

NC 3939/20

If the Crimes Act is allowed to be enforced, it will mean another advance for the boss towards Fascism in Australia. It will mean that the working class has been disarmed, deprived of its militant leadership, with the way open for further attacks on its standard of living.

The International Labor Defence calls on every member of the working class, irrespective of party, to fight against this Fascist legislation, to fight against deportations, for the right to organise, to assemble, and for the right of free speech and the freedom of the Press.

Join the International Labor Defence! Set up Anti-Crimes Act Committees in all localities.

Membership in the I.L.D.: Workers in industry, 6d. per month; women and youths, 3d. per month; unemployed, 1d. per month.

### READ REGULARLY

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"WORKING WOMAN" - Monthly, 1d.  
"YOUNG WORKER" - Monthly, 1d.

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# THE International Labor Defence FIGHTS THE CRIMES ACT

Price, One Penny

## THE INTERNATIONAL LABOR DEFENCE

The I.L.D. is a working-class organisation established to give assistance and to furnish defence for any worker who may be arrested and charged by the authorities in connection with activity in the labor movement.

The police are rapidly developing methods of brutal suppression by which to crush all forms of working-class militant activity. The workers must therefore organise their own means of defence.

**EVERY WORKER SHOULD BE DEFENDED, AND  
EVERY WORKER SHOULD BE A DEFENDER.**

Dues, 6d. per month. Women and Youths, 3d. per month.  
Unemployed, 1d.

Fill in the attached form, and become a member to-day:

INTERNATIONAL LABOR DEFENCE,  
Room 402, "Roma House," 537 George Street, SYDNEY.

I ..... hereby make  
application for membership of the International Labor Defence.

Signed .....

Address .....

Trade Union..... Other affiliations.....

## Why the International Labor Defence Fights the Crimes Act

### Why the Crimes Act?

When moving in the Senate the 1932 amendments to the Crimes Act, Senator McLachlan—then Acting-Attorney-General—gave the following explanation for its remarkable anti-working-class contents:

"The Criminal Law, which is part of the machinery for the protection of the fabric of society and of civilisation generally, has to keep pace with the time. From 1914 to 1926 this Parliament enacted legislation for the protection of the Constitution (the exploiters' Constitution), all public services, and the body politic generally; that protection is mainly against bodies and persons declared to be unlawful associations" (working-class associations).

Since working-class associations opposed to the exploiters' fabric of society and capitalist civilisation generally have been under the Criminal Code since 1926, what Senator McLachlan meant was that, as the crisis of capitalism deepens and further attacks on the working-class conditions become necessary in order to balance the budget for the boss, "the Criminal Law" will have to "keep pace with times" and become more class-biased and vicious, in order to keep the working class in subjection.

McLachlan is of the opinion that the forces of the capitalist State—police, etc.—must be given more power to baton and jail unemployed and striking workers.

Being aware of the growing unemployment, rationing and wage-cuts which are in store for the working class as long as the capitalist system lasts, McLachlan and other leaders of the class which he represents know that the workers will fight to overthrow the system which can offer them nothing better.

It is because of this that the necessity for the amendments to the Crimes Act arises. The working class must be deprived of the organisations which are offering the correct lead in this fight.

#### UNLAWFUL ASSOCIATIONS.

In 1926 the Bruce-Page Government added to the Crimes Act a section headed "Unlawful Associations." This section declared to be "unlawful" any body of persons who advocated the overthrow of the Constitution of the Commonwealth by force.

Since the Constitution of the Commonwealth can be overthrown in no other manner than by force, an "unlawful association" is any body of persons who advocate the overthrow of the capitalist system.

When Bruce brought in this legislation in 1926, the only body of persons in Australia who advocated the overthrow of the capitalist system, and showed by their propaganda that they could give the workers a correct lead, was the Communist Party of Australia.

Since then the "times have changed," and other organisations which the bosses regard as a menace to their system of wage-cuts and unemployment have been formed by the workers.

The crisis of capitalism has become worse, and thousands have been thrown out of work, giving rise to the Unemployed Workers' Movement.

The workers can see the imperialist war situation developing as it did during the crisis of 1914. This has given rise to the League Against Imperialism.

The industrial workers have been betrayed by the union officials so often that they have formed the Minority Movement, with its policy of rank-and-file control.

