

Labour & Trade Union Review

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How about fixed term elections?

J. S. Mill

Lockerbie: the untold stories

China

Elections, Democracy and Manipulation

Concern is being expressed at the declining involvement of the electorate in political affairs even to the minimal extent of casting a vote in a general election every few years. This is said to be bad for democracy. But no realistic consideration is given to the causes of electoral apathy. And we would even go as far as saying that the concern expressed about it by politicians is spurious.

What concerns the Government is not apathy in general but the fear that a segment of hard core Labour voters may have become cynical. It charges the Tories with generating cynicism in the electorate because nothing is too absurd to pass muster in the day-to-day chatter of party politics. But its actual concern is not cynicism about politics in general as a kind of philosophical condition antithetical to political activity, but disillusionment within the traditional Labour ranks resulting from a degree of thought applied to a particular case.

The complaint is not that the segment of the electorate in question is not thinking about politics, but that it is possible that it will stop voting mindlessly.

We advocated voting New Labour in the last election even though Blair, Brown, Straw, etc., had indicated in an unmistakable manner that they had made a comprehensive adaptation to Thatcherism. They went into the election clinging to Toryism like miracle glue. It was the Tory Party which tried to establish policy differences during the weeks of the election campaign. But every time the Tories announced a policy in the morning New Labour had adopted it by the lunchtime News. There were therefore no policy differences present to the electorate to choose between.

When the strategy of one party is to make itself indistinguishable from the other the connection between democracy and casting a vote every few years becomes very tenuous.

But there is an aspect of what we call democracy in Britain which has nothing to do with the presentation to the electorate of two clearly defined policy positions to choose between. Edmund Burke, who was no democrat, took it that the essence of representative government was the presentation to the very limited electorate of his time of two

clearly set out policy positions by rival parties so that there would be some tangible connection between voting and government action. But Burke's successor as a politician/philosopher half a century later, after the franchise had been extended to the middle class and was certain to be further extended, represented elections in his novels as a mere game of Ins and Outs. Disraeli was already in spirit a democratic politician, and he was adept at winning elections by stealing the policies of the other party.

Another maxim of Burke's was that politics consisted of both men and measures. There was no choice of measures four years ago, but one set of men had been in office for eighteen years while the others had never been on the gravy train at all. So we said, Why not give them their turn? Even though there are no policy differences between them, and it is all demagogery, a change of scenery is in order, if only because it is all that is on offer. And besides, Jack Straw is desperate and is likely to do himself an injury if he fails to sell out this time round!

But while there were no policy differences to choose between, New Labour had carried over a couple of proposals for Constitutional changes from John Smith which it did not dare to drop: Proportional Representation and devolved government in Scotland and Wales.

We took it to be a virtual certainty that PR would not be implemented. The New Labour Front Bench would gladly have enacted PR if that could have been made a condition of getting into office. But it couldn't. The chronology was wrong. It is always wrong. When a party is in a position to implement it it is already in office and therefore it has no interest in implementing it. Under the existing system a party in office is in pole position for winning the election, and the introduction of PR would be certain to worsen its chances.

John Smith's undertaking with regard to Scotland and Wales was implemented. But then a desperate effort was made to over-ride governmental devolution by intensified party-political centralisation.

Back in the seventies and eighties when the Labour leadership was under pressure to include Northern Ireland within the sphere of British party politics—the means by which the state is

governed, which produces its normality—the only half-reasonable objection that could be made was that, since Northern Ireland had its own devolved government in the past and would probably have it again in the future, British party politics would be out of place there. In reply we predicted with utter certainty that if ever devolved governments were established in Scotland and Wales Labour would not act on the reasoning—the debating point—that it applied to Northern Ireland. It would break itself in there, but would resist even devolutionist tendencies within its own structures by intensified centralism.

That is what it has done, but despite its best efforts that Constitutional change is likely to have far-reaching consequences.

The British political system was designed to produce strong Governments for an Imperialistic state. The Empire has gone. And the great issues of internal government which stimulated the electorate for about a century and a quarter after the 1832 Reform no longer operate. The maintenance of strong electoral involvement cannot be achieved on the basis of a voting choice between Tweedledum and Tweedledee every four or five years.

British democracy is oligarchy manipulating a universal franchise by means of minimal voting activity. If the important thing is increasing voter involvement, the way to do it is to decrease executive power over the whole process.

Rousseau held that democracy in the form of representative government is not democracy at all. Britain functions through representative government, based on universal adult franchise, in an extremely centralised state. Power is delegated downwards from "the Crown in Parliament", which means the Government. There is one level of sovereignty, and it is at the top. What is called local government is only an arrangement made by the Government. Britain is a democracy only in a figurative sense. The people do not govern themselves in a practically meaningful sense.

Switzerland and the United States are the most thorough democracies. Both of them are federal structures in which there is autonomous authority of an extensive kind at parochial level and

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political power actually is devolved upwards. In both there are powers at the bottom which the power at the top cannot over-ride.

It would be crying for the moon to propose to "the Crown in Parliament" that it should federalise itself. But there is one very modest measure which would do something towards reducing the power of the Government to manipulate elections without causing any great upsets. And that is fixed term Parliaments. At present it picks its moment, on three weeks' notice, within a span of about 18 months. A fixed term would be a small equalising measure between Government and Opposition. And surely those who profess concern about the health of what we call democracy could not object to that.

Gwydion M. Williams

Notes on the News

Little Higher Than The Mice

Last year, the 'sequenced' human genome had been read but not understood. It is still full of enigmas, one of which is that we have not many more genes than a mouse, and are closer to worms than we supposed.

"The fruit fly *Drosophila*, the staple of laboratory genetics, possesses between 13,000 and 14,000 genes. The roundworm *C. elegans*, the staple of laboratory studies in development, contains only 959 cells, looks like a tiny formless squib with virtually no complex anatomy beyond its genitalia, and possesses just over 19,000 genes.

"The general estimate for *Homo sapiens*—sufficiently large to account for the vastly greater complexity of humans under conventional views—had stood at well over 100,000, with a more precise figure of 142,634 widely advertised and considered well within the range of reasonable expectation...

"Human complexity cannot be generated by 30,000 genes under the old view of life embodied in what geneticists called their "central dogma": DNA makes RNA makes protein—in other words, one direction of causal flow from code to message to assembly of substance, with one item of code (a gene) ultimately making one item of substance (a protein), and the congeries of proteins making a body. Those 142,000 messages no doubt exist, as they must to build our bodies' complexity, with our previous error now exposed as the assumption that each message came from a distinct gene. (Stephen Jay Gould, *New York Times*, Tuesday, February 20, 2001)

We long ago dropped the old idea of 'a little lower than the angels', but kept some distinction. We supposed ourselves the supreme product of evolution. And once genes were discovered, people

started saying 'superior genes' whereas once they would have said 'superior blood'.

The more we find out about genes, the less likely this looks. Humans are only human because culture gives us the fine-tuning. We are not otherwise hugely different from other primates, most of which are social and able to learn new tricks.

Continuous bad news is not news

In 1999, 65 people died in rail accidents, 31 in air accidents, 10 in sea accidents and 3,423 in road accidents. (*The Guardian*, 1st March) Our perceptions of danger are made by the media. And in a competitive media market, it pays them to play up to the public desire for instant perfection all the time (sometimes). This is part of the Liberal model of society, an abstraction made up of swarms of 'The Individual'; or a sludge of units of 'The Individual', all stuck in a traffic jams.

Mouth-and-Wallet disease

The demand for cheap food has led to an 'Interflesh network', with live animals stressed and intermingled, and then becoming potentially diseased offal fed back to more animals

It's not a new pattern; back in the 1960s, things were almost as bad. But this time it got to Ireland, which is new.

The world produces a comfortable food surplus, which unfortunately doesn't get to poor, hungry people. Whereas rich overfed people are bombarded with cheap food of doubtful quality. That's the 'miracle of the market' in action.

