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# the People

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## Capitalists Undermining Capitalism!

By Michael James

Sometimes the most damning indictments of capitalism come from within the obscenity itself—from the apologists, the voices of reaction, the obstructionists who stand in the way of real change, the defenders of a degenerate economic system, the servants of capital. They do not intend to reveal the truth, of course. Rather, it emerges as a sort of “let them eat cake” foot-in-mouth phenomenon. Consider the words of Mortimer B. Zuckerman, editor-in-chief of *U.S. News & World Report*, in a recent editorial. He laments recent corporate scandals: “Abuses by CEOs eroded confidence in capitalism. Such outrages must never happen again.” He then asks, “Have we saved capitalism from the capitalists?”

Zuckerman is at least honest or perhaps arrogant enough to use the word “capitalism.” Most bourgeois propagandists will not use the word, preferring instead to speak euphemistically about American “free enterprise,” “freedom” and “democracy.” However, classconscious workers know that when ruling-class speechmakers or corporate editorialists go on and on about freedom and democracy they are just mystifying. Our society is capitalist, and capitalist is not synonymous with free or democratic. When the American president or another corporate spokesperson talks about bringing freedom or democracy to Iraq, Kuwait, Somalia, Nicaragua, Panama, Grenada, Vietnam, Cuba or any of the many other nations “we” have bombed, invaded or starved into submission, they are really talking about bringing the heavy hand of U.S. corporate interests to that nation along with the larceny, plunder and exploitation associated with those corporate interests. So, let us acknowledge Zuckerman for at least naming the criminal system he so wants to preserve.

The problem Zuckerman has with his precious capitalism is that *too much is being stolen* from the working class! He states that CEO pay in 1982 was 42 times more than the average worker’s wage and that CEO pay today is a whopping 411 times more than the average worker’s wage. He concludes: “The idea that there are two tracks on the economy, one for the rich and the other for the rest, is utterly corrosive to our system....” Again, we might praise him for inadvertently speaking the truth. There are indeed “two tracks” in this economic system: one for the expropriators of wealth and another

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## Bush Declares His Intent To ‘Change the World’

While President Bush may have appeared less than coherent at his press conference on April 13, he did manage to make two things perfectly clear: American forces will not be leaving Iraq soon, and under his leadership the United States is out to change not only Iraq but the world.

Bush made his point about changing the world at least three times.

“A secure and free Iraq is an historic opportunity to change the world and make America more secure,” he said. He repeated himself a few minutes later when he said:

“I also know that there’s an historic opportunity here to change the world. And it’s very important for the loved ones of our troops to understand that the mission is an important, vital mission for the security of America and for the ability to change the world for the better.”

Bush returned to the point a third time when he said “we’re not going to leave [Iraq]. We’re going to do the job. And a free Iraq is going to be a major blow for terrorism. It will change the world. A free Iraq in the midst of the Middle East is vital to future peace and security.”

It would be easy to join in with other critics of the president who dismiss him as an intellectual lightweight and hypocritical tool of American imperialism. Those criticisms may be accurate, as far as they go, but they do not go far enough.

It is true, for example, that Mr. Bush is duplicitous when he condemns Osama bin Laden and oth-

ers as murderers while simultaneously plotting and condoning acts of murder and assassination. That alone is enough to make plain that our country is being run by men and women who can only be described as thugs in suits.

If there is any difference between the Osama bin Ladens, Saddam Husseins and the George W. Bushes of this world, it has nothing to do with the latter occupying a higher moral ground than the former, or the other way around. What places Mr. Bush on a higher plain than a Saddam Hussein or an Osama bin Laden could ever occupy is that capitalism is a dynamic, powerful and progressive force when compared to the backward-looking ambitions of ruling-class interests in the developing world.

It is also true that capitalism is riddled with contradictions; that it cannot exist without exploiting and despoiling the world and all that is in it, and that its crimes are infinitely greater than those committed by petty tyrants and terrorists because its power to commit them in pursuit of its ambitions is infinitely greater. Nothing could show this more graphically than the fact that 3,000 people died on Sept. 11, 2001, at the hands of Osama bin Laden and 30,000 Iraqis have died since on the orders of George W. Bush.

Mr. Bush says that the United States is out to change the world and to make it a safer place, i.e., a safer place for capitalists to do business in. We do not doubt Mr. Bush’s sincerity in that regard, any more than we doubt his willingness to carry out

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## Unemployment Rate Rises Despite Some Job Growth

By Ken Boettcher

On April 1, one day before the release of the government’s March employment figures, economists for Lehman Brothers told the firm’s clients in a research note that the economy’s continued grim performance on jobs was forcing them and other economists to rethink the way they make predictions on employment. “We have somewhat limited confidence in our forecast because the traditional models we have used to forecast hiring have all broken down,” said the note.

The capitalist economy has, since the “end” of the recession, hammered the economists’ models—which have never been reliable on joblessness anyway—as far into the ground as it has the aspirations of millions of jobless workers.

According to the Economic Policy Institute, this economic crisis “is the only one since the 1930s to still be suffering a job loss after three years. The private sector has lost 2.5 percent of its jobs (2,792,000), U.S. manufacturing has

lost 15.9 percent of its jobs (2,704,000) and even when incorporating the 3.1 percent gain in government jobs (657,000), the labor market on the whole has still lost 1.5 percent (2,135,000) of all jobs.”

In the last three crises before the one that began in March 2001 and supposedly ended that November, the economy had on average generated 2.7 percent more jobs after three years than it had when those recessions began, said an article on EPI’s JobWatch Web site.

The average consensus of U.S. economists tended to view virtually every month of this period as one in which workers would finally see some significant job growth. That consensus was almost invariably wrong. In fact, most capitalist economists have made a career of being wrong as to capitalism’s effects on the working class. But Lehman Brothers’ frank admission is an interesting comment on the level of confidence contemporary capitalist economists have in their own abilities to assess what is going on in the economy.

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50th Anniversary of *Brown v. Board of Education*

# Court Decision Sought End to Racial Segregation

By B.G.

May 17 of this year marks the 50th anniversary of the noted Supreme Court case, *Brown v. Board of Education* of Topeka, Kan., which overturned the 1896 *Plessy v. Ferguson* case that had established the judicial fiction of "separate but equal" in race relations.

The *Plessy* case was the last of a series of Supreme Court cases in the post-Civil War era that strengthened segregation in the South. Even before the North had removed its troops from the South in 1877, bringing an end to Reconstruction and the attempts at enforced equality for African Americans, the U.S. Supreme Court had begun to nibble away at whatever equal rights had been established for the emancipated slaves and free blacks in the southern states.

The 14th Amendment to the Constitution, adopted in 1868, had defined citizenship and its rights and protections, stating: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

This amendment would seem to be clean-cut and without ambiguity. The Supreme Court, however, would abridge it considerably before the century was out.

The *Slaughterhouse Cases* of 1873 were the first judicial review of the provisions of the 14th Amendment. The Louisiana legislature had made a monopoly grant that was contested through the court system as being in violation of the privileges and immunities clause of the 14th Amendment. In a 5-to-4 decision, the court denied the plaintiff and upheld the grant, distinguishing between state and national citizenship, saying that only the rights derived from federal citizenship were protected by the amendment. The court defined those rights very narrowly. By this decision, civil rights in general were placed under state protection.

In 1875, to strengthen the protection of civil rights, Congress passed a Civil Rights Act that guaranteed to all people, regardless of color or race, equal rights in public places, such as theaters, inns, public transportation, etc. This law also forbade the denial of jury service to African Americans.

