Act which is a direct carry-over from the notorious Bill 33 (Mediation Commission Act).

3) The nefarious line of "industrial peace" is upheld in both the Social Credit legislation which (MCA Section 11(2)) speaks of "the public interest is or may be affected by a dispute" and hence a mediator can be brought in, while the NDP legislation (MSA Section 13(1)) (The Mediation Services Act was passed by the NDP right after it came to power and it replaced the Mediation Commission Act of the Social Credit.) states it is "necessary to maintain or secure industrial peace" which in the Labour Code (Section 69(2)) is stated as "to contribute to more harmonious industrial relations between the parties". The much-touted "public interest" used by the Social Credit government many times to crush workers' strikes in the past has, under the NDP, evolved into the slogan of "industrial peace" which is being put to the very same use.

4) Sections 70 and 71 of the NDP Labour Code are an extension of the previous Social Credit legislation embodied under the Mediation Commission Act. These two sections provide for compulsory arbitration between a newly-recognized bargaining agent and an employer for the first contract in accordance with wages and conditions "for comparable employees performing the same or similar functions". This is a direct attack on the workers and is aimed at liquidating the class struggle waged by newly-certified units.

5) Sections 74-77 of the Labour Code are a further extension of previous Social Credit legislation. These Sections dealing with "technological change"

are more restrictive than those in the Canada Labour Code and prohibit the workers from re-opening their contract and waging strike struggles on this issue. The workers can benefit from "technological change" only if they have the opportunity to "open" their contract and wage strike struggles on the question.

F. STRIKES, LOCKOUTS AND PICKETING

1) The sections under this heading are precisely the same in both the NDP and the Social Credit legislation. No strikes are allowed during the term of the collective agreement (MCA Section 23(1)-(2)) (LC Section 79 (1)-(2)). Employers violate the spirit and letter of agreements daily, while the workers have only the power of strike to win back, advance or maintain satisfactory working conditions and wages. This is a further proof that the NDP, rather than abolishing the Mediation Commission Act as it boasted it would, has sanctified the very worst aspects of the Social Credit legislation under the new "socialist" Labour Code.

2) In both the Social Credit Labour Relations Act and NDP Labour Code, workers must give the employer 72-hour strike notice which, of course, serves only to undermine the tactical strength of the workers while arming the employers tactically. Furthermore, a Mediation Officer must be called upon to investigate the dispute before a strike can be called. This is another attempt by both the Social Credit and the NDP to liquidate the workers' struggles by the direct use of an agency of the state.

3) In both the anti-labour laws of the NDP as well as the former Social Credit government, the rights of the workers to picket are seriously curtailed and restricted. The NDP, rather than supporting the right of workers to picket, has further attempted to repress the workers by prohibiting informational picketing (LC Section 84). In Section 85(1) of the Code, the NDP outlaws picketing at places where the employer has a collective agreement in force. This is more restrictive than Social Credit legislation which allowed picketing at all the employer's places of business. The effect of this new NDP limitation to picketing is to prevent workers employed by the same company as the striking workers from taking any solidarity action with the strikers.

G. ARBITRATION PROCEDURES

The section in the Labour Relations Act brought down by the Social Credit government (LRA Section 22) which deals with arbitration procedures is virtually identical to that now introduced by the NDP in their Labour Code (Section 93).

H. SPECIAL OFFICERS, LABOUR OMBUDSMAN, MISCELLANEOUS PROVISIONS

Many of the miscellaneous provisions of the Labour Code are the same as previous Social Credit legislation, and the Sections dealing with special officers and labour ombudsman have been covered in the previous section of these