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Encounters with the Third Way

Our Prime Minister is once again pushing the 'Third Way'—which in practice has meant shedding the New Right delusion that the state could, or should, be whittled down to insignificance. But 'third way' rhetoric does not challenge the basic (mistaken) idea of public ownership as wealth-consuming and private ownership as wealth-generating.

The Third Way does not involve any repudiation of 'unending struggle' and the need for a 'war against cosiness'. Neither does it take on board the fact that Thatcherism stabilised the culture but did not significantly improve the economy.

Hague: anti-gravitas

Nations are judged by their leaders; we like them to have 'gravitas', the appearance of substance and thoughtfulness. It was foolish of the last Tory government to try to demonise Tony Blair with those evil-eye posters, they should have stuck to making him look weak and silly.

No one in Britain doubts that the people as a whole could pull down any government they disapproved of. The Ulster Protestants all by themselves were able to defy Westminster and pull down their own provincial power-sharing government back in the 1970s, and trade union power also made the country ungovernable under Heath. If Thatcher then succeeded, it was because a lot of workers were sick of strikes that got them nowhere. But then Thatcher had 'gravitas', as, in a quieter way, did Major and also Ken Clarke, the leader the Tories almost chose in preference to Hague.

Hague, however, seems never quite to know what he's doing: a failed populist who has not noticed the large, and growing, gap between the US and British viewpoints. Scoring clever debating points off the people in power counts for little if no one trusts you to do any better.

When English is the common global language, Churchill's concept of 'the English-speaking peoples' loses meaning. The USA increasing does not need or want Britain, as distinct from Europe. America is de-WASping and de-Atlanticising, yet also hanging onto the Puritan creeds which are pretty marginal over here. The majority of Britons see the Church of England as the best place for life's rituals, but not otherwise necessary.

Nations get the conservatives they deserve. People who expect other people to make sacrifices while they themselves 'exercise freedom'. And Hague may be the first Tory leader for some time who never became Prime Minister.

Non-Globalisation

The USA is currently the prime resister of 'Globalisation' in a real sense, as distinct from those aspects that suit them. Europe is much less concerned

about sovereign authority, having already merged a lot of it into the European Community.

Both Europe and the USA demand that money and goods flow freely through national borders, but that these remain impermeable to people and to welfare responsibilities. They also assume the right to cherry-pick the most useful and trained people from poor countries, without any compensation even when it comes from a subsidised education system.

This leads to cynicism, which is regrettable. A cynic is someone who regards their own culture as despicable but inevitable. And this is never actually true.

Some cultures are, indeed, despicable, and almost all have some clear faults that are also deep-rooted. But the option to change and improve is always open. Nothing is inevitable, though serious reform is a tricky business. It is always much easier to spoil and damage an imperfect system than to make it better.

The Corporate Internet

We've seen the future and it's almost exactly like the past.

Far from realising the Libertarian vision of swarms of The Individual prospering in suburban isolation, the Internet and the spread of computer technology has simply 'shuffled the deck' for existing corporate power. Firms like Yahoo and AOL have achieved greatness from small beginnings, as Microsoft did before them.

Meanwhile, the former computer-giant IBM has bounced back, no longer dominant but still important. And book-seller Amazon is the best prospect of a main survivor among the once-fancied dot.com companies. The traditional supermarket Tesco's seem to have cornered the market in on-line groceries.

It's remarkable how Libertarians mostly flourish under the protection of extremely strong states and mostly in areas of massive state subsidy and finance. In reality their doctrine was

never more than a cover for something else. As a program of 'liberty', it can be sold to a fragmented mass of working people who don't notice the larger social shifts, e.g., the shifting tax from rich to poor, benefits from poor to rich.

The Libertarian message has been most successfully touted in the USA, where there are enough such fools to ensure that the working mainstream has received no benefit at all from all of the growth that has occurred since the 1970s.

Weaving the web.

You can find the Bevin Society at <http://members.aol.com/BevinSoc/is.htm>

World Wide Web

Further information about various magazines, pamphlets and books can be obtained on the Internet. Look up ATHOL INFORMATION at

www.users.dircon.co.uk/~athol-st/

PROBLEMS OF CAPITALISM & SOCIALISM

No 58 May 1999 (24pp)

The Moral Collapse Of The British Liberal Party Press in August 1914 (Manchester Guardian and Daily News)

Introduced by *Brendan Clifford*

Price £3.00 (incl p&p) from PO Box 339, Belfast BT12 4GQ, UK

Problems of Capitalism & Socialism No 57, May 1999, (18 pp)

No 57. KOSOVO: Serbs Good, Albanians Bad, Albanians Good, Serbs Bad.

Current international commentary on NATO's Kosovo War reviewed in the light of the facts of history by Gwydion M. Williams

The Liberalism of John Stuart Mill

Christopher Winch considers socialism and the harm principle

Mill wrote 150 years after Locke. He is the most influential liberal thinker of the nineteenth century and his influence is still enormous today. However, Mill is an oddity in the liberal tradition, despite his well-known defence of individual freedom in his best-known work 'On Liberty'. Unlike most liberals following Locke, he is careful not to place too much weight on inalienable individual human rights, normally the staple of liberal thinking and rhetoric. This is because Mill worked within the utilitarian tradition which regarded inalienable natural rights in Bentham's phrase as 'nonsense upon stilts'. This is not to say that the utilitarians didn't believe in rights, rather that they believed that they had to be justified on utilitarian grounds. In this, Mill was no exception. Mill is noteworthy for two things: as a champion of individual liberty and as an advocate of something like market socialism. Nowadays, this last aspect of his writing is neglected.

The doctrine of Utilitarianism proclaims the greatest happiness of the greatest number. Mill was unhappy at the apparent philistinism of the doctrine. Unlike Bentham, who refused to distinguish between the relative merits of philosophy and push-pin, Mill thought that it was possible to distinguish between higher and lower pleasures, higher pleasures being more intrinsically worthwhile than lower ones. Education is valuable because it allows us to appreciate the higher pleasures. This view is important to understanding Mill's views about individual liberty. He believed that liberty had a utilitarian justification, so that freedom from censorship, for example, allowed great literature to flourish. This is, at best, a

doubtful view and suggests that the oppression of writers could be justified if it could be shown to lead to great literature. Mill's view was that nothing should be forbidden that did not harm another person without his consent.

He interpreted the 'harm principle' as it is called, in a very broad sense, meaning that harm to future individuals in a society should be prevented. This is why, for example, he thought that it was proper to restrict breeding to people who were competent to be parents. Allow the feckless to conceive would harm both their offspring and the society into which they were to be born and should, therefore, be discouraged. The 'harm principle' is, therefore essentially to be justified on utilitarian grounds. Nowadays, the harm principle tends to be interpreted in terms of inalienable individual rights, leading to a personal libertarianism that Mill would no doubt have disapproved of. Modern liberals prefer to ignore his example of parenthood, as it offends against their views on human rights. On this modern view, the harm principle is interpreted to mean that individuals have rights which no-one can interfere with. The question of what the interests of society are in the matter is disregarded. Mill is himself partly responsible for this interpretation, since he, like the rest of the utilitarians, sees society as composed of a mass of individual atoms, whose social arrangements can be manipulated at will in order to maximise pleasure. There is no sense in his writings that happiness depends on the existence of social forms which allow people to make sense of their own destinies. Like many others in the liberal tradition, Mill views the individual as the basic constituent of

society, with social arrangements to be tailored to the needs of individuals.