In 1883, five cases known collectively as *Civil Rights Cases* came before the Supreme Court. These were cases where African Americans had been denied either equal accommodations or equal privileges in defiance of the Civil Rights Act. The Supreme Court declared that law invalid in the matter of protecting social rather than political rights. It further restricted the interpretation of the 14th Amendment by declaring that the amendment prohibited states from restricting civil rights but did not protect the restriction of civil rights by individuals unaided by the state.

This peculiar interpretation of the 14th Amendment thus virtually ended the federal government's attempts to protect the rights of African Americans and opened up a whole era of discrimination against blacks by private individuals and private institutions. It was a decision that actually encouraged southern states to pass segregation laws, including laws requiring separation of blacks and white passengers on railroads.

In 1890, Louisiana passed "An Act to Promote



AB CAP for *The People*

the Comfort of Passengers" that forced railroads to provide "equal but separate" cars for whites and blacks.

Louisiana blacks understandably protested this indignity. The railroads seemed sympathetic, but for economic reasons of their own, for the law would involve the great expense of providing separate cars for the races.

It was decided to have a test case.

On June 7, 1892, Homer A. Plessy boarded a train in New Orleans, seated himself in a car reserved for whites and refused a conductor's request to move. A detective who was conveniently standing by arrested him. A local judge, John H. Ferguson, rejected Plessy's argument of discrimination and violation of civil rights and found him guilty. Plessy then appealed to the Supreme Court.

The case, *Plessy v. Ferguson*, was tried in 1896, and the court ruled 7 to 1 against Plessy, stating that he had "separate but equal" rights to travel and that there was no evidence that "the enforced separation of the two races stamps the colored race with a badge of inferiority."

There the matter stood for nearly 60 years while segregation expanded in the country, particularly in the South.

It was not until after World War II that civil rights again became a political and social issue in the United States. The National Association for the Advancement of Colored People aimed its attention at discrimination in the schools. It is noteworthy that its landmark case, *Brown v. Board of Education* of Topeka, Kan. (1954), was not against a southern school district but against one in the Midwest. Segregation was not confined to the South.

In a unanimous decision on May 17, 1954, the Supreme Court decided in favor of Brown,

declaring that "separate educational facilities are inherently unequal" and that separation of grade-school children according to their race "generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

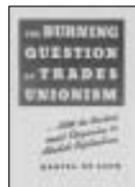
The decision caused a new type of rebellion in the South, with the formation of White Citizens' Councils to maintain segregation, the revival of the Ku Klux Klan, and a Southern Manifesto in 1956 signed by 101 southern congressmen and senators declaring the *Brown* decision "a clear abuse of judicial power." Southern school boards found a variety of ways to stonewall and stall compliance with the decision. Riots and violence erupted at some schools. In 1957, Gov. Orville Faubus of Arkansas called out the Arkansas National Guard to keep nine children from attending Central High School in Little Rock, and President Dwight Eisenhower sent 1,000 paratroopers to protect the children's entry. At the end of the school year, the local authorities closed Central High School for two years.

The civil rights struggle was far from won. It took a more dynamic turn when African Americans themselves began using massive resistance to segregation, including boycotts of businesses and facilities that would not serve them equally and continued street protests. Peaceful rallies and marches were met by violence, police harassment, snarling police dogs, electric cattle prods and water from high-pressure fire hoses, mob attacks, bombings, abductions and murders.

Although the nation is now observing the half-century anniversary of the *Brown* decision, that victory did not immediately bring the desired results. There was still at least a decade more of bitter struggle, as African Americans grew weary of waiting a whole century after the end of chattel slavery to gain the most rudimentary freedom.

Slavery had existed in all the 13 original American colonies, and became a great convenience to the agrarian capitalists of the South, where it flourished. When slavery was abolished by the Civil War and the 13th Amendment to the Constitution, the concept of "inferior" and "superior" races that had been fostered by capitalist necessity remained. It will take the successful outcome of yet another struggle—the class struggle—before workers of all backgrounds will have the power to collectively enforce their claim to "liberty and justice for all."

De Leon examines every major argument—pro and con—on the union question, traces confusion on what unions can and cannot accomplish to its source in the American Federation of Labor, and outlines the general principles on which genuine and effective working-class unions can be built. One of De Leon's best.



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# California Workers Lose Hazards Case

## Fifty-Two Cases Still Pending Against Computer Giant

By Bruce Cozzini

The IBM workers' suit reported in our January-February issue ended Feb. 26 with a verdict that exonerated IBM. That may not surprise most of our readers, but how the trial came to that end should be of interest to all.

Our previous article described the conditions under which the two plaintiffs in the suit had worked at IBM. They contended that those conditions led to chemical poisoning at the time of their employment and to later cancers for both.

Despite testimony by witnesses on the hazardous conditions and willful neglect by IBM, the verdict ending the three-month trial was largely shaped by restrictions posed by California workers' compensation laws.

The narrow basis of workers' compensation stacked the case against the plaintiffs. Judge Robert Baines' rulings during the trial biased the case as well.

Judge Baines excluded from the evidence testimony about a corporate mortality database "that purportedly showed that IBM workers died of cancer at higher rates than the general population and at younger ages." Just days before the case went to the jury he ruled that IBM was not liable for

punitive damages if Moore and Hernandez win. Speaking from the bench, Baines said that he "did not find evidence of a corporate policy by IBM to deny employees information about their injuries."

In addition, Baines required that to find against IBM, jurors had to answer "yes" to all of the following six questions for each plaintiff:

1. Did the plaintiff sustain "systemic chemical poisoning" because of employment at IBM?

2. Did an IBM medical professional have actual knowledge of plaintiff's "systemic chemical poisoning"?

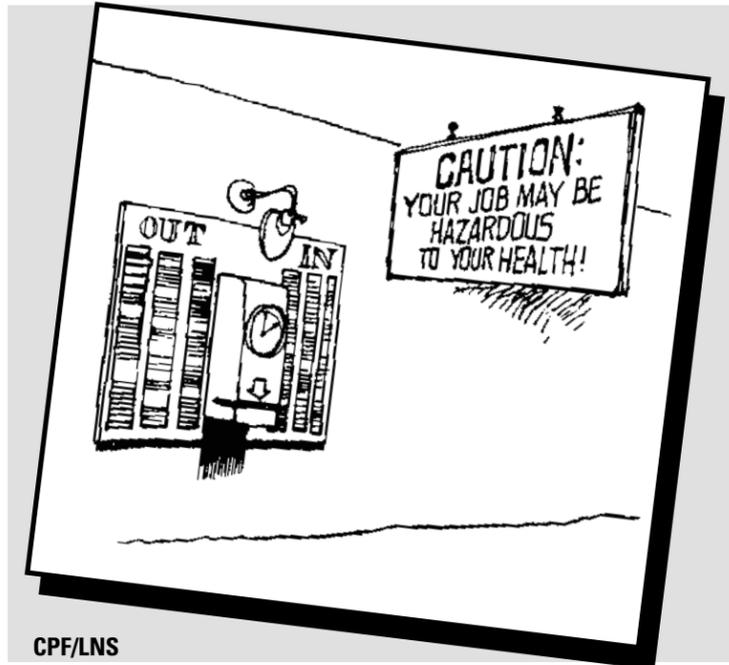
3. Did that individual fraudulently conceal that condition from the plaintiff?