The workers no longer believe the lying slanders in the Press about the Soviet Union, where the workers are building Socialism. They have formed the Friends of the Soviet Union.

They have also formed The Workers' International Relief to assist them during strikes, and The International Labor Defence to render material, moral, legal and political aid to all persons persecuted for their working-class activities.

In order to "keep pace with the times" the boss says that these organisations, together with others such as non-scab unions, must be suppressed. In order to try and accomplish this, the ruling class has had to resort to the 1932 amendments to the Crimes Act—the most anti-working-class bill that has ever been passed in Australia. It shows clearly how much the ruling class values its high-sounding phrases of "British Justice" and "Good government for poor and rich alike," "equal sacrifice," etc.

## CLASS-BIASED LEGISLATION.

When Bruce moved for the second reading of the 1932 amendments to the Crimes Act in the House of Representatives on May 20 last, he made the following statement:—

"Clause 3 empowers the Attorney-General to apply to the High Court or the Supreme Court for a declaration that a body of persons is an unlawful association, and the onus of proving that it is not an unlawful association is placed upon the body so charged. Almost insuperable difficulties are experienced in obtaining proof that associations of this character are engaged in propaganda of an unlawful character."

When a most violent criminal is arrested and charged with any crime, it is the duty of the Crown to produce enough evidence to prove that he is guilty before he can be sentenced for an offence. If the Crown cannot collect sufficient evidence to prove him guilty, the law provides that he must be set free. That is, every man is regarded as innocent until he has been proved guilty.

This is no longer so with the working-class organisations. The Attorney-General may call any working-class organisation before a court, and it can be outlawed without any evidence being produced whatever.

## WORKING-CLASS LITERATURE.

Under the Crimes Act, working-class literature is completely banned. Already action has been taken to suppress the "Workers' Weekly" and "The Red Leader." On October 24th the publisher of the former appeared in court, charged with using its columns for soliciting funds for "unlawful associations," despite the fact that the associations for which the appeals were made have not yet been declared to be "un-

lawful" by both the High Court or a Supreme Court.

The International Labor Defence will defend these papers, realising that, if they are suppressed, it will only be the beginning of a general attack on every paper which shows any sympathy for the working-class movement whatever, or makes any reference to the horrors of the capitalist system.

The ruling class is not content with owning the best printing presses and the stores of paper which exploited labor produces, but denies the workers the right of having a paper of their own, giving them the news of current events without being falsified and fabricated by hired journalists to suit the ends of the exploiting class.

This attack on the working-class literature of Australia is not only confined to that which is published in this country. Following the passing of the Crimes Act, the boss brought in his proclamation "to prevent the importation into Australia of undesirable literature." Under this proclamation, the boss will prevent from entering Australia any papers published in the Soviet Union containing news of the victories of Socialism in that country, where the workers rule and where the bosses are made to do their share in producing the necessities of life.

Any novels from any country whatever, which contain any reference to the class struggle, or criticise the glaring social inequalities of capitalism, will be banned. The filthy sex novels which a decadent bourgeois class craves for, together with stories of gangsters and criminal life, will be as welcome as ever.

## RIGHT OF ASSEMBLY DENIED THE WORKING CLASS.

Fearing the result of the workers being able to assemble where they can discuss the problems of their class, the boss has made it an offence under the Crimes Act for any landlord to let his premises to a working-class organisation.

Immediately this amendment became law, the trustees of the Communist Party Hall in Sydney wrote to the Communist Party giving notice that it was not to hold any more meetings on its premises. They also enclosed a notice to quit. The Communist Party refused to be intimidated by this action, and the meetings which followed were so well attended that the police who were sent to try and prevent them from being held had to content themselves with merely giving a warning to the speakers that action would be taken against them at a later date.

Similar proceedings were taken against the League Against Imperialism—showing, as did the batoning and jailing of workers who demonstrated in the streets against war on August 1, that the bosses definitely intend to fight over their shrinking markets as they did in 1914-18, when millions of workers were killed and maimed.

The extent to which the capitalists and their governments will go to prevent the working class from assembling to organise against the vile conditions of capitalism can be seen from the recent raids on the private homes of workers. Under the Crimes Act the police have been given power to walk into any working-class home and search without a warrant. At a worker's private home in Coogee, where a number of workers had recently gathered, the police broke in without a warrant, and with vile language and threatening abuse took the names and addresses of all the workers present. Three days later this was repeated.