In conclusion, this comparison between the Labour Code introduced by the "socialist" NDP and the previous labour legislation promulgated by the "free-enterprise" Social Credit government proves that the NDP is engaging in the worst sort of political deception. Throughout the years of Social Credit rule, the NDP was most "vociferous" in opposing Bills 33, 42 and 43 in the legislature and during the August, 1972 election committed itself to the abolition of the Mediation Commission Act (Bill 33) and the establishment of "progressive" labour legislation in the interests of the working class. This was the manoeuvre the NDP relied upon to get elected. But the promises of the NDP have been shown to be thoroughly sham. The NDP's Labour Code is a far more repressive piece of legislation than anything the Social Credit government was capable of presenting. The so-called "working class party", the NDP, is not even interested in providing some reforms under the capitalist system in favour of the working class. The reforms they are instituting are reforms of the capitalist system in favour of the monopoly capitalist class. If they were at all concerned for the working class, they would at least ensure that the basic defence organisations of the workers, their trade-unions, are strengthened and protected and that the working class is encouraged in its struggle for improved wages and working conditions. On the contrary, the NDP is attempting, through Bill 11, to convert the trade-unions into appendages of the capitalist state and thus rob the unions and the working class of their ability to do battle with the monopoly capitalist class.

The social practice of the NDP provides an important lesson to the workers: It does not matter which party — be it the "free-enterprise" Social Credit, or the "socialist" NDP, or even the "communist" Revisionist Party of Canada — gets elected under the capitalist system. All of these parties will unswervingly serve the capitalist system, strengthen the rule of capital over labour, and undermine and obstruct the unity, solidarity and fighting ability of the working class. Bill 11, the labour legislation introduced by the "socialist" NDP serves precisely this purpose — it is a reform of the capitalist system, to strengthen and consolidate the capitalist system, and by no means represents a reform in favour of the working class. Absolutely no changes can be brought about under the capitalist system without the smashing up of the state. So long as the capitalist state remains intact, all changes and reforms will be in the service of the capitalist class and against the interests of the working class.

It is the fond dream of the monopoly capitalist class in B.C. that through the NDP a "new era of industrial peace" in which "labour strife" is eliminated can be brought about and that they will be able to continue, unopposed, to exploit labour to the maximum and reap maximum profits for their class. I am firmly convinced that Bill 11, rather than bringing about this "new era of industrial peace" in B.C. is a blueprint for a new era of industrial class war in which the capitalist class will face the most widespread and deep-going opposition by the working class.

III. CLASS ALLIANCE OF FORCES ON BILL 11

The promulgation of Bill 11 by the B.C. NDP government has brought the working class into open collision with the NDP government and has become the focus of sharp class struggle throughout the province. In this struggle, a definite class alliance of forces has emerged which comprises the following alignment: On the side of the working class and in opposition to Bill 11 stand the forces of organised workers and their trade-union representatives, the Communist Party of Canada (Marxist-Leninist), and a section of workers within the New Democratic Party itself who are opposed to the anti-working class policies of the NDP government. On the side of the monopoly capitalist class, in support of the new labour legislation of the NDP stand the forces of the monopoly capitalist class, its political parties, the propaganda machine of the capitalist class, and the NDP.

The words of NDP Labour Minister King accurately reflect the intent of Bill 11 as a weapon to be wielded by the capitalist class against the workers: Mr. King is quoted in the Globe and Mail of November 12, 1973 as saying in defence of the new labour relations act, which organised labour has claimed is more restrictive than legislation of the former Social Credit government, "there would be 'complete bloody chaos' if the Government acceded to labour's demands." Further he said the new legislation allows the unions to accomplish their ends "through law rather than with economic muscle". In a February, 1974 radio interview broadcast on the CBC, Mr. King stated: "While I acknowledge your right to withhold your labour, I decry, and I think I speak for all the public of British Columbia, I certainly decry the frequency with which this tool is used in negotiations in this province... There is a great and burning desire for industrial peace in this province." He added that "I don't see the Labour Relations Board as being representative of unions. I see the Labour Relations Board as being representative of expertise in the particular industry so that they can come to grips with the problems that will come before the board." This is precisely the NDP's political deception. On the one hand, Mr. King prefaces his remarks by "acknowledging your right to withhold your labour" and then proceeds to viciously attack the workers' right to strike, blaming the working class for the "frequency" with which this tool is "used" while remaining silent about the "frequency" of the attacks made by capital against labour. For Mr. King it is quite tolerable and acceptable for the capitalist class to demand maximum exploitation of labour while it is to be "decried" that labour should dare to resist this exploitation. The Labour Relations Board established by Mr. King enshrines this principle of "industrial peace" based on forced subservience of the working class, which is what Mr. King is referring to when he states, "the board... can come to grips with the problems". The "problems" Mr. King is concerned to "come to grips" with are the problems of the monopoly capitalist class in enslaving labour to such an extent that all strikes, and other forms of struggle will be outlawed in the interests of "industrial peace".