4. Did that individual have actual knowledge that the plaintiff's condition was caused by his/her employment at IBM?

5. Did that individual fraudulently conceal from plaintiff that the condition was caused by employment at IBM?

6. Did plaintiff's cancer result from further exposure to chemicals that caused his/her "systemic chemical poisoning"?

While there was strong evidence for the plaintiffs' case, the IBM defense had to cast doubt on only one of these standards to sway



the jury toward IBM. As Richard Alexander, lead attorney for the plaintiffs, commented, "I tried the case with both hands tied behind my back." IBM attorneys used "blame the victim" tactics, citing preexisting conditions for the victims, like diabetes, allergies, overweight or smoking, and impugned the testimony of witnesses on the plaintiffs' behalf. But most damaging, the plaintiffs' attorneys could not produce a corporate whistle-blower to prove that IBM knew of their poisoning and intentionally hid it from them, as required in several of the conditions cited above.

The plaintiffs were understandably disappointed. James Moore, who has been treated for non-Hodgkins lymphoma since 1995, felt betrayed. "I trusted IBM," he said. "If I knew then what I know now, I would have walked off the job." Alida Hernandez, who had a mas-

tectomy for breast cancer 10 years ago, commented, "The only thing I can say is at least I got the word out. I hope someday California will change the law so they will tell people what they are working with, and so it won't be a silent poisoning."

The result is equally grim for those whose cases against IBM in California await trial. Just days after the judgment against Moore and Hernandez, Judge Baines suspended 44 remaining cases against IBM, commenting, "With the first trial completed, the time is opportune for all parties to participate in further discussions aimed at resolution of all matters coordinated herein." He ordered parties to confer with an arbitrator to determine a settlement. In addition, given the procorporate bias of California's workers' compensation laws, there can be little doubt of the outcome of such settlements.

As an afternote to this case, on March 2, IBM settled a birth defects lawsuit with the daughter of a former worker in its semiconductor plant in East Fishkill, N.Y. Candace Curtis, 22, was born with brain damage and other health problems after her mother had worked around lead, chromium and other toxic substances in IBM's plant. Curtis was seeking \$100 million in damages. Terms of the settlement were not disclosed.

A similar case was settled in 2001. This was not under the protection of workers' compensation laws, and IBM chose to cut its losses while claiming innocence. As an IBM spokesperson said, "IBM firmly believes, based on the facts and evidence, that it had no liability in this case and its workplace did not cause the plaintiff's injuries." Fifty-two cases are still pending.

As a further afterthought, finally the Semiconductor Industry Association announced on March 18 that it plans to conduct a study on cancer rates in the industry. After years of foot dragging, it plans to start by the end of this year. No details of how the study will be performed were made available. We can hardly wait.

## ... Undermining Capitalism!

(Continued from page 1)

for the creators of wealth. Since capitalism is designed and intended to continuously assault labor, we who do not ride the track designated for "the rich" are automatically bound for struggle, exploitation and degradation.

Zuckerman is upset by injustice and in-

equality but his discomfort is not rooted in any sense of decency, humanity or enlightened social consciousness. His discomfort is rooted in his own bourgeois class interests. He is scolding the expropriators for being too greedy, too brazen and too obnoxious. Perhaps Zuckerman fears an awakened working class. Perhaps he has read and understood the old African proverb that says, "The dry grass will set fire to the damp grass."

Zuckerman fears the excesses will be forgotten: "The images of handcuffed executives doing the perp walk before the TV cameras must be retained on all our retinas...." But he is not really writing for us at all. He has a specific readership in mind. Who is it that he especially calls upon to never forget the TV images of handcuffed executives? "Unhandcuffed CEOs." He does not want their everyday, routine, ordinary criminal activities, euphemistically regarded as "business," to be interrupted by excessive corporate looting.

The editor-in-chief goes on to suggest the absurd: "the business community must insist on and enforce a higher standard of ethics." That is like calling upon sharks to become non-

violent pacifists. A shark is a killing machine: specialized, predatory and ruthlessly lacking in empathy or social consciousness. Likewise, a corporation is a profit machine: specialized, predatory and ruthlessly lacking in empathy or social consciousness. In other words, a corporation is an inherently antisocial entity created for the sole purpose of seeking and maximizing profit. Considerations such as ecology, community, safety and welfare of labor, and ethics can only hinder the insatiable and competitive corporate devotion to profit.

So, Zuckerman fears for capitalism, as he should. We who toil and create all wealth know that it is our historic task to liberate humanity from this bloody and barbaric system. We are, as Marx said, capitalism's gravediggers. Zuckerman says that it is "remarkable" that "confidence in the system seems to have survived." If he is surprised that capitalism has survived then he will not be surprised when the end comes, when the working class finally realizes that we have the power to choose a sane and socialist society. He and his kind can simply mourn. We who long for peace, justice and equality will rejoice.

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# the People

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## The 'End' of Segregation

May 17, as noted elsewhere in this issue, marks the 50th anniversary of *Brown v. Board of Education*.

*Brown* is widely regarded as a landmark in the struggle of African Americans for equal rights protections under the federal Constitution. For the same reason that morality cannot be legislated, however, no court can simply brush aside historically and culturally embedded ideas and prejudices with a majestic swoosh of its judicial robes.

Race bias and discrimination were too deeply implanted to be uprooted and blown away on command. For nearly a century after the Civil War and the 13th Amendment to the Constitution, African Americans throughout the South were subjected to a reign of terror and economic subjugation barely distinguishable from the chattel slavery of ante-bellum days.

The South might as well have won the war for all the difference it made in the day-to-day lives of the emancipated slaves and generations of their offspring, and things were not markedly different in other sections of the country. "Fred Douglass, no less an authority than he," as Daniel De Leon once observed, "admitted deliberately, shortly before dying [in 1895], that 'the present condition of the Negro is tangibly worse than when he was a chattel slave.'"

The U.S. Supreme Court's decision in *Brown v. School Board* was not a belated sunburst of judicial enlightenment. It was a product of its time, and its time made it a political and economic necessity.

The Cold War turned the Jim Crow system of racial discrimination and oppression into a political liability in the imperialist struggle for control over Africa and Asia. As the *Weekly People* of May 29, 1954, explained:

"In this contest the strategies of American imperialism labor under the distinct handicap of the fact that colored minorities in the United States are subject to segregation and other gross discriminations. The Kremlin rulers have skillfully exploited the vulnerability of their foe, with very damaging effects to the West. Charles D. Jackson, who served as chief of U.S. psychological warfare, was reported by *The New York Times*, Feb. 22, 1951, as saying that by playing up racial discrimination in the United States, Stalinist propagandists 'were making incredible trouble for us.'"

The 1950s was also a time of "runaway factories." They did not run to Mexico or Southeast Asia for cheaper labor, as today, but from North to the South. It was the beginning of the "new industrialized South," and the Supreme Court certainly understood that segregation complicated industrial capitalism's southward migration. Again, as the *Weekly People* explained:

"The main economic pressure was built up by the industrialization of the South. Most of the South's new factories and mills were set up by northern corporations and many are managed by officials who, though they adapted themselves readily to southern racial mores, resented the economic wastefulness of segregation. Although obeying segregation laws requiring duplicate fountains and sanitation facilities, etc., the new industries tended to eliminate segregation on the job, with the result that in thousands of southern plants Negroes and whites work side by side. To the capitalist buyer of labor power—at least to those who are not brought up in the 'white supremacy' tradition—the advantages of dividing the workers on race lines are often outweighed by the advantages of drawing freely on the large supply of Negro labor."