Partly for this reason, Mill's political economy is derivative of that of Smith and Ricardo. Mill believed in the market and the virtues of competition. He also thought of himself as a socialist and his 'Principles of Political Economy' advocates a form of market socialism. The prosperity brought by market economies would, he thought, lead to an educated working class, who would be able to take on more control of their own enterprises. This control over their own environment would itself be a source of pleasure. Mill also thought that although a class of people who were 'comfortably independent' was good for a society, the ownership of vast amounts of unearned wealth was not. Not only would it create imbalances of power and excite envy, which would not promote happiness, but beyond a certain point, wealth was subject to diminishing marginal utility. Each extra unit of wealth beyond a certain point did little for individual happiness, whereas if it were redistributed to the needy, that unit of wealth would produce a great deal more happiness. He therefore advocated a confiscatory death duty. Although a meritocrat, who believed that the talents of individuals should be rewarded so that they would benefit society, he was a consistent one who favoured measures to avoid the growth of privilege. This is something else that is conveniently forgotten by modern day libertarian liberals and indeed by that great meritocrat, Tony Blair.

However, this doctrine leaves Mill open to the charge of inconsistency. How can he be against harming others while confiscating wealth from the rich? It is

no use saying that the aggregate amount of happiness would be increased in this way: the fact remains that taking people's wealth away without their consent is a way of harming them. This is a problem for libertarians who believe in the sanctity of individual rights. It is why even 'welfare' liberals like Rawls refuse to countenance redistribution. The problem is that Mill did not really have a view of what human happiness consists in, despite his distinction between the higher and the lower pleasures. His view seems to have been that people will find their own way to happiness once artificial coercive barriers have been removed. This view is sometimes known as negative libertarianism.

However, if human happiness in modern societies depends on our ability to carry out our own plans in life (and liberals would find it hard to disagree with this), then the harm principle can be interpreted in a different way. Autonomy, or the ability to plan one's own life, depends on the availability of resources such as good education, housing, health services and jobs. Positive liberty requires more than just the removal of barriers, it requires resources to give people the ability to carry out their projects. These resources can only be provided for everyone by redistribution. Poor individuals will be harmed if they cannot lead autonomous lives. Therefore

not to have redistributive taxation will be to violate the harm principle. While the rich may be harmed, they will still have the resources needed for an autonomous existence. The poor will have no such options if they are not provided with resources. The harm suffered by them will be much greater than the harm suffered to the rich through redistribution. Reluctance to interpret the harm principle this way indicates a weakness that runs through nearly all modern liberal thinking. Liberals tend to believe that everyone's lot can be improved simultaneously. They cannot accept that someone has to pay so that the majority can flourish. Mill at least can be given the credit for grasping this nettle, even if he did not do so in a completely consistent way.

Mill may be criticised for his attempts to marry utilitarianism to a more individualistic liberalism and for his somewhat uncritical acceptance of classical economics, but he stands at a far remove from the extremely individualistic interpretation of liberalism that came to dominate the twentieth century. The harm principle in particular became entangled with the doctrine of inalienable natural rights, so as to lead to extreme doctrines of rights that allow the state to do very little to interfere with the behaviour of individuals. Somewhat ironically, the

most serious challenge to the harm principle came from feminism, which ordinarily rests on an extreme individualist interpretation of rights. Many feminists oppose the sale of pornography, not only on the grounds that it is offensive (which would not have worried Mill at all), but on the grounds that its consumption may provoke violence against women. This is a point that Mill might have taken seriously if there were any plausible causal connection between watching pornography and violent acts. The problem for modern liberals is that they are hoist with their own petard by this kind of argument. On the one hand, they can deny the link and risk the accusation that they are asking for too high a standard of proof, thus endangering the rights that they approve of. Or they can accept it and be accused of censorship (something that Mill himself abhorred). One suspects however, that the real difficulty that feminists have with pornography is that they are offended by the thought that someone, somewhere, is enjoying it.

Socialists, on the other hand, can argue, as suggested above, that consistent interpretation of Mill's harm principle leads to a society far removed from the unrestricted individualism that modern liberals espouse, very often basing their arguments wrongly on those of Mill.

Announcement

Open meetings of the Bevin Society/Labour & Trade Union Review are held on the first Wednesday of every month. The next meeting is on April 4th.

Theme: 'The Ten Year Transport Plan'

Introduced by Dick Barry

7.30 p.m. Printer's Room, Red Rose Club, Seven Sisters Road, London N.7

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All Welcome

Lockerbie: the untold stories

David Morrison

The untold stories of the Lockerbie trial are:

(a) the gross incompetence of the Scottish prosecution authorities in preferring charges against the two Libyans, Abdelbaset Ali Mohamed Megrahi and Al Amin Khalifa Fhimah, in November 1991 without establishing the credibility of the key prosecution witness and CIA asset, Abdul Majid Giaka, and

(b) the Lord Advocate's lying to the Court in a desperate effort to prevent the defence from learning the truth about Giaka and using it to undermine the prosecution case.

The two Libyans were tried under Scottish law by three Scottish judges without a jury at Camp Zeist in the Netherlands. The judges—Lords Sutherland, Coulsfield and Maclean—delivered their unanimous verdict on 31st January 2001, finding Megrahi guilty and acquitting Fhimah.

It is inconceivable that the three intelligent men who put their names to the judgement believe that the prosecution proved that Megrahi was guilty beyond reasonable doubt. The prosecution didn't come within an ass's roar of proving Megrahi guilty as charged, not least because the defence destroyed Giaka's credibility. With Giaka's evidence, the Crown case was threadbare. Without it, the Crown case was non-existent.

This extraordinary outcome is a consequence of the extraordinary decision of the Scottish prosecution authorities to indict the two Libyans in the first place. They did so on the evidence of Abdul Majid Giaka, a former member of the Libyan intelligence service, the JSO, and from August 1988 a CIA asset. Before they charged the

two Libyans in November 1991, Scottish prosecution authorities had a duty to ensure that their key witness was credible. They did not do so. This gross incompetence had consequences of geopolitical importance: it led to economic sanctions being imposed on Libya for most of the 90s at the behest of Britain and the US in an attempt to force Libya to hand over the accused for trial.

What is more, the CIA, and therefore the US government, knew that Giaka was not a credible witness—it was in the cables which his CIA handlers sent back to Langley about him from August 1988 onwards—but they kept this information from the Scottish prosecution authorities. The CIA may even have furnished Giaka with the—evidence he gave about the two Libyans. Be that as it may, the Scottish prosecuting authorities allowed themselves to be conned by the CIA into accepting that Giaka as a credible witness.

So, what was at stake in the trial at Camp Zeist was about much more than the guilt or innocence of the two Libyans in the dock. For the judges to pronounce them innocent was an indictment of the their fellow professionals in the Scottish legal system who had allowed themselves to be conned by the CIA into bringing the charges in the first place. It was also an indictment of Britain and the US for pursuing a vendetta against Libya for most of the 90s to force the handing over of two innocent people.

So, what could Scottish judges do but suspend reasonable doubt and find at least one of Libyans guilty, in order to justify the original indictment and its awful consequences for Libya? A Scottish, even a Lockerbie jury, would have acquitted both of them, as the evidence justified.

On 1st June last year after the trial in Camp Zeist had started the prosecution at last saw uncensored versions of CIA cables about Giaka and became aware of the awful truth of Giaka's history, which if revealed to the defence would mean that his credibility as a prosecution witness would be undermined. When the defence applied to the Court for the same access to the cables, desperate to protect their key witness, the prosecution lied to the Court that the censored material would be useful to the defence (see below). The person who told this enormous whopper was the Lord Advocate, the chief law officer of Scotland, who led for the prosecution at Camp Zeist.

The Key Witness

As we have said, the key prosecution witness at the trial in Camp Zeist was Abdul Majid Giaka. Without him, the two Libyans, Megrahi and Fhimah, would never have been indicted. Whenever, in the intervening years, journalists and others questioned the soundness of the case against them, the prosecuting authorities in Edinburgh and Washington always responded by boasting that they had a witness who could connect the accused directly with the Lockerbie bomb. The witness in question was Giaka.