The monopoly capitalist class was greatly appreciative of the NDP's efforts on its behalf. On its first reading, all of the capitalist political parties

- the Liberals, Conservatives and the Social Credit - gave unanimous approval, in principle, to the Bill. Both David Anderson and Scott Wallace, provincial leaders respectively of the Liberal and Socred parties, "lauded the code as a sincere attempt by the government to calm B.C.'s turbulent labour-management relations" (Vancouver Sun, October 5, 1973). The former Social Credit Labour Minister, James Chabot, who proved himself an arch-enemy of the working class and a devotee of the capitalists in his term of office, stated that "the bill is a genuine attempt to solve labour relations". The capitalists themselves were no less eager to express their satisfaction: William Hamilton, President of the Employers' Council of B.C. told a press conference on October 2, 1973, that employers generally will take a positive approach to the legislation. On behalf of the trucking monopolies, the President of Transport Labour Relations, in a speech delivered to a local Chamber of Commerce found many good points about the NDP's labour bill: "the shifting of responsibility for issuing cease-and-desist orders from the Supreme Court to the Labour Board is a good one"..."another good provision in the bill is the continuation of the principle of accreditation of employers' organisations...accreditation has resulted in a greater degree of centralised bargaining, with fewer disputes and greater consistency in collective agreements..." "The principle of the council of trade-unions is also a good provision. It provides that in an industry or a single operation where there are more than one union and one agreement, the unions may form a council of trade-unions and thereafter bargain as one union. If the unions fail to form such a council, the labour board may establish a council and the council has the same function and authority as though the unions had established it voluntarily..." "The special officer is another good provision. In recent years too many industries, particularly in the forest products, have been constantly plagued by wildcat strikes." The B.C. Road Builders' Association said they "support the Minister of Labour in his philosophy and intent in enacting legislation that is not only progressive but preventive rather than punitive" (Vancouver Sun, October 3, 1973). This chorus of approval by the monopoly capitalists who are pleased with the methods the Bill provides them with to weaken and dismember trade-unions as well as obstruct the organising of the unorganised is in sharp contrast with the views of organised labour: Immediately that Bill 11 was introduced in the Throne Speech in September, 1973, the B.C. Federation of Labour expressed its opposition to the Bill, and upon introduction of the Bill in the legislature, the B.C. Federation of Labour issued a demand for amendments to the Bill. Syd Thompson, who is President of Local 217 of the International Woodworkers of America, which altogether in B.C. represents close to 40,000 workers, and President of the Vancouver and District Labour Council, came out to expose the anti-labour character of the Bill. In an editorial in the November edition of the local's newspaper, The Barker, it was stated that "It is daily becoming more obvious that Premier Barrett means it when he says that his government is not a labour government." Later in a radio interview, Mr. Thompson went on to say, "The labour movement in British Columbia is a forceful labour movement. It is militant, and Premier Barrett, particularly, for whatever reason, wants to

keep his distance from that labour movement. He has said so many times, and it seems to me that he's literally doubling over backwards in order to prove to the rest of the people here that this government is not tied in with labour in any shape or form and is going to give the rest of the people a break. And of course when he does that it ends up at the expense of labour." Representatives of the Retail, Wholesale and Department Store Union, the Canadian Union of Public Employees and several of the independent Canadian unions among others denounced the Bill. "This government has been listening too much to big business and the powerful monopolies of this province," said one representative, de-masking the class interest of the NDP and their labour bill. Nationally, the Executive Vice-President of the Canadian Labour Congress, Joe Morris, said that not even Conservative governments had introduced elements as restrictive as several contained in the new labour bill. Further he said that the net effect of the Bill is to "trade one court for another". (That is, substitute the bourgeois courts which the Socreds had used to stop strikes, and picketing, and imprison and fine workers with the new Labour Court envisioned by Bill 11). "The danger is that the legal profession will soon have a vested interest in the board and its proceedings, and labour people will... [be]...unable to appear unless in the company of a lawyer." He said that changes in the NDP's policy on the rights and freedoms of the workers to picket are "manifestly unjust and a move which is extremely difficult to understand - particularly from a government for which we have worked so long and so hard to get elected in this province." "Indeed, by comparison, the courts in this province have been more kind on the rights of picketing than is Bill 11, for the latter has taken a much harsher view." (Vancouver Sun, October 30, 1973).