*Brown* did not end racial discrimination in the South, as the Civil Rights struggle that followed made clear, and the motivations behind it were anything but pure. Nonetheless, Socialists welcomed it as a historical development that opened new possibilities for African Americans to take their rightful place in the larger struggle against all forms of oppression and exploitation.

Political and economic developments of the Cold War era compelled capitalism to concede a principle, but the concession did not end the system of exploitation or lift the majority of African-American workers out of enforced poverty. That struggle remains to be resolved in the only way it can be resolved—by drawing all workers together into a classconscious movement for building the genuine social and economic equality that only a socialist reconstruction of society can provide.

### A De Leon Editorial

## Historic Parallels

Many historic parallels can be drawn between the U.S. occupation of Iraq today and its occupation of the Philippines 100 years ago.



### Organized Hypocrisy

(Daily People, March 14, 1906)

Keen was the remark of Horace Greeley that the test of sincerity against wrong is the readiness of the decrifier of wrong to raise his voice "against a nearby as readily as against a faraway wrong."<sup>1</sup>

A wrong, no doubt, a bloody wrong was perpetrated in Jolo upon a band of Moros entrenched in a fastness. Easy would the work have been of reducing them by famine and thirst. When the place was taken there was hardly any food left, and not a drop of water. Nevertheless, a bloodthirsty West Point graduate, greedy for promotion, preferring a "brilliant feat of arms,"<sup>2</sup> rather than the tame results of a siege, stormed the place and killed 900 men, women and children. No prisoners were taken. There were no wounded. What that means is obvious. After the "military feat" of capturing the place, with such incidental killing as an assault renders inevitable, downright murder was resorted to, and the murderers spared neither the wounded, neither women, nor yet children. It was a disgrace to the flag, a disgrace to America, a blot upon humanity. Indignation justly fills the human breast at such atrocity. Yet let none be taken in by the affectation of indignation that has gone up from the anti-expansionist and free trade press. The Greeley test applied to them brands them, not hypocrites only, but as criminal as those whom they pretend to condemn.

In Boise, Idaho, four men lie in prison—Moyer, Haywood, Pettibone and St. John.<sup>3</sup> They were arrested under circumstances that, of themselves, throw suspicion upon the prosecution. Civic rights, the rights of man, statutory law—all were trampled on, and are being trampled on now by the continued detention of the men. The very reasons with which the prosecution seeks to justify its conduct is a condemnation: the reasons are transparently fabricated, silly, perjured. And yet this wrong is not only left uncondemned by the free trade press, that is so solicitous of the Moros, it is applauded by that press, and it gloats in advance at the prospect of the assassination of these innocent men—guilty only of activity in organizing their class, the working class, as they have a right to do. The distant outrage is decrified; the nearby one is extolled.

Indignation by criminals at a distant wrong is but the hypocrite's mask behind which to conceal his own crimes at home. It is but a variant of the "stop thief" device. Organized is the hypocrisy that is now raising thunder on the score of the occurrences in the Philippines, and does not raise hell on account of the occurrences in Colorado and Idaho. To tolerate the latter and yet raise an outcry about the former, is mutually supplementary conduct that will contribute its share to enlighten the working class touching the nature of the class whose rule it is their mission to put an end to.

Speed the day that will see the downfall of the crime-capped organized hypocrisy of capitalism.

<sup>1</sup> Horace Greeley (1811–1872), founder and editor of the *New York Tribune*, was a leading opponent of slavery during the pre-Civil War period.

<sup>2</sup> Almost certainly a reference to the following letter written by President Theodore Roosevelt:

"Washington, D.C., March 9th, 1906

"Major-General Leonard Wood

"Commanding the Philippine Division, U.S.A.

"I congratulate you and the officers and men of your command upon the brave feat of arms wherein you and they so well upheld the honor of the American flag.

"Theodore Roosevelt"

Roosevelt had declared an end to hostilities in the U.S.-occupied Philippines in July 1902, just as President Bush would declare an end to "major hostilities" in U.S.-occupied Iraq in May 2003.

<sup>3</sup> Four leaders of the Western Federation of Miners and the Industrial Workers of the World who were tried on trumped-up charges of having assassinated a former governor of Idaho. Three of the men were kidnapped and illegally transported across state lines by Pinkerton detectives and Colorado state militia to stand trial. A jury eventually found the men not guilty of the crime, but their abductors were never brought to trial. This and many other historic instances show that no pretense of a "Patriot Act" was ever needed to deprive workers of their rights or to shelter the representatives of "law and order" from prosecution whenever the ruling class felt itself threatened.

## what is socialism?

Socialism is the collective ownership by all the people of the factories, mills, mines, railroads, land and all other instruments of production. Socialism means production to satisfy human needs, not, as under capitalism, for sale and profit. Socialism means direct control and management of the industries and social services by the workers through a democratic government based on their nationwide economic organization.

Under socialism, all authority will originate from the workers, integrally united in Socialist Industrial Unions. In each workplace, the rank and file will elect whatever committees or representatives are needed to facilitate production. Within each shop or office division of a plant, the rank and file will participate directly in formulating and implementing all plans necessary for efficient operations.

Besides electing all necessary shop officers, the workers will also elect representatives to a local and national council of their industry or service—and to a central congress representing all the industries and services. This all-industrial congress will plan and coordinate production in all areas of the economy. All persons elected to any post in the socialist government, from the lowest to the highest level, will be directly accountable to the rank and file. They will be subject to removal at any time that a majority of those who elected them decide it is necessary.

Such a system would make possible the fullest democracy and freedom. It would be a society based on the most primary freedom—economic freedom.

For individuals, socialism means an end to economic insecurity and exploitation. It

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# FCC's Tolerance of 'Free Enterprisers' Lands It in Hot Water With 'Moral' Watchdogs

By Paul D. Lawrence

No institution outside the broadcasting industry itself has done more to chase the First Amendment off the "public airwaves" than the Federal Communications Commission (FCC). Starting with the destruction of Section 315(a) of the Federal Communications Act of 1934, the so-called Equal Time Law, the commission for decades has bowed before virtually every demand the industry has made for surrendering the public airwaves to the profit interests of the broadcasters. The FCC's only rival in that regard, if it may be called a rival, is the concentration of capital in the communications industry. However, that is the way of things under the capitalist system, and no commission or antitrust law can prevent it from happening. The concentration of wealth and power in the communications industry has gone so far that even some powerful capitalists in other fields have expressed concern.

Now, it seems, the FCC's tolerance has landed it in hot water with that element that has appointed itself the watchdog of public morals.

If the FCC had not already abdicated its responsibility of protecting the public airwaves for the general good, the growing controversy over "indecent" on the airwaves might have serious implications for freedom of speech and other civil liberties. Regardless of how the disputants in the present controversy resolve their differences, however, one thing is certain. Restoration of public control over the public airwaves is something that must wait until the working class takes it into its head to reclaim all the natural resources that capitalists have been plundering with virtual impunity since John Jacob Astor decided that every furry creature in the great American wilderness had been put there to provide him with his "opportunity."

The latest controversy over what is and what is not fit for the broadcasting industry to impose on a long-suffering public seemingly began when rock singer Bono uttered an expletive during the 2003 Golden Globe Awards. Janet Jackson's exposure during half-time entertainment at this year's Super Bowl added fuel to the fire. The witch-hunt is growing rapidly.

In March, the FCC ruled that Bono's utterance was both indecent and profane. The Associated Press (AP) reported, "It marked the first time that the FCC cited a four-letter word as profane; the commission previously equated profanity with language challenging God's divinity."