Giaka was a member of the Libyan intelligence service, the JSO, who in August 1988 a few months before the Lockerbie bombing offered his services to the CIA. In July 1991 he gave the CIA startling eyewitness evidence connecting Megrahi and Fhimah with the Lockerbie bomb (whereupon he was taken to the US and put on a witness protection programme, where he has remained ever since). A few months later in November 1991 they were charged with the bombing in Scotland and the US. Without Giaka's evidence, they would never have been charged.

The credibility of any witness should be of concern to prosecuting authorities. The more so when he is the key witness in the biggest murder trial in British history with profound geopolitical implications. Even more so when he is a former member of Libyan intelligence who has defected to the CIA and who stood to receive \$4 million of reward money from the US government if his evidence was instrumental in securing a conviction for the Lockerbie bombing.

Plainly, it was incumbent upon the Scottish prosecuting authorities to look upon Giaka's evidence with a very sceptical eye and to assess his credibility as a witness thoroughly before charging the two Libyans.

This they failed to do. Crucially, they failed to get sight of uncensored versions of the regular cables about him sent by his CIA handlers in Malta to CIA headquarters in Langley in the period from August 1988 onwards, which contained the CIA's own assessment of his credibility. It seems that prior to the charges being laid in November 1991 the CIA had allowed them to see censored versions of the cables with large parts blacked out. But it wasn't until 1 June 2000, after the trial in Camp Zeist had begun, that they saw uncensored versions of these cables.

It was, unsurprisingly, the blacked out parts which were relevant to an assessment of Giaka's credibility. They revealed that, as of 1st September 1989 when he had been working for the CIA for over a year (and months after the destruction of Pan Am 103), Giaka's CIA handlers were highly critical of him and of the lack of important information supplied by him. He is described as a man in the business of selling information for his own benefit; as someone who will never have the penetration of Libyan intelligence services that had been anticipated; as someone who had never been a true member of Libyan intelligence; and as someone whose CIA salary of \$1000 per month should be cut off if he supplied no significant information. The clear inference from this is that by 1st September 1989 Giaka had still not given his CIA masters the crucial eyewitness 'evidence' incriminating Megrahi and Fhimah,

otherwise these criticisms of his value and of the worth of the information supplied by him could not have been made.

Had the Scottish prosecuting authorities done their job in 1991 and made it their business to acquaint themselves with the CIA's experience of Giaka then Megrahi and Fhimah would never have been charged—and Libya would not have had economic sanctions imposed on it for most of the 90s for refusing to extradite them. Clearly, the CIA deliberately kept vital information about Giaka's lack of credibility as a witness from the Scottish prosecuting authorities. But it was their job to make sure their key witness was credible, to demand a full account of Giaka's history with the CIA and to bring charges against the two Libyans only if that history revealed him to be credible.

(There is, of course, an alternative explanation to this: that the CIA supplied Giaka with the 'evidence' incriminating Megrahi and Fhimah and dangled a carrot of a \$4 million reward in front of him if he performed well enough at a trial to get them convicted. Megrahi was a suspect by early 1991 with tentative identification evidence against him, so it is possible that the CIA decided in July 1991 to make their hitherto useless asset perform a useful service for them by incriminating the two Libyans. Obviously, Giaka could only perform that service if the CIA's experience of him was kept away from the Scottish prosecuting authorities—and the defence.)

The Lord Advocate Lies

The prosecution saw the uncensored versions of the CIA cables about Giaka on 1 June last year at the US embassy in The Hague, having promised to keep the censored parts confidential. How this came about is not clear. Presumably, the prosecution made a request to the CIA. If so, it was not obviously a sensible thing to do from their point of view. There is a clear obligation in Scottish law that the prosecution has a duty to disclose to the defence any information which supports the defence case or casts doubt upon the prosecution case. In principle, therefore, information from the uncensored cables

which undermined Giaka's credibility would have to be disclosed to the defence, and a confidentiality agreement with the CIA could not override that principle. So, on the face of it, from the prosecution point of view it would have been far better if they had remained in ignorance.

(Why the CIA consented to the prosecution seeing the uncensored cables is also a puzzle, since they must have known that there was a grave danger that as a result Giaka would be discredited and the trial would collapse. At the time there was some public controversy about the CIA failing to make information available for the trial and at one point the Director of the CIA, George Tenet, made a statement to the victims, families saying that the CIA was committed to making every relevant piece of evidence available to the Court. Perhaps that's why the CIA felt obliged to give the prosecution unrestricted access of the cables for the first time.)

When the prosecution saw uncensored versions of the cables on 1 June 2000, they must have been panic stricken since their key witness had been revealed to be utterly unreliable. They kept quiet about their sight of the uncensored cables for three months until 21 August, the day before the trial was due to resume after its summer recess. When the defence applied to the Court next day for access to the uncensored cables, the prosecution objected strenuously and simply lied to the Court that the censored material would be useful to the defence.

The Lord Advocate of Scotland, who led for the Crown at the trial, told the Court that the members of the prosecution team who saw the uncensored CIA cables were fully aware of the obligation upon them to make available to the defence teams material relevant to the defence of the accused and, to that end, considered the contents of those cables with certain principles in mind.

He said:

"First of all, they considered whether or not there was any information behind the redactions [the censored material] which would undermine the Crown case

in any way. Secondly, they considered whether there was anything which would appear to reflect on the credibility of Mr Majid [Giaka]. They also considered whether there was anything which might bear upon the special defences which had been lodged and intimated in this case. On all of these matters, Σ [they] reached the conclusion that there was nothing within the cables which bore on the defence case, either by undermining the Crown case or by advancing a positive case which was being made on may be made, having regard to the special defence... I emphasise that the redactions have been made on the basis of what is in the interests of the security of a friendly power... Crown counsel was satisfied that there was nothing within the documents which bore upon the defence case in any way."

One of the trial judges, Lord Coulsfield, then intervened:

"Does that include, Lord Advocate ... that Crown counsel, having considered the documents, can say to the Court that there is nothing concealed which could possibly bear on the credibility of this witness?"

To which the Lord Advocate replied:

"There is nothing within these documents which relates to Lockerbie or the bombing of Pan Am 103 which could in any way impinge on the credibility of Mr Majid [Giaka] on these matters."

That is a barefaced lie by the chief law officer of the Crown in Scotland. The uncensored cables revealed, amongst other things, that the CIA believed Giaka to be in the business of selling information for his own benefit. One doesn't have to be a lawyer, let alone the chief law officer in Scotland, to recognise that this "impinges upon the credibility" of Giaka as a witness, as did other matters from the uncensored cables. A witness in court who is caught out lying can be charged with perjury and even gaoled, but the chief law officer of the Crown in Scotland can apparently lie with impunity.

However, the Lord Advocate's lies were in vain. The Court did not accept

that the defence should be denied access to the uncensored cables and he was instructed by the Court "to use his best endeavours to ensure that the information in the unedited cables was disclosed to the defence". The CIA conceded that the defence could see the unedited cables—they had to, otherwise the case would most likely have collapsed—and for the first time in history CIA internal documents were made available to foreign court.

With the aid of the uncensored cables, the defence destroyed Giaka's credibility as a witness when he gave evidence on 26-28 September, so much so that the judges had to discount his evidence almost entirely. And with that, had the judges not had a higher purpose than determining guilt or innocence on the basis of evidence, Megrahi and Fhimah would both be back home in Libya by now.

High-handed Demands

The unjustified indictment of the two Libyans in November 1991 (which the US government certainly knew was unjustified) was followed immediately by high-handed demands by the UK and US governments that Libya hand over the accused forthwith for trial either in Scotland or in the US.

At the time, there were no extradition treaties in force between Libya and the UK or Libya and the US. And, Libyan internal law, in common with the laws of many countries, did not, and does not, permit the extradition of its own nationals for trial overseas.

The government of Libya asked that the matter be settled under the civil aviation Convention concluded in Montreal in 1971, to which all three governments were signatories. That Convention provides that a state in which a person accused of terrorist offences against aircraft is resident has a choice: either hand over the accused for trial in the courts of the state bringing the accusation, or bring the accused to trial in its own domestic courts.