And, while the trade-union movement was bitterly repudiating the NDP's Labour Bill, exposing its pro-capitalist class character and its repressive nature which outstrips anything previously introduced by the Social Credit, David Lewis, the federal leader of the NDP and arch-traitor to the working class of Canada for decades, came to the defence of the B.C. NDP, Bill 11, and the monopoly capitalist class which it serves. Speaking to a meeting of the B.C. Federation of Labour, Mr. Lewis said, "This government (the Barrett government) is working for the legitimate benefits of all working people in the province." "I am proud of what the Barrett government has done in only 14 months." Here we have Mr. Lewis lavishing praise on the NDP's political deception and betrayal of the working class, and on their loyal service to the monopoly capitalist class. What a sight! Mr. Lewis capped this off by declaring that, "It's impossible to satisfy everyone." (Vancouver Sun, October 30, 1973). Very good, Mr. Lewis!, and right you are - it is impossible to serve both the monopoly capitalist class and the working class. It is the NDP which suggests, however, that this can be done through the machinations of the "neutral" state as the B.C. NDP precisely tries to suggest throughout the entire text of Bill 11. It is the NDP which, in Bill 11, juxtaposes the "employer" and the "employee" as being "equal" before the law, and as having "equality" of "freedom". And this is exactly at the heart of the political deception of the NDP: the hoax that there can be "equality" between

the employers who own the means and implements of production and the workers who possess only their potential labour power. The freedom of one can only mean the enslavement of the other and any piece of legislation either enhances the freedom of the capitalist class to exploit labour or the freedom of the working class to oppose capital. Under the capitalist system, as Mr. Lewis so aptly puts it, "It's impossible to satisfy everyone." In fact it is only possible for a political party which stops short of the smashing up of the capitalist state to "satisfy" the capitalist class.

In November, 1973, one month after the introduction of Bill 11, the NDP held its annual convention. As the convention proceeded, the deep-going rift which exists inside the NDP between those who are antagonistic to Bill 11 and are prepared to struggle against it in the NDP and those elements which are in support of Bill 11 and in alliance with the capitalist class, became wider. During the convention, the delegates voted to pass a resolution demanding that the government amend the new labour legislation in conformity with what the NDP had (prior to being elected) presented as their labour policy. This resolution was passed by a vote of 322 to 290 which is a solid reflection of the opposition within the NDP to its anti-working class policies. Among many clauses, the resolution called for: the unfettered right to strike and distribute information about disputes through informational picketing; the right of labour to bargain collectively on all matters arising out of technological change and automation; the right to strike during the term of a collective agreement over any question in dispute which is not clearly and specifically covered by the terms of the agreement; the right to a voice in all economic and social questions affecting the vital interest of workers; worker job security in the event of illness, access to all company information and policies by trade-unions, full disclosure of a company's finances, and collective bargaining for all employees including agricultural, professional and domestic workers. Indicative of the sentiment of this section within the NDP was one member of the NDP provincial council who said, "Which side are we on? We did not elect a government to sit as a referee between management and labour, we elected a government to legislate on the side of labour."