The First Amendment establishes, as Jefferson said, a wall of separation between church and state. Prohibiting any challenge to God's divinity is inconsistent with that. However, it is consistent with present-day ruling-class efforts to bulldoze a breach through

that wall. Such efforts include President Bush's attempt to provide government funding for "faith based" undertakings, vouchers for sectarian schools and the like.

Moreover, in at least some cases, the banned expletive is politically protected free speech. In *Cohen v. California* (1971), the U.S. Supreme Court ruled that wearing a jacket with the words "F—the Draft" did not constitute disturbing the peace and that California could not prohibit speech just because it is "offensive."

The House of Representatives has voted to increase the maximum fine for indecency to \$500,000. The FCC proposed fining Infinity Broadcasting the current maximum \$27,500

and condemns the 'religious right,' charging they want to put him out of business," the AP reported. "And his advocacy of Democratic presidential candidate John Kerry is already stealing time from Stern's more prurient duties." One might question the objectivity of the AP's language.

Like the cave dwellers in Plato's *Republic*, however, Stern sees only shadows on the wall. He has discerned the apparent actors, but fails to perceive they are but puppets. The ruling class pulls the puppets' strings.

However, folks who operate Clear Channel are part of the ruling class. That class is not made up of one man or one woman, or even one family, and it is not all in the same business. Apart from the "big boys"—the "lions" and "tigers" on top of the food chain—there are "hyenas," "jackals" and "weasels" on the prowl for opportunities of their own. Those in the "religion" business, for example, have their own customers to satisfy. Some in this line of business use the First Amendment to rail against those who use it in ways their flocks are admonished not to approve.

Clear Channel is a "giant" of the broadcasting industry. It is one of the capitalist "lions." As occasionally happens in the jungle, however, it has been set on by some of the lesser predators. Clear Channel has concerns closer to its heart than Howard Stern's ranting or even its own "First Amendment rights." When freedom of speech comes into conflict with the freedom to profit the conflict is short and the winner is always the same. When the FCC proposed slapping Clear Channel with a \$495,000 fine in April, the broadcasting giant meekly but promptly pulled Stern's plug across its entire network.

Reasonable people with good manners normally abstain from using in public words dictionary makers describe as "vulgar slang" or the like. Nor do they engage in unseemly displays of certain body parts. However, when agencies of the political state undertake to enforce manners and good taste, something more is often at stake. Although few would argue that some limits are not appropriate in respect to children, freedom is lost first in what appears to be a good cause. The obscenely named Patriot Act is but one recent example of that.

Throughout history great works of artistic, literary, philosophical, political, scientific and even theological expression have been censored by secular and religious authorities who found them offensive—obscene, indecent, subversive and so forth. Suppression of dissent and promotion of conformity are useful for maintaining class rule. Jefferson warned, "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."



AB CAP for The People

for a July 26, 2001, Howard Stern show that featured discussions "about sexual practices and techniques," as the AP put it. The FCC also proposed to impose multiple fines for incidents of alleged indecency in a single show. One can imagine FCC censors making tick marks to tally each incident. Some commissioners are talking about revoking licenses. That would stop not only indecency but everything else as well.

Broadcasters have begun self-censorship. Clear Channel Communications got the ball rolling when it canceled Stern's show for six stations. According to *The Fresno Bee*, some radio and TV stations are rejecting "commercials for products that might be considered offensive—dating services, telephone chat lines and sexual performance enhancers, for example..." None of those products are obviously *unlawful*.

The notorious Stern has changed his tune somewhat. "Stern rants daily against President Bush, bashes FCC chairman Michael Powell

## ...What Is Socialism?

(Continued from page 4)

means workers cease to be commodities bought and sold on the labor market and forced to work as appendages to tools owned by someone else. It means a chance to develop all individual capacities and potentials within a free community of free individuals.

Socialism does not mean government or state ownership. It does not mean a state bureaucracy as in the former Soviet Union or China, with the working class oppressed by a new bureaucratic class. It does not mean a closed party-run system without democratic rights. It does not mean "nationalization," or "labor-management

boards," or state capitalism of any kind. It means a complete end to all capitalist social relations.

To win the struggle for socialist freedom requires enormous efforts of organizational and educational work. It requires building a political party of socialism to contest the power of the capitalist class on the political field and to educate the majority of workers about the need for socialism. It requires building Socialist Industrial Union organizations to unite all workers in a classconscious industrial force and to prepare them to take, hold and operate the tools of production.

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## ... Unemployment Rate Rises

(Continued from page 1)

Workers should remember the record of the economists when they assess the shouts of glee among economists and other ruling-class sycophants that began April 2, the day March figures on jobs were released. "U.S. Job Growth Soars," cried a headline on CNN's Web site. "Labor markets have finally turned the corner," said Richard Berner, Morgan Stanley's chief U.S. economist. "There is only a silver lining," said Mickey Levy, chief economist at Banc of America Securities. "There are very few gray clouds."

Think there's any reason to believe such obvious cheerleaders for capitalism—one day down in the dumps and ready to throw their models on the scrap heap and the next day doing splits in the air and excitedly shaking their verbal pom-poms to rally "consumer confidence"? Think again.

Has anyone noticed any mention of the UNEMPLOYMENT RATE in all the cheerleading? Conveniently missing from many of the reports in the major media is much discussion of the way the unemployment rate is currently taking a back seat to "job growth" figures. The official unemployment rate for March actually rose a tenth of a percent to 5.7 percent. But that figure was difficult to see anywhere with all the pom-poms in the way.

The real unemployment rate is actually much higher. As Daniel Gross observed earlier this year on MSN Slate's "Moneybox" Web site, for example,

"In December 2003, the [rarely reported] adjusted unemployment rate was 9.9 percent, compared with 5.7 percent for the [commonly reported "official"] unemployment rate." "In other words," Gross continued, "on top of the 5.7 percent of the labor force who said they didn't have a job, a low figure by recent historical standards, 4.2 percent of the labor force was either marginally attached or wanted to work full time but couldn't. That's a high figure by recent historical standards."

So high, Gross contends, that it has economists and other pillars of the capitalist community pushing out of the limelight the traditional measure of unemployment, the Bureau of Labor Statistics' Household Survey, which "determines how many people are working and produces the unemployment rate," in favor of its Establishment Survey, which "gathers data directly from 400,000 companies and then estimates how many Americans have payroll jobs."

The Bush campaign and many other ruling-class elements in the coming months will no doubt favor reporting the condition of the working class by tracking how many workers have jobs instead of how many do not.

Least of any workers not likely to find favor with this further descent into official absurdity are the long-term unemployed.

According to the EPI's Issue Brief #198, issued this

March, "In January 2004, 22.7 percent of the unemployed were out of work for more than six months....Long-term unemployment has persisted longer in this postrecessionary period than during any similar period in the past 30 years." Many of the jobs these workers lost are never coming back, and most of the jobs now being generated by the economy, according to EPI figures, pay an average of 40 percent less than the jobs in shrinking industries.

No matter how the figures are manipulated or distorted, the mass of human misery caused by capitalism's recurring economic crises cannot be swept under the carpet. The misery involves too many. But it will continue to be suffered, and will spread to more millions, unless workers act to stop its cause.

What today's working class needs to know most about unemployment and the recurring economic crises that periodically and ever more massively accelerate the tendency of capitalism to throw workers out of the process of production is this: the only reason unemployment exists today is that we live in an economic system that operates on the basis of competition and production for private profit.