Recently, Cook and Coombes (both well known to all workers as contemptible pimps and perjurers), with three other political police, broke into a worker's home at 19 Albion Street, Surry Hills, and endeavored to frame him by throwing a revolver on his bed and trying to make him take possession of it. This worker refused to touch it, and they left, swearing to "get him" at a later date.

In Perth, W.A., ten houses have been raided in a similar fashion. The police have seized working-class literature from those places and burned it.

## THE RIGHT TO STRIKE ABOLISHED.

Knowing what a powerful weapon the workers have in the strike, if used in the correct manner, and conscious of the fact that the workers are more and more realising what the correct manner is, the boss makes it a criminal offence for a worker to refuse to accept the conditions of work which any particular exploiter may happen to lay down for him.

If the Governor-General sees that there exists in Australia an industrial disturbance "prejudicing trade or commerce," he may issue a proclamation. While this proclamation is in operation, anyone who urges, aids or encourages the taking part in or the continuance of a strike, so "prejudicing or threatening" the trade of the boss and affecting his profit, may be imprisoned for one year.

This section was actually brought in with the 1926 amendment, and was so perfect that it required no alteration in the 1932 amendment. Whoever introduced it was a far-seeing lackey of the capitalist class, for the boss will undoubtedly endeavor to use it to railroad militant workers to jail during the coming struggles.

When this section of the Crimes Act was being introduced in 1926, it was strongly opposed by Scullin and other members of the Federal Labor Party. This Party practically fought the 1928 elections on this issue. They told the workers that it was necessary for them to be returned to power in order that this reactionary legislation might be wiped off the Statute Book. During their term of office, from 1929 to 1931, they somehow forgot that it was there, and let themselves be put out without having altered it. When the 1932 amendment was being passed they—especially Barnes in the Senate

--went so far as to say they would willingly co-operate with the government (meaning the boss) to carry it out.

Scullin, when referring to this legislation in 1926, said that it would have no more effect in preventing strikes than a mustard plaster would have on a wooden leg." This is a fact, for, in spite of Scullin, Lyons, Latham, Lang and all the other henchmen of the boss, the workers will go on organising against the terrible conditions that are confronting them. They will build a force that will successfully resist the attacks of the bosses' forces, legal and extra-legal, which are used to suppress the working class.

#### FURTHER PROVISIONS.

Under this Fascist Crimes Act, the boss has made legal the wholesale deportation of all militant workers. A few years ago, when capitalism was flourishing and profits soaring after all the surplus stocks had been used for the Great War, the exploiting class of Australia was encouraging workers from other countries to come out here and be exploited in a real "workers' paradise." Now that another crisis has come, and surplus stocks are heaped up again, throwing thousands out of work, the boss expects these workers to starve without a protest.

While the openly Fascist Eric Campbell is permitted to broadcast his doctrines of thuggery and scabbery against the working class, it is criminal for the working class to have access to a broadcasting station. The Postmaster-General is instructed under the Crimes Act to refuse to issue any license to a working-class organisation. In case the rank and file gain control of Station 2KY, for instance, the Postmaster-

General is also given power to cancel the license of a wireless station "conducted by or on behalf of" a working-class organisation.

Contrary to the Constitution of the Commonwealth, which all politicians and a section of the Crimes Act itself tell us must not be interfered with, the 1932 amendment takes away the vote from any "officers of an organisation declared to be unlawful."

#### WHY THE I.L.D. FIGHTS THE CRIMES ACT.

The International Labor Defence claims that every section of the Crimes Act is vindictive and class-biased. It takes away from the working class the legal right to organise, and leaves this right only with such Fascist organisations as the New Guard.

The only excuse the boss has offered for suppressing these organisations is that they advocate the overthrow of the existing social conditions by force. How hypocritical and false they are when they say this can be seen from a statement made by one of their lackeys, E. J. Harrison, M.H.R., when speaking in support of the 1932 amendment.

"So long as these undesirable persons retain the franchise there is a danger that they may place in power a government which will give effect to their unlawful desires."

By this, Harrison meant that all class-conscious workers should not be allowed to vote, in case they are successful in returning to Parliament a government which might legislate in the interest of the working class. Harrison shows that the bosses' cry for the suppression of working-class organisations because they tell the workers that they can only win their emancipation with the use of force, is merely an excuse to attack them.