Later in January, 1974, the New Democratic Youth, youth-wing of the NDP, held its convention and also passed a resolution condemning Bill 11. In addition, various prominent NDP members, including the editor of the Party newspaper, The Democrat, have threatened to resign over this fundamental issue and the Barrett government's refusal to consider the views of the Party members. In the face of this opposition, Mr. Barrett has admitted that "the resolution (passed in the Convention held in November) was evidence of division within the Party but that it would not affect the government's position". He went on to arrogantly declare, "it is up to the Party to set policy and up to the government to set priority". In other words, the NDP government is utterly deaf to the genuine needs and aspirations of the working people of B.C. and their opposition to anti-labour Bill 11, and it intends to fully implement this piece of repressive legislation.

As I have pointed out on a number of occasions previously, this collision of the NDP government with the NDP membership and the trade-union move-

ments is a good thing and not a bad thing. For the Marxist-Leninists, the present situation in B.C., in the working class movement, provides an excellent opportunity to advance and strengthen the working class movement by fighting for the correct line within the already existing trade-unions, and organising the unorganised workers. The Marxist-Leninists have a decisive role to play in sharpening the present polarisation of class forces in B.C. in order to advance the struggles of the workers on the two fronts — the political and the economic — and to train cadres in the art of class struggle through going into the heart of the working class struggles and waging various types of battles there.

The present class alliance of forces on Bill 11 testifies to the fact that the workers in B.C., far from being hoodwinked by the political deception practiced by the NDP in their so-called "progressive" Labour Code, are increasingly astir and heading into a period where all attempts at "industrial peace" between exploiter and exploited will be smashed to smithereens by a vigorous class war aimed directly at the monopoly capitalist class.

IN CONCLUSION

In concluding the discussion on the NDP's anti-labour legislation Bill 11, I would like to emphasize that through this Bill, the bourgeoisie has declared war on the working class in B.C. This declaration of war comes right at the time when the capitalists are shifting the burden of the pending economic crisis onto the backs of the organised and unorganised workers. How should the advanced sections of the proletariat, the militant trade-unionists and the Marxist-Leninists respond to this challenge? There is only one way to answer the war-cry of the bourgeoisie, **THAT IS TO PREPARE TO RESIST THE ATTACKS OF CAPITAL AGAINST LABOUR AND THEN LAUNCH AN OFFENSIVE WHEN THE CONDITIONS ARE FAVOURABLE!** Neither the militant trade-unionists nor the genuine Marxist-Leninists can take the challenge of the NDP government (on behalf of the monopoly capitalists) non-seriously and erroneously believe that the NDP government's attack on the workers is so unjust, and the cause of the workers is so just, that the workers will, on their own, rise up spontaneously and defeat this attack of capital on labour. Militant trade-unionists and the genuine Marxist-Leninists must start preparation to fight back and wage the struggle on a conscious and well-organised basis. There is no other way of fighting!

Militant trade-unionists and the genuine Marxist-Leninists must begin a mass movement on the question of Bill 11. The responsibility for this growth and development lies in the ability of the genuine Marxist-Leninists to lead the organised working class movement, organise the unorganised and their ability to sustain a well-organised, clear and correct orientation against this anti-labour legislation. Furthermore, the genuine Marxist-Leninists must not permit any immaturity, impetuosity and diletantism in organisation and oppose tooth and nail those who erroneously propagate the idea that we can win the battle without the main force of revolution, the working class, mobilised in support of the main objectives. This means that our comrades in B.C.

must not take any action themselves which may prematurely diffuse this struggle or lead it down a blind alley nor should they issue a declaration of resistance and war against the bourgeoisie without actually mobilising a significant section of the organised and unorganised workers in favour of the programme and without building a stable allied force in certain sections of the urban petty bourgeoisie. At the same time, the genuine Marxist-Leninists must never capitulate to class-compromise and class-collaboration and must militantly organise amongst the workers on the basis of the correct line against capital.