This system of production, called capitalism, puts control of the economy into the hands of a small minority class that owns the means of life built by the majority working class. Learn more about capitalism and the Socialist Labor Party's program to abolish it and establish a democratic, socialist economy owned and controlled by the workers themselves, under which unemployment and poverty will no longer exist. Order our pamphlet *Capitalism and Unemployment* today!

## ... 'Change the World'

(Continued from page 1)

that ambition with all the force and disregard for human life and common decency that the task requires. Mr. Bush and what he represents is merely a living confirmation of what Karl Marx wrote in the *Communist Manifesto* 156 years ago:

"The bourgeoisie...draws all, even the most barbarian, nations into civilization....It compels all nations, on pain of extinction, to adopt the bourgeois mode of production; it compels them to introduce what it calls civilization into their midst, i.e., to become bourgeois themselves. In one word, it creates a world after its own image."

The conflict that Mr. Bush calls a "war on terrorism" is really a conflict between an expansive and

ruthless capitalist system driven by its built-in profit-seeking compulsions to impinge on, undermine and ultimately destroy a backward and semifeudalist system that still has its grip on the developing world.

If the working classes of the developed nations do not establish socialism and the harmonious international relations implied by such a change, the violence, destruction and useless waste of life will continue indefinitely. If the working classes of the developed nations do not move to destroy capitalism soon capitalism will soon destroy us.

## Funds

(Feb. 7–April 9, 2004)

*Press Security Fund*

Marie & Ray Simmons \$2,000; Joan Davis \$1,200; Chris Dobreff \$400; Anonymous \$206.05; Irene Schelin \$200; \$100 each Jim Plant, Walter Vojnov; Section Cook County, Ill. (\$90); David Vollmer \$20, George Frenoy \$30, section \$40; John Houser \$84.60; Section Cook County, Ill. \$61.32; \$50 each Daniel Deneff, Earle McGue, Robert Ormsby; Edward Buschman \$40; Edward Jasiewicz \$28; Marshall G. Soura \$27; Robert & Mandarsita Brothers \$26; \$25 each Anonymous, Frank & Betsy Kennedy, John S. & Rosemary Gale; \$20 each Lawrence Hackett, R. Hofem, Richard F. Mack; C. James Matuschka \$13; Patrick McElhaney \$10; David R. Melamed \$8; Thomas McEvoy \$7; Reynold R. Elkins \$5.

Total: \$4,890.97

*SLP Sustainer Fund*

\$300 each Bernard Bortnick, Chris Dobreff; Karl Heck \$200; \$150 each Michael J. Preston, Robert Burns (In memory of Peter Kapit), Robert P. Burns (In memory of Mary Pirincin); Carl C. Miller Jr. \$140; \$100 each Donald J. Donaker, Lois Reynolds, Marianne Toth (In loving memory of Joseph C. Toth), Section Wayne County, Mich. (In memory of James C. Horvath); \$30 each Clayton Hewitt, Richard Aiken (In memory of John W. Aiken); Archie Sim \$25; \$20 each Jill Campbell, Section San Francisco Bay Area; William Kelley, Steve Littleton; George T. Gaylord Jr. \$1.

Total: \$1,936.00

*SLP Leaflet Fund*

Jim Tennyson \$30; Reynold R. Elkins \$25; Patrick McElhaney \$18; Paul D. Lawrence \$2.50; Richard Wilson \$5.75; Jill Campbell \$5; Walter Bagnick \$4.

Total: \$90.25

*Daniel De Leon Sesquicentennial Fund*

Mark R. McGrath \$10; Richard Wilson \$2

Total: \$12.00

*Genevieve Gunderson Memorial Fund*

Marty Radov \$100; Paul D. Lawrence \$12.50.

Total: \$112.50

**Socialist Labor Party**

*Financial summary*

Bank Balance (Dec. 31)	\$281,375.36
Expenses (Jan.–March)	47,536.02
Income (Jan.–March)	14,917.14
Bank Balance (March 31)	248,766.48
Deficit for 2004	\$ 32,618.88

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### UNITED STATES

**NATIONAL OFFICE**—SLP, PO Box 218, Mtn. View, CA 94042-0218; (408) 280-7266; fax (408) 280-6964; e-mail: socialists@slp.org; Web site: www.slp.org.

**BUFFALO, N.Y.**—E-mail Ron Ingalsbe: Wanblee27@aol.com.

**CHICAGO**—SLP, P.O. Box 1432, Skokie, IL 60076.

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This is my contribution of \$ \_\_\_\_\_ for *The People's Press Security Fund*, which will help support the SLP's official journal. (Please make checks/money orders payable to the Socialist Labor Party or *The People* and mail to P.O. Box 218, Mountain View, CA 94042-0218.)

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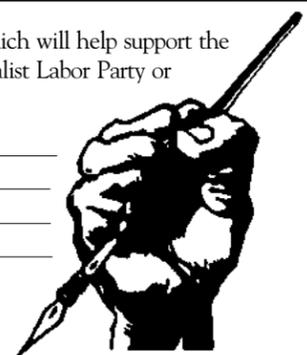
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## ACTIVITIES

### CALIFORNIA

**Discussion Meetings**—Section San Francisco will hold the following discussion meetings. For more information please call 408-280-7266 or e-mail slpsfba@netscape.net.

**Campbell:** Saturday, May 15, from 10–11:30 a.m., Community Room, Campbell Public Library, 77 Harrison Ave. (from Hwy. 880, exit at Hamilton Ave.). Moderator: Bruce Cozzini.

**San Francisco:** Saturday, May 22, from 1:30–4 p.m., at the San Francisco Main Public Library, ground floor conference room, Grove & Larkin sts. Moderator: Robert Bills.

### OHIO

**Discussion Meetings**—Section Cleveland has scheduled the following discussion meetings. For more information please call 440-237-7933.

**Independence:** May 9, 1:30 p.m., Independence Public Library, Meeting Room 1, 6361 Selig Dr. (Off Rt. 21 [Brecksville Rd.], between Chestnut & Hillside).

**Columbus:** Sunday, June 20, 1–3 p.m., Columbus Public Library, #3 Conference Room, 96 S. Grant (at Oak Street).

**North Royalton:** Sunday, June 27, 1:30 p.m., at the home of R. Burns, 9626 York Rd.

### OREGON

**Portland: Discussion Meetings**—Section Portland holds discussion meetings every second Saturday of the month. Meetings are usually held at the Central Library, but the exact time varies. For more information please call Sid at 503-226-2881 or visit our Web site at <http://slp.pdx.home.mindspring.com>.

### TEXAS

**Houston: Discussion Meeting**—Section Houston will hold a discussion meeting on Saturday, May 15, at 1 p.m., at the Freed Montrose Public Library, upstairs conference room, 4100 Montrose St. Topic: "Socialist Industrial Unionism: How the working class can win socialism through peaceful means." Those interested please call 281-424-1040, e-mail [houstonslp@frys.com](mailto:houstonslp@frys.com) or visit the section's Web site at <http://houstonslp.tripod.com>.

## ... Identity

(Continued from page 8)

of Commerce myth about the partnership between capital and labor.

Our educational system denies classconsciousness to young workers and even invites them to be a partner in their own fleecing! James W. Loewen, author of *Lies My Teacher Told Me*, wrote, "Six of the dozen high school American history textbooks I examined contain no index listing at all for 'social class,' 'social stratification,' 'class structure,' 'income distribution,' 'inequality' or any conceivably related topic. Not one book lists 'upper class,' 'working class' or 'lower class.'" He confirms, "Social class is probably the single most important variable in society." And he adds that "the working class usually forgets its own history" and, "The tendency of teachers and textbooks to avoid social class as if it were a dirty little secret only reinforces the reluctance of working-class families to talk about it."