The Libyan authorities expressed a willingness to follow the latter course. The two accused were arrested and a Supreme Court judge appointed as an

examining magistrate to consider the evidence and prepare the case against them. But the UK and US governments refused to make available to the examining magistrate the evidence they claimed to have gathered against the accused. Compliance with international law on aviation crime was not enough. Nothing short of handing over the accused would do.

Even where an extradition treaty exists between two states, an accused person cannot normally be handed over to a requesting state without due process. The accused is normally protected against arbitrary and summary extradition to face what may be unfounded charges in a jurisdiction in which he fears that he may not get a fair trial. Often a prima facie case has to be established against the accused before he can be extradited. It is also normal for extradition to be refused if the accused can convince a court that he will not get a fair trial in the requesting jurisdiction. These principles are common for extradition from/to the UK and the US and between them. Neither of them permit extradition on demand without due process, and certainly not for their own nationals. Yet this is what the UK and the US demanded of Libya.

And to force Libya's compliance, the UK and the US persuaded the UN Security Council to pass a resolution (731 of 21st January 1992) strongly deploring Libya's failure to comply with the requests that Megrahi and Fhimah be handed over. This was followed by Security Council Resolution 748 of 21st March 1992 requiring Libya to hand over the accused within a stipulated period of time and failing that sanctions specified in the resolution would be imposed. Understandably, Libya did not comply and sanctions (including trade and air transport embargos) duly came into effect in April 1992. The imposition of sanctions was justified under Chapter VII of the UN Charter on the absurd basis that Libya's failure to extradite the accused constituted a threat to world peace!

Voluntary Surrender

In early 1993 Professor Robert Black of Edinburgh University (and a native of Lockerbie) became involved in the

process, with the approval of the Libyan government who, while they took the view that they had no constitutional authority to hand over their citizens for trial in Scotland, were not averse to them surrendering voluntarily for trial in Scotland. Black gave advice on matters of Scottish criminal law, procedure and evidence with a view (it was hoped) to persuading the Libyan government that the two accused would obtain a fair trial if they were to surrender themselves to the Scottish authorities.

According to Black, the Libyan government was satisfied that a fair trial (by jury) was possible but since Libyan law prevented the extradition of nationals for trial overseas, the ultimate decision on surrender for trial was up to the accused themselves. A team of international team lawyers from Scotland, England, Malta, Switzerland and the United States (chaired by a Libyan lawyer) was assembled to give them independent advice. But they were not persuaded, fearing not unreasonably that because of the unprecedented pre-trial publicity over the years a Scottish jury could not possibly be impartial and open-minded. A secondary consideration was the issue of their physical security in Scotland ^ not that enraged Scottish citizens would storm

Barlinnie and string them up from the nearest lamp posts but that they might be snatched by US special forces, removed to America and put on trial there (or, like Lee Harvey Oswald, suffer an unfortunate accident before being put on trial).

This was in October 1993. Black then suggested trial in a third country, ideally in the Netherlands, under Scottish law, but without a jury, three Scottish judges determining not only questions of law but the ultimate question of guilt or innocence. As early as January 1994, the two accused (and the Libyan government) accepted this proposal. But for nearly five years British and American governments vehemently opposed the idea. However, in part due to the intervention of Nelson Mandela, they belatedly accepted it and on 5 April 1999 the two accused surrendered themselves for trial before the Scottish court at Camp Zeist in the Netherlands.

Clearly, the Libyan government acted reasonably in this matter

throughout. In 1991, they were happy to operate within international aviation law as it then stood and the UK and the US were not. Nevertheless, the Libyan government ^ and the accused ^ were prepared to compromise and accept trial under Scottish law in a third country. That could have begun five years earlier had the UK and the US been prepared to accept that reasonable proposal in 1994 rather than 1999. And for acting reasonably throughout Libya was rewarded by having economic sanctions imposed on it.

But Was Libya Responsible?

The indictment of the two Libyans in November 1991 came as a great surprise since it was widely believed up to then that the bombing was the work of Palestinians acting on behalf of Iran, in revenge for the shooting down in the Persian Gulf of an Iranian airliner carrying about 350 pilgrims to Mecca by the US guided missile destroyer Vincennes.

This happened in July 1988 a matter of months before the bombing. But in November 1991 the world was asked to believe that Libya was responsible, and that the action was in retaliation for the US bombing of Tripoli and Benghazi on 14 April 1986 from airbases in Britain, when about 100 civilians were killed, including Gaddafi's 2-year old adopted daughter.

Margaret Thatcher authorised the use of airbases in Britain. Lockerbie isn't mentioned at all in her 900-page autobiography, *The Downing Street Years*. Of the predicted Libyan retaliation for the bombing she boasted:

"it turned out to be a more decisive blow against Libyan-sponsored terrorism than I could ever have imagined. We are all too inclined to forget that tyrants rule by force and fear and are kept in check in the same way. There were revenge killings of British hostages organized by Libya, which I bitterly regretted. But the much vaunted Libyan counter-attack did not and could not take place. Gaddafi had not been destroyed but he had been humbled. There was a marked decline in Libyan sponsored terrorism." (pp 448-9)

This was published in 1993, long after the two Libyans were charged.

It appears that Mrs Thatcher didn't believe in a Libyan connection to Lockerbie and can we have a higher source than that?

Book Review

Harry Potter and the Republic of Magic by J.K. Rowling

Gwydion M Williams

I must be a most untypical reader, 49 years old and I hadn't read a word of J.K. Rowling until well into the year 2000. I wouldn't have queued five minutes for the latest in the series, but mid-day Saturday there was no need to, the hype itself has been hyped, though sales were impressive even so.

I also may not be that untypical. As with Richard Adams's *Watership Down*, there are now editions that looked to be aimed at adult readers. The same images—train, flying car and griffin—are shown with photogenic realism rather than juvenile cartoon style.

There is also real merit in her work. The Potter series, though written within terms that children evidently understand, it is never childish in its outlook, indeed much more mature than the adult-childishness of series like James Bond or Marlowe, for instance. Despite the magic unrealism, the actual human problems and their unsatisfactory conclusions are much more like what real people actually encounter.

Unusually, Potter's world is a republican magic realm. Not aggressively so, it is just taken for granted that the Ministry of Magic is the dominant force. It also seems only marginally commercial. There are shops and other enterprises but no supermarkets or corporations and money is a mere incidental to living a satisfactory life. And the better characters accept an integration of tradition and talent: only the worse sort show an aristocratic pride in 'old blood'.

There is also an acceptance of the dark as part of life. The Forrest with its monsters is quite properly there, if out of bounds. House Slytherin with its snake-banner and tendency to produce evil magicians is still a legitimate tradition.

Concluded on back page

China Blues

Gwydion M. Williams reviews *The Tiananmen Papers Compiled by Zhang Liang, ed. Andrew J. Nathan and Perry Link*. Little, Brown & Co, £20

Two questions need to be asked about the crack-down of 4th June 1989. Was the Chinese Communist Party fighting for simple survival as the ruling party? And would it have been a good thing if they had lost?

The answer to the first question should be obvious, of course political survival was the issue. The 'mild authoritarians' who thought Leninist power could be maintained without being enforced were deluding themselves. Their power collapsed in the Warsaw Pact countries later that year, in the Soviet Union in 1991.