An extremely significant conclusion which can be drawn from this anti-labour legislation of the NDP and the subsequent opposition to the Bill from organised labour resulting in a split in the NDP on this question is that the class alliance of forces is always transitory and undergoes continuous change, development and motion while class struggle always remains absolute. It is because class struggle is absolute and class compromise is relative, that we see the continuous change, development and motion in the class alliance of forces. So comrades should always base their policy on the concrete conditions and change their tactics in light of the changes taking place in the class alliance of forces, keeping the line of class struggle as the absolute guide to their thinking. To suggest that the class alliance of forces, once established at a certain level and in a certain form, will remain the same forever is wrong. This thinking is based on metaphysics and idealism, and goes against the entire history of the materialist development of mankind. What is happening in B.C. now (especially since August, 1972) is that the NDP is gaining new friends (from the monopoly capitalist class and its allies) and losing old friends from the working class. Those workers who believed that the NDP was "socialist" and "pro-worker" are now disillusioned and disappointed and are being pushed into an anti-NDP position. This process of re-alignment within the NDP will continue during this entire historical period of the struggle to overthrow capitalism and establish a socialist system. Under these circumstances comrades should also remain conscious of the fact that in our own ranks we too have class struggle and we gain new proletarian friends and lose old, worn-out bourgeois elements. The distinction between the changes in the NDP and those in our organisation is that our party is becoming increasingly proletarianised (in terms of the leading as well as the main force) while the NDP is becoming increasingly bourgeoisified (in terms of the leading as well as the main force). It does not matter what the NDP says about itself, it is an objective fact that the NDP is relying more and more on the bourgeoisie in order to escape political extinction. In spite of their declarations of being "socialist" and "pro-worker", the main thrust of their activity is to win the confidence of the bourgeoisie and seize political power on behalf of the bourgeoisie. This nature and direction of the NDP will never change. For this reason, our comrades should not look at the NDP as static and the workers in it as sold-out. Instead, we should win over the pro-communist elements to the side of the working class and communism by leading the working class in struggle against the attacks of the NDP government.

The comrades of CPC(M-L) in B.C. are duty-bound to launch campaigns on an organised basis to expose the anti-working class war-cry of the NDP

government and to prepare conditions for the development of the resistance of labour to the attacks of capital. Now is the time to act and organise. The NDP government has thrown a challenge at CPC(M-L), too, a challenge in this form that they dare the communists to organise the workers against them. It is because of their bourgeois arrogance and conceit that they believe the world will always remain the same and that the capitalist system and its state will perpetuate itself forever. Let us boldly take up the challenge of the NDP government and concretely show that the communists are capable of putting an end to the betrayal and treacheries of the NDP and that the workers are capable of resisting the attacks of the NDP government! Comrades of CPC(M-L) in B.C. must not spare any effort to take up the challenge of the NDP government and bring about a high-tide in the revolutionary workers' movement in B.C.

The organised workers in B.C. are preparing for an important battle with the monopoly capitalist class this summer. About 190,000 workers, 20% of the work-force, some 2/3 of the organised workers, will be negotiating new contracts in 1974. The two most powerful and militant sections of the B.C. working class are the 50,000 construction workers who must negotiate some 46 contracts with 850 companies represented by the Construction Labour Relations Association (C.L.R.A.). The second main group is the woodworkers, some 28,000 coast workers and 10,000 interior workers, represented by the International Woodworkers of America (I.W.A.) who will be fighting the highly monopolised wood companies organised into Forest Industrial Relations (F.I.R.). Other groups of workers which come up for negotiations this year are:

- 6,300 construction workers against the B.C. Roadbuilders' Association
- 2,300 B.C. Hydro office and technical employees against B.C. Hydro
- 6,500 hotel and restaurant and beverage dispenser workers
- 3,500 smelter workers against Cominco in Trail
- 1,700 food workers in the Okanagan Valley
- 1,200 shipyard workers against the shipyard owners
- 1,200 printers and allied workers against Pacific Press
- 3,000 longshoremen against B.C. Maritime Employers' Association
- 7,300 telephone workers against the B.C. Telephone Company.

All these organised workers will be negotiating their new contracts under the aegis of the Labour Relations Board which is bound to create a lot of conflict especially amongst the construction and woodworkers. It is certain that the NDP anti-labour legislation instead of achieving "industrial peace" is going to trigger a class war on a deeper and broader scale. The bourgeoisie has already declared war on the workers, it is now the turn of the workers to provide a fitting reply to this declaration.

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