Popular culture, so-called, is another culprit. A critical viewing of television and films reveals that members of the working class are commonly depicted as boorish, crude louts. A 2003 issue of *Newsweek* carried an article about how certain celebrities and models enjoy wearing ball caps with some company logo on the front. But watch out, the writer warned, if you are not one of the beautiful people someone might think you are a real trucker! And the offensive, predatory, exploiting Jenny Jones once did a show entitled "blue-collar makeovers."

We who have classconsciousness must always remember that all news and entertainment is corporate. Every TV show or magazine bombards us with bourgeois ideology. Michael Parenti, in *Dirty Truths*, says that workers in TV and films are typically "portrayed as emotional, visceral, simple-hearted and simple-minded, incapable of leadership

### The People—1

I want to thank you for the March-April issue of *The People*. I thought so many of the articles were insightful and thought provoking.

I found the De Leon editorial "Property and Property" and the article about China acknowledging private property very helpful. I recently read *Capitalism and Freedom* by Milton Friedman. Friedman argues that a society must have private property to have economic freedom—something socialism lacks he claims. He propagates this notion that under socialism all of your personal belongings would be stripped away and that only under capitalism—where people are free to do anything and everything—are people truly free. The De Leon editorial explains, however, that there is private property for personal belongings under socialism, but it is the means of production that is owned by the workers. The idea of all the workers owning the means of production (rather than a wealthy few individuals) sounds like a much more free and just society to me. And no one is going to take away your grandmother's rocking chair, so relax!

I also want to thank you for exposing the fact that globalization is benefiting executives and shareholders at the cost of the workers in "What Will Globalization Mean for Silicon Valley Workers?" I had been following Thomas Friedman's Op-Eds in *The New York Times* about globalization, and he, like many of the executives in the *Mercury News* article you discuss, argues that in the end U.S. companies will make more money as a result of exporting jobs to countries with low-wage workers. He argues that this extra profit will somehow produce more U.S. jobs, but, of course, he provides no explanation how. To me, a much more likely scenario is that there will be higher unemployment, lower wages for U.S. workers, and higher profits for executives and shareholders. In other words, globalization will create even greater class separation.

Troy Phipps  
Brooklyn, N.Y.

### Safeway Strike

I read with interest the article about the UFCW strike at Safeway in the March-April 2004 issue of *The People*. As a former UFCW member and labor activist, I have to agree with your assessment of how the UFCW let its members down. I'd even like

to go so far as point out some other instances of the UFCW's abysmal track record:

1. The 1985 Hormel strike, which despite enjoying mass support, was undermined by the UFCW who essentially used union workers to break a strike. There's at least one book on it, *Hard Pressed in the Heartland*, which I recommend.

2. The 2001 Pepsi strike in New Jersey, when Teamsters in New Jersey went on strike. Most rank-and-file UFCW members objected to serving or stocking Pepsi products, but were instructed that since *they* weren't on strike the UFCW would not support them in any refusals. We were also instructed to sit idly by while management blocked Teamsters from distributing informational fliers in front of the store. A lot of independent actions went on there, and I was pretty proud of folks—in one instance a rank-and-file UFCW member on break saw management telling a Teamster to leave, so he took the fliers from the Teamster and started handing them out himself. Others who worked fountain soda machines (which served Pepsi products) would talk customers into buying the (cheaper) cans of store soda instead.

3. The last example actually provided me with a lot of hope for the future of industrial unionism—many of the workers were shocked to find out that they could not support their fellow workers. Indeed, most showed that they believed the basic principles of industrial unionism were how things *should* work, and were disturbed to find out how trade unionism functioned.

Back to the UFCW, if I remember correctly, shortly afterwards the head of the dominant UFCW local got a cushy position with the International body.

Anyway, thought I would share that with you!

In solidarity,

Dominick  
Via e-mail

### The SLP

Thanks for all your work. Nobody tells it like it is like the SLP.

Joe Barsch  
Aurora, Colo.

### The People—2

As always, thank you so much for your publication. Your tireless work to put together an issue, and all that entails, is much appreciated.

Diane Poole  
Monessen, Pa.

or collective action" so that "it is individual heroics rather than collective action that save the day."

Dominant values are another tool used in this robbery. The American value of extreme or rugged individualism, for example, is a barrier to classconsciousness. We are urged, beginning in childhood, to be "self made" individuals, to rise above personal limitations, and even to overcome external barriers such as poverty or racism. The Chamber of Commerce mentality would like nothing more than for all of us to be entrepreneurs, scratching and clawing our way "to the top."

Our individuality is, of course, a wonderful thing, but it must not be mistaken for capitalist individualism, which isolates and alienates the individual. As Daniel De Leon explained: "Individualism and individuality are opposing terms. The latter is the mark of strength of character; the former is the sign of weakness. The latter, accordingly, is self-possessed, elevating; the former is blustering and degrading. Capitalism breeds individualism; only socialism can nurture individuality."

Consider the famous hierarchy of human needs outlined by psychologist Abraham Maslow. It truly reinforces the materialism taught by Marx.

Maslow suggested that our most fundamental needs are for food, water, sleep and elimination of bodily waste. We next advance to a need for safety, shelter and security. We then are free to address our need for belonging. Only then can we set about fulfilling our need for esteem.

It is striking that Maslow declared that we must belong before we can have esteem. In other words, we must be connected and feel our solidarity with something greater than ourselves before we can realize our individuality. This is why the prized individualism of capitalist society is a pathological and alienated endeavor.

Stripped of classconsciousness, we are invited to compete rather than cooperate, to advance ourselves at the expense of community or environment. It is a

fragile and lonely success we are taught to achieve. The entrepreneurial and individualistic ethos of American capitalist culture is an invitation to define, pursue, and advance self and leave comrades behind.

Classconsciousness is strength, dignity and awareness. It is more profound and fundamental than racial or ethnic identity.

Multiculturalism, for example, popular among educators, does nothing to challenge the economic injustice inherent to the capitalist system. Malcolm X looked beyond racial divisions to economics: "I believe that there will ultimately be a clash between the oppressed and those who do the oppressing. I believe that there will be a clash between those who want freedom, justice and equality for everyone and those who want to continue the system of exploitation. I believe that there will be that kind of clash, but I don't think it will be based on the color of the skin...." And poet Langston Hughes wrote:

"Revolt! Arise! The Black

And White World  
Shall be one.

The Workers World!

The past is done!

A new dream flames

Against the Sun!"

Of course, racial identity is a beautiful thing to be celebrated but something even more beautiful is worker solidarity, a united working class—male and female; gay and straight; black, white, brown, yellow and red; intellectual and physical toiler—who stand together against capitalist exploitation. Indeed, classconsciousness is the thing the exploiters fear the most.

**Get Subs!**

# North Carolina Acquittal Points Up Danger of Capital Punishment

By Paul D. Lawrence

The death penalty is an abomination. It is a barbaric relic of the past. Most advanced capitalist nations, and some not so advanced, have abolished it. Some even refuse to extradite suspects who could face execution in the United States. In retaining capital punishment, the U.S. ruling class finds itself in the company of the crowned heads of Saudi Arabia, the despots of Beijing and the zealots of Tehran.

The death penalty is arbitrary, capricious, class- and race-biased and sometimes wrongfully imposed.