As for the second, it's much less clear. But even if you see a Western multi-party system as the best ultimate outcome, it's moot if it was really on the cards in 1989. Nor was the reformist Party General Secretary, Zhao Ziyang, willing to go so far: "Times have changed, and so have people's ideological views. Democracy is a worldwide trend, and there is an international countercurrent against communism and socialism that flies under the banners of democracy and human rights. If the Party doesn't hold up the banner of democracy in our country, someone else will, and we will lose out. I think we should grab the lead on this, not be pushed along grudgingly. We must, of course, insist on Communist Party leadership and not play around with any Western multi-party systems. This basic principle can allow no compromise." (*The Tiananmen Papers*, p107)

Zhao Ziyang was later blamed for having encouraged protests without having anything very definite to give. And paramount leader Deng Xiaoping, who decided as early as 17th May that staying in power was now the issue, tried to involve Zhao Ziyang with declaring martial law in Beijing:

"Deng Xiaoping. "Of course we want to build a socialist democracy, but we can't possibly do it in a hurry, and still less do we want that Western-style stuff. If our one billion people jumped into multi-party elections, we'd get chaos like the 'all-out civil war' we saw during the Cultural Revolution. You don't have to have guns and cannon to have a civil war; fists and clubs will do just fine. Democracy is our goal, but we'll never get there without national stability. This whole incident pushes in the wrong direction. That was clear from the start. But still some comrades don't grasp the nature of the problem; they still think this is about how to handle students. Our adversaries are not in fact those students but people with ulterior motives. Their two basic slogans are 'Down with the Communist Party' and 'Overthrow the socialist system,' and their goal is to set up a bourgeois republic on the Western model. Not to understand this basic question is to mistake the nature of the movement." (ibid, p187-188)

Zhao Ziyang had been sharing day-to-day leadership with Premier Li Peng, but both of them were still subordinate to Deng Xiaoping and the other Party Elders who had stepped back from active leadership. Zhao Ziyang's decision to resign when Martial Law was proposed made him clearly distinct, the alternative to Li Peng and even to Deng himself. But what else did he have in mind?

You cannot have a functional socialist democracy spontaneously. Nor a functional bourgeois republic on the Western model without an historic tradition, which Eastern Europe had but China did not have and does not have. Or else a cultural hegemony such as the USA has over Latin America and parts of East Asia, so that the fashion is for coups or for autocrats or for elections and 'people power', as the US chooses to dictate.

The USA in the wider world tries to train its dependencies to be democratic within the USA's notion of proper limits. Coups, invasions and the threat of the same are used wherever democracy produces a result that the US finds unacceptable. The current fashion for democracy is based on democratic elections generally producing results the US is happy with. If that changed, coups might once again become the norm.

You do not get peaceful middle-class democracy spontaneously, any more than you can acquire a railway system spontaneously. Britain's system of parliamentary rule, which was born in political struggle in the 1620s, could not coexist with the monarch, and went through much turmoil before settling down after 1688 as rule by the small minority who were rich enough to vote.

Only in the 20th century was the British parliament actually elected by a majority of adult male Britons (with female suffrage taking rather longer). Only with the independence of India in 1947 was the Westminster Parliament actually chosen by a majority of those it ruled over.

The USA was a democracy from the start. It was a democracy that supported slavery for blacks and genocide for Native Americans, but why on earth should democracies be nice to minorities? It was popular protest, and especially the Gordon Riots of 1780, that kept Roman Catholics legally defined as second class citizens until well into the 19th century

Western-style democracy also requires that all local self-sufficient life shall be undermined and the whole society restructured into numerous standardised units of an entity known as The Individual. (Which is why respect

for the rights of 'The Individual' is quite compatible with harassment of those who try to be individuals in an unacceptable and non-standard way.)

China may not want such an end, and in any case has not yet been so structured. Chinese in Taiwan have been, and in Singapore likewise, but that was due to being swamped by other much larger cultures. Singapore keeps much more of an authoritarian system: there are elections but no plausible opposition.

Chinese don't form queues. They queue when there is some strong authority about that requires them to queue, otherwise they push. Unless and until they become a people who spontaneously queue, they are unlikely to make anything coherent out of a multi-party democracy.

China did try modernise through liberalism in 1911, after it overthrew its emperors. This led to chaos and Warlordism. The Western powers were far from sympathetic, just as they had helped to defeat the Chinese-Christian Taiping in the 1850s and 1860s. Even the pro-Western and anti-Communist Kuomintang received very lukewarm support in the 1930s when the Japanese were invading China in defiance of International Law.

When Mao in 1949 declared that China had 'stood up', not many in China disputed it. The Kuomintang regime that Mao overthrew had looked to the Western good intentions and help, but found they relied upon a 'broken reed'. China in 1949 was at about the same level as India, whereas now it is much richer and stronger. This widening gap increased under Deng but was built on the foundations of Mao's rule.

The USA does not understand foreign countries, and tends to mismanage them even when its intentions are good. With regard to China, even the intentions are moot. Japan in the days before it wrecked its economy with 'liberalisation' was being presented as the USA's next enemy, and China has also been considered for that role. It is already the world's second economy, or third if you count the European Union as a single entity. It's on course to become a larger economy than the USA some

time in the 21st century: there are US politicians who'd be pleased to see China suffer a misfortune in the way both Russia and Japan did.

In 1989, it still looked as if Gorbachev might succeed in reviving the Soviet Union. But if Zhao Ziyang had aspirations to be China's Gorbachev, then he was a fool who jumped on board a sinking ship, and deservedly sank with it. Conceivably he was a covert liberal who only pretended not to want Western multi-party systems even as he tried to push China down the slippery slope to such things. But that seems unlikely and he probably understood no more than Gorbachev turned out to know. If initially Zhao Ziyang might have seemed well placed to return after Deng's death, as Deng did after Mao died, the humiliating fall of Russia into poverty and powerlessness must have changed perceptions.

There was also no question of following the Gorbachev trail while Deng was still alive, and quite willing to tough it out. Mao had condemned him as 'following the capitalist road', and Western commentators supposed that this was what he was doing. But when the chips were down, Deng turned out to be a Maoist after all.

"Deng Xiaoping. "Those countries like to come up with resolution after resolution about how to interfere in our internal affairs. But the interference is no big deal for us; we can ignore it if we like, or we can fight back. Those countries want to apply sanctions against us? All right, but first, let's ask them why this is any of their business. And second, if it is, then we can fight with sanctions, too. Our economic growth might suffer, but not all that much. We've done all right under international sanctions for most of the forty years of the People's Republic. So we don't have to worry too much; we can take it all calmly. This little tempest is not going to blow us over. We're not trying to offend anybody; we're just plugging away at our own work. Anybody who tries to interfere in our affairs or threaten us is going to come up empty.

"We Chinese have self-confidence; inferiority complexes get you nowhere. For more than a century we were forced

to feel inferior, but then, under the leadership of the Communist Party, we stood up. No behemoth out there can scare us now. We fought the Japanese for eight years and fought the Americans in Korea for three. We have a tradition of winning even when we're outnumbered or under-armed. Our people are not going to cower before foreign invasions or threats, and neither will our children or grandchildren." (Ibid, page 423).

Zhao Ziyang was open to suspicion of 'inferiority complexes'. There is brief mention (page 258) of his support for a television documentary called 'River Elegy' and its theory of China including both a backward inward-looking 'yellow civilisation' and a prosperous coastal 'blue civilisation'. This seems most irrational, blaming the poor for not being in the right geographical position.

From the Internet I got the following comment from New China Broadcast, 1 August 1989: "'River Elegy' declared that 'after thousands of years of loneliness, the Yellow River has seen the blue sea (capitalist civilization) and will go into it.' The series praised at length the history, geography, race and culture of the capitalist countries. As for capitalism's exploitation, oppression, aggression, and killing of people both at home and abroad, the authors do not even mention it."

Neither side in the debate seemed to know that Adam Smith in *The Wealth of Nations* regarded 18th century China as richer than any part of Europe, a point I've documented in my book *Wealth Without Nations*. He was one of many in the European Enlightenment who'd have liked 18th century Europe to become a lot more like 18th century China. Only with the French Revolution and the parallel Industrial Revolution in Britain did Europe start making its own distinctive way in the world. Early 21st Chinese should take note and be wary of slavishly copying a social model that may well be near the end of its useful life.

Though the students called for 'democracy', they didn't necessarily understand this as them showing any tolerance for those who disagreed with them; indeed violent threats were made against anyone who criticised them. And the 'Goddess of Democracy' was

blatantly modelled on US Status of Liberty—I wonder how Americans would react if someone placed a huge mask of Chairman Mao on the face of Miss Liberty in New York?

The Tiananmen protestors were demanding 'all or nothing'; seeking to topple Deng's Leninist regime in the same way the Europeans Leninist regimes were to be toppled. But China is not Europe, and all of the Asian Leninist regimes survived the crisis, as has Castro's Cuba.

There is also a widespread belief that if Deng had not taken a hard line, there were others who might have stepped in and done so, perhaps also rolling back the whole process of reform. Deng had to worry about a polarisation that might have left him dependant on hard-liners.

The outcome turned on a few key individuals. After refusing to accept Martial Law, Zhao Ziyang was out of office and a virtual prisoner, but also well placed to be restored if the protests succeeded. And in this, Wan Li was the key. He was Chairman of the Standing Committee of the National People's Congress, which theoretically had the right to topple the existing system. He had also sounded as if he agreed with Zhao Ziyang, and was out of the country visiting America at the time. And the students occupying Tiananmen assumed that when he returned to Beijing, he could lead them in the overthrow of the existing regime.

Wan Li, however, did not return to Beijing. He obeyed the instructions of his fellow leaders to go instead to Shanghai, where Party secretary Jiang Zemin had successfully asserted Party authority, closing a Shanghai newspaper called the *World Economic Herald* when it ignored party rules.

Jiang was given the key task of handling Wan Li, as is described on pages 278-9. He was surprised that no one more senior was sent to help. But evidently the Party elders decided that he had shown competence where Li Peng had been arrogant and Zhao Ziyang weak or disloyal. And Jiang was being prepared for the leadership role he was to exercise later on:

"Yang Shangkun: "Shanghai's stance has been most clear-cut. Jiang Zemin was very direct in the *World Economic Herald* matter... Shanghai's taken a lot of heat. Personally I think Shanghai could have handled the matter more tactfully."

"Deng Xiaoping: "Comrade Chen Yun told me after Jiang Zemin shook up the Herald, 'We should handle the student demonstrations the way Jiang Zemin would.' And Xiannian said, 'Jiang Zemin insists on the Four Principles but sticks with reform and opening up at the same time. He's got it just right politically, has strong Party loyalty, and can see the big picture.' Xiannian completely approves of Jiang's methods."

"Yang Shangkun: "Jiang Zemin knows how to handle protests. I remember last time, when Jiang Zemin spoke with students at Jiaotong University, he recited passages from Marx in English." (page 143)

Wan Li had the power to reconvene the National People's Congress, China's Parliament, and perhaps start the sort of slide towards Western forms as occurred in Eastern Europe later that same year, or perhaps start a civil war. Deng later talked of a civil war that he was sure his side would have won, but which would certainly have been much bloodier and more brutal than the actual crack-down. And so Jiang Zemin was delegated to talk Wan Li round, after he was brought first to Shanghai. This was the key moment, and was seen to be so at the time; there was an expectation and prediction that Wan Li could secure a victory for the protestors.

It was said at the time on the BBC that he fell into a trap, but this seems wrong. Deng had already decided that he wanted Jiang to succeed him, with Li Peng as Jiang's deputy. Wan Li was talked round by Jiang Zemin and that was decisive. Only then did Li Peng organise the clearing of the square—not a massacre, but involving fighting and killing outside of the square itself, with the protestors hoping they could start a civil war. But it didn't happen, and Jiang Zemin who had handled the Shanghai protests without bloodshed or serious strife was made the new Party Secretary, as Deng Xiaoping had wished.

It is notable that Deng could not find a successor from his own people. Bringing in Jiang was an acceptance of defeat on that point. But it was also a way to preserve the reform package as a whole, since Jiang had been running it successfully. He emerges from it so well that I can't wonder if it was Jiang Zemin's supporters who were behind the leak, and the best way of getting a favourable picture to middle-ranking Party people who would trust a Western source much more than their own media.

The only apparent point against Jiang is that the second generation of leaders chose him ahead of the people with formal authority to do so. But so what? Who would care in a Leninist party? No one in the West was put off by the rumours that Khrushchev shot Beria at a party meeting—but then Khrushchev was moving the Soviet Union in directions the West approved of.

Deng had tried to force Zhao Ziyang to support the suppression of the students, and successfully dropped the man into political limbo when he balked. Li Peng accepted the logic of events, but Deng also decided that this made him unacceptable to too many people. So he designated Jiang as his heir, a man who had handled protests in Shanghai without either bloodshed or loss of party authority.

That Deng, together with the other 'elders', had the right to make such decisions was not seriously disputed. Jiang was made Party General Secretary though proper procedures, but no one doubted that Deng had the last word for as long as he lived.

That Jiang Zemin would keep supreme power after Deng died had seemed less certain. In Leninist regimes, power is much more often taken than given. But Deng had been clever in keeping Li Peng as Number Two, an 'insider' with contacts and loyalties that Jiang lacked. Li Peng remains a loyal Number Two because his part in mishandling the original protests and then in the crackdown makes it almost impossible for him to get the top job. While Jiang Zemin without Li Peng would be as vulnerable to overthrow as other designated heirs of supreme

Leninist leaders.

The Tiananmen Papers also say that the intention was to end the occupation with a show of force but without bloodshed. The editors do not dispute that this was the intention. They even say, unrealistically, "the killings occurred, despite orders to the contrary, when inadequately trained troops went out of control." (Ibid, page xxiii). And Yang Shangkun—originally Zhao Ziyang's sponsor among the 'elders'—says he thinks the job can be done without bloodshed. (Page 361.) Deng says no such thing, he's probably figured that this is no more realistic than Zhao's earlier belief he could talk down the protests without abandoning Leninism.

Leninism was abandoned everywhere in Europe, and in the Soviet Union's Asian dependencies, including Mongolia which was formally sovereign. But it was not abandoned where the ruling party had made its own tradition and would have fought for it. And some of what Deng says to party inner circles might have been tailor-made to be leaked at the time to the inner circles of Western decision-making and persuade them not to challenge his authority. (Sometimes enemy spies in your own camp can be even more useful than your own spies in the enemy camp, the kind of political sophistication that Chinese understand rather better than Americans.)

"Imagine for a moment what could happen if China falls into turmoil. If it happens now, it'd be far worse than the Cultural Revolution. Back then the prestige of the old generation of leaders like Chairman Mao and Premier Zhou still loomed. We talked about 'full-scale civil war,' but actually no large-scale fighting took place, no true civil war ever happened. Now it's different, though. If the turmoil keeps going, it could continue until Party and state authority are worn away. Then there would be civil war, one faction controlling parts of the army and another faction controlling others. If the so-called democracy fighters were in power, they'd fight among themselves. Once civil war got started, blood would flow like a river, and where would human rights be then? In a civil war, each power would dominate a locality, production would fall, communications

would be cut off, and refugees would flow out of China not in millions or tens of millions but in hundreds of millions. First hit by this flood of refugees would be Pacific Asia, which is currently the most promising region of the world. This would be disaster on a global scale. So China mustn't make a mess of itself. And this is not just to be responsible to ourselves, but to consider the whole world and all of humanity as well." (Ibid., page 359)

No one in the West had wanted the Vietnamese refugees. Britain shut the door on the Hong Kong Chinese, and was then disappointed when they reached a friendly settlement with Beijing. No one now wants Russians and East Europeans fleeing the chaos and poverty that followed the peaceful and briefly hopeful overthrow of dictatorships. And no one at all would have wanted the flood of refugees that Deng threatened.

Deng made it clear in 1989 just what he would and would not accept: "Once the turmoil passes, we will owe the people some explanations... The new Central leadership structure should present a brand-new look and should project an image of hope and of commitment to reform... Workers, farmers, intellectuals, and students all want reform. We've heard all kinds of slogans recently, but nobody shouts 'Down with reform!'