In February, Alan Gell was acquitted of murder in North Carolina. That is not unheard of. Criminal convictions require proof beyond a reasonable doubt. The 18th-century English jurist, William Blackstone, observed, "It is better that 10 guilty persons escape than one innocent suffer."

However, Gell's acquittal was unusual. He had previously spent nearly a decade on death row after being convicted of the same murder. His acquittal resulted largely because prosecutors in the original trial withheld exonerating evidence. So much for Blackstone. "A prosecutor wins when justice is done, not when there's a conviction," said defense attorney Joseph Chesire V. Put a pin there.

*Parade Magazine* reported last year that 100 condemned inmates had then had capital sentences overturned since 1973 when the U.S. Supreme Court changed its mind and sanctioned death sentences. Last year, the Associated Press reported more than 2,000 cases—not necessarily capital—had been overturned since 1970 because of misconduct by prosecutors. A 2003 American Bar Association report cited what the AP described as "shoddy defense systems for accused killers."

Obviously, death is final. Some innocents have almost certainly been executed. However, thorough investigations of that would undermine capitalist "justice." Efforts to short-circuit appeals will mean more wrongful executions.

Minorities disproportionately populate death rows. In 2001, 43 percent of death-row inmates were African Americans. Blacks who kill whites are far more likely to be condemned than whites who murder blacks. Even the county in which the alleged killing occurred seems to play a role. Prosecutors in "conserva-

tive" counties seek and win capital convictions more often.

Members of one very tiny minority are virtually absent from death rows—capitalists. The late Supreme Court Justice William O. Douglas (1898–1980) once observed: "One searches our chronicles in vain for the execution of any member of the affluent strata of our society."

Executions should deter in either case. Moreover, all convictions help advance prosecutors' political ambitions and clear police books of unsolved crimes.

However, Marx continued, "there is history—there is such a thing as statistics—which prove with the most complete evidence that since Cain the world has neither been intimidated nor ameliorated by punishment."

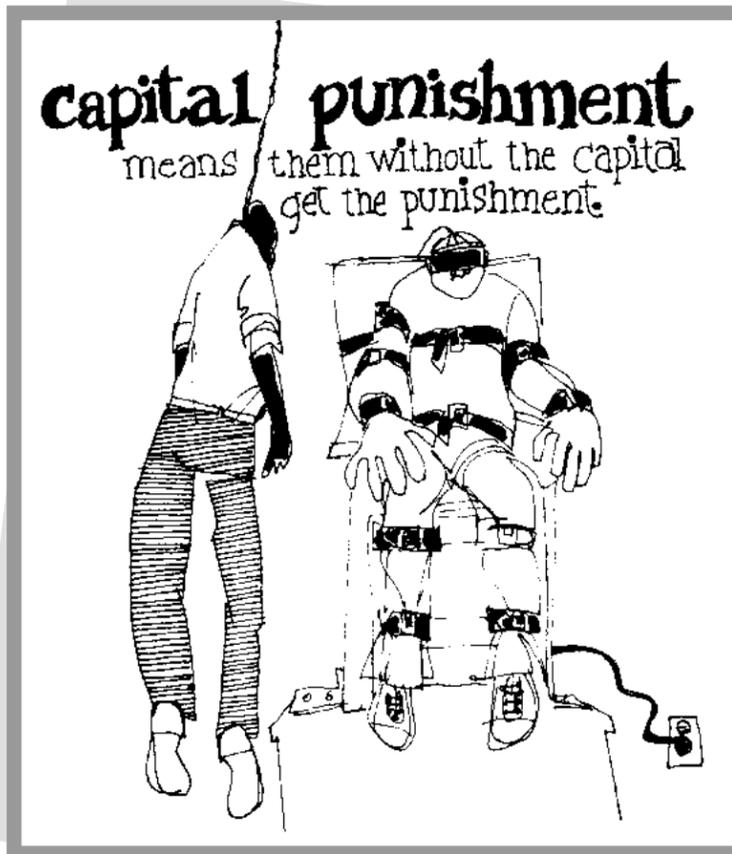
As to punishment as such, Marx dismissed the death penalty as "only a metaphysical expression for the old '*jus [sic] talionis*': eye against eye, tooth against tooth, blood against blood." It is the barbaric practice of blood revenge conducted in a tidier manner by the political state.

Marx continued: "Plainly speaking, and dispensing with all paraphrases, punishment is nothing but a means of society to defend itself against the infraction of its vital conditions....Now, what a state of society is that which knows no better instrument for its own defense than the hangman, and which proclaims...its own brutality as eternal law?"

Execution techniques have supposedly been made more humane since Marx wrote. But that state of society remains the one in which capitalism causes the conditions that breed crime and violence. Bourgeois law does not deter crime and violence. It upholds the system responsible for them. It upholds the right of a tiny capitalist minority to own and control the socially operated means of production and distribution. It upholds the capitalists' right to rob the working-class majority of the greater share of the wealth produced by workers' labor.

Because of that private ownership of production and ruthless exploitation, there are each year millions of deaths, injuries and slow poisonings at workplaces and from environmental pollution and defective consumer products. Indictments, let alone convictions, are extremely rare—reserved for the worst cases where the appearance of "justice" must be maintained. In urging the abolition of the death penalty, Rosa Luxemburg wrote that "the justice of the bourgeois classes" is "like a net, which allowed the voracious sharks to escape, while the little sardines are caught."

In sum, capital punishment is a weapon of class terror wielded by the U.S. capitalist class in a desperate effort to preserve their system. It does not deserve to survive.



Peg Averill/LNS

Before leaving office in January 2003, Illinois Republican Gov. George Ryan commuted the sentences of all 167 inmates left on death row "because the Illinois death penalty system is arbitrary and capricious—and therefore immoral." He previously pardoned four inmates he said had been "tortured" into confessing. Ryan also previously pardoned a man who was in jail at the time of the murder of which he was convicted.

Capital punishment is generally rationalized on two grounds, deterrence and punishment. Marx dispatched of those quickly.

As to deterrence, Marx asked, "Now what right have you to punish me for the amelioration or intimidation of others?" Pull the pin. As far as deterrence, it would make no difference whether the guilty or innocent are convicted.

# Identity Theft on a Mass Basis

By Michael James

There is a lot of talk these days about identity theft. There is, however, a terrible silence about one of the most systematic, thorough and tragic cases of identity theft in American history: the stripping of classconsciousness from the American working class.

This sweeping identity theft is a profound yet subtle process. Most members of the working class don't even realize they have been robbed. They become class-unconscious, as Daniel De Leon said, without suspecting they have been denied the most essential aspect of their identity. Yet, class is arguably the most fundamental element of identity because, as

Marx taught, we are material creatures with primary needs for food, water, clothing, shelter, safety, security and belonging. Our class is determined by our relationship to the means of production or the means of life.

Most of us in capitalist society, whether we are black or white, gay or straight, male or female, are not owners of the means of production. Most of us survive by selling our physical or intellectual labor power. We survive and perhaps even prosper somewhat, so long as we can successfully market our sweat.

Where does this identity theft begin? It begins in childhood where schools are a huge part of the problem. History and the social sci-

ences, for example, routinely deny a working-class perspective to children. There is a pretense of neutrality in education, but this is a myth and a bias in itself. Paulo Freire, in his *Pedagogy of the Oppressed*, wrote that every pedagogy and curricula must 1) invite students to question and resist the prevailing economic system or 2) invite students to accept the prevailing economic system.

Textbooks and teachers hardly present the glory of labor, the primacy of labor and the Marxian reality that only labor can create wealth. More typically, we are academically misguided with the propagandistic, Chamber

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