"Some people, of course, understand 'reform to mean movement toward liberalism or capitalism. Capitalism is the heart of reform for them, but not for us. What we mean by reform is different and still under debate. But in any case, to present a fresh, reform-oriented face is of paramount importance when we select members of our new leadership team." (Ibid., page 325)

Jiang Zemin delivered what Deng promised. And most Chinese seem happy with it, at least for now.

Adam Smith: Wealth Without Nations

by

Gwydion M. Williams

The Wealth Of Nations (1776) provided the theoretical foundations for a Political Economy of the right, much as

Das Kapital did for the left. The division of labour, necessity for small government, free trade, and need to promote productive—as opposed to non-productive labour, are ideas supposed to have found their theoretical justification and development in this seminal work.

That supposition turns out to be ill-founded. Gwydion Williams has cast a critical eye on this very much unread 'foundation-text' of capitalism. He has found that Smith provided an ideology, rather than a scientific foundation, for British pioneering industrial capitalism. For instance, the well-known descriptive term, "the invisible hand" of the market, is not a worked-out idea of Smith's, but merely a phrase which occurs a couple of times in his work. As for the famous "division of labour", the productive advantages of which are used to justify de-skilling and mindless factory work, Williams finds that Smith's advocacy of it is ill-based. To begin with, what Smith describes is not the division of labour between different trades, but fragmentation of work. And his famous example of pin-making proves the opposite of what Smith intended: it was the pre-industrial State-sponsored bodies that pioneered the making of pins by labour sub-division. And, as Williams points out, the Division of Labour is as old as society itself, was commented on by Plato, and is not a particular feature of Industrial Capitalism. Indeed, the industrialism with which it has become associated can be developed by any social system. Even worse for Smith's case, it emerges that pin-making was a trade which very much developed and prospered under the protection of the State.

Britain's economic revolution flourished on the huge profits from systematic capitalist plantation slavery, which financed technological innovation in Britain, as well as on the availability of a destitute workforce, driven from the land by enclosures in Britain—all within a political context where traditional structures had been disrupted by a century of political turmoil.

Gwydion Williams writes fluently and in every-day language. His book provides an insight to Smith's political origins as well as a critique of a work which continues to provide ideological cover for market predators.

ATHOL BOOKS
2000

If You Can't Stand The Heat...?

Sean McGouran

There was a celebration of the life of Betty Boothroyd, the Speaker of the House of Commons, on television just before Christmas. One of the few awkward sections of the programme was a question about her apparent lack of sympathy with the views of the large number of younger, mostly Labour, MPs in the current parliament. Mo Mowlam contributed a story about the onset of her cancer and Boothroyd's behaviour at the time. It is probably true to say the Boothroyd, who spent nearly twenty years trying to get elected to parliament, is less than enthralled by some of the complaints of the comparatively huge intake of 101 women MPs of 1997: Blair's babes.

The *Sunday Times* colour supplement for December 17th, 2000, carried a fairly long article on these women entitled 'The Division Belles', and it was quite enlightening. Jenny Jones (Wolverhampton SW) complained not only about the behaviour of the Tories, but about "rampant laddism" in her own party, with, among other things, "the football references". She called this "old-Labour misogyny", and it set the tone for much of the article. These nice, middle-class professionals seem to regard any example of working class culture as inherently misogynist. And football is still—just about—working class culture. There are complaints that many MPs think they should be grateful to be in parliament at all, and one person is leaving because, according to a colleague, she "never got the job she was led to believe she would".

This sits rather awkwardly with the argument that the odd hours and arcane traditions of Westminster get in the way of their serving their constituents, or bringing up children. "The Cambridge member Anne Campbell, mother of 20-somethings, insists: "I wouldn't have dreamt of coming here when they were little."". One woman retiring after one parliament says that she did not realise that a pledge not to get pregnant was part of the deal on becoming an MP. A number of Labour women are paraded

as having given up children, and even marriage, to pursue a political career. The fact is that some women have had children and political careers; Margaret Thatcher comes to mind, though she was married to a very rich man, and could afford nannies. Some of the women in this intake insist that they can't afford such luxuries, but a fair number share that and constituency responsibilities with their husbands.

Some, even of the minor complaints, are understandable: the Palace of Westminster was designed as, if not a gentlemen's club, then at least as a place for chaps to work in; there are lots of bars, but no shop, for example. But many of the people who spoke to the journalist Lesley White, seem not to have thought about the job they were about to do, and White makes the point that many of them did not regard politics as a vocation or crusade. They regard the place they work in as simply another workplace, and not a venerable institution, which is a quite healthy attitude in one sense, but it rather misses the point. (The point being that it is a venerable institution.) This is especially true as no one mentions (apparently) the fact that Portcullis House, the plush offices for MPs will be opening quite soon. Many of the difficulties experienced by these women have been experienced by male MPs: the long, or strange, hours, the fact that it seems to take the better part of a year to get the hang of procedure, and the time-wasting aspects, filibustering and having to troop through the lobbies to register a vote. (Another aspect of this article is that none of the women seems to come very far away—comparatively, anyway—from Westminster, some of the demands made by Blair's babes are probably a bit beside the point if you have to make an all-night rail journey, or take a plane to your constituency.)

Another aspect of the article is an element of special pleading: "Women aren't as good at tub-thumping dispatch-box speeches..." It's all very well regarding being a legislator as just

another career-option, but did the person who came out with this never bother to watch the odd bit of parliamentary business on the telly? Thatcher, Edwina Currie and Barbara Castle could thump a tub with the best of them, if the notion took them. It is this refusal, or inability, to present a case for the tidying-up of procedure (electronic voting has not brought democracy to its knees in Australia, America, or most of Europe), and making Westminster a better working environment, that irritates the public. It all gets tied up with a distaste for the behaviour of fellow-MPs, and a quite snooty attitude to parliament (speechifying about some minor piece of legislation may be an exercise in ego-massage. It might also be important in the context of an MP's own constituency.)

Apparently, this distaste for parliament is spreading to Labour's central organisation and its "devolved constituency groups" — for most of its history, the Labour Party's basic unit was the Constituency Labour Party. The Annual Conference was the scene of genuine discussion, not to say division and something near riot at times. The Annual Conference in Blair's period is more of a ritual where preordained decisions are rubber-stamped—one such decision being all-women short lists for parliamentary candidates. The objections to this are characterised, here, as being uniformly misogynist, and not motivated by a number of causes. One was party democracy, many of these women were imposed on constituencies, replacing local candidates (a fair number of them being women). Other objections were often political: Blair-loyalists were used to oust Old Left / Old Labour activists. There was possibly genuine misogyny, but as the unreconstructed Old Labour MPs Tony Benn and Dennis Skinner are quoted as being among the few male MPs to support some of the rational demands made by these women, it does not seem to have been a major objection.

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Concluded from p. 10

Characters progress and change. In *Goblets Of Fire*, the erotic appears as both disruptive and interesting—most blatantly by the Veela, but Hermione's status as female is more definitely asserted. I'd expected her and Harry to end up wed. This is still the most likely outcome, but we are kept guessing.

We are told that there is some magic rule about kin, and that Harry is safe while staying with the obnoxious family of his mother's sister. I've got a hunch this is a clue. As a Star Wars fan I have a suspicion as to what the final layer of mystery and revelation will be.

Unexpected twists are indeed the best feature. The solution to each book's mystery, though logical, is never quite expected. Nor is everyone quite what they seem In one of the books, a minor background character suddenly turns out to be the centre of the whole book's action. If you can put your finger on it ahead of time, you'd be doing better than I did.

The central theme—conflict with Lord Voldemort—has taken a different form in each book. Neither the problem nor the solution is ever the same twice, it all grows and develops. And I hope it continues to do so.