

February 14 1984

Dear Alan,

Apologies for the delay in notifying you of the membership of the Control Commission.

On looking through the minutes, I find that the April conference decided to re-elect the outgoing Control Commission. Two of the members of that Commission are no longer in the WSL, so that leaves the membership of the Commission as:

Ann D  
Sue A  
Godfrey Webster  
Bill McKeith.

When the Commission met previously, Godfrey acted as its convenor.

You will recall our EC decisions. The EC has a right to be informed of the complaints before the Control Commission is convened, on two counts:

- a) The right of the defendant to prior notice of the charges;
- b) The duty of the EC members to take issues first to the EC, as per section 12:iii of the Constitution.

Fraternally,

Martin

63 Bartlemas Road  
Oxford

19.2.84

To the Control Commission.

Dear G.

I understand that you are the convenor of the Control Commission. (On the basis that I believe you convened it last time).

I want to make an approach to the Control Commission in order to raise what I consider to be a series of breaches of democratic norms and constitutional rights within the organisation which I believe are designed to make conditions intolerable for the minority.

Specifically what I want to raise is the following:

1. The attempt of the majority to prevent me approaching the Control Commission without raising my complaints with the EC (ie the majority) first. (I have enclosed an exchange of correspondence about this).

2. The statement made very formally to us in an EC meeting by Sean that in future the "norm" in the WSL would be that only the majority viewpoint will appear in SX. (Example given - the conditions WP were in in IS)

(I raise this because it represents an absolutely major change in the internal situation. For 2½ years the norm has been full access to the publications from the different views in the organisation - with a few disputes within that. Leaving aside the rights and wrongs of such a change, it has never been proposed or even hinted at at conference or at the NC. How can an individual or individuals take such a decision?)

3. The authority of the NC to vote not to have the annual conference at the constitutional time despite

despite the objections of a minority.

4. The decision of M. to impose fines on members in an unconstitutional way.

5. The decision of the EC to lapse members for paper debts conference registration and pool fares.

(I believe lapsing to be something which specifically applies to membership dues. The only other circumstances where the constitution provides for lapsing is "where members have become inactive without adequate cause, and there is no dispute on this fact, they may be lapsed from membership". It is serious because none of the protective procedures provided for in the constitution are involved in a lapsing. I am not of course arguing that there should not be action on paper debts - but it should be under disciplinary action which involves all the constitutional safeguards).

The comments I have made on the various complaints are not an exhaustive argument of course. I have put them in in order to give you some idea of what I am talking about. Hopefully I will be able to enlarge on this when the Control Commission asks me to do so.

Fraternally A

NB I believe Tony R wishes to be associated with these complaints - but he is sick at the moment and not contactable.

18.2.84

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To the EC.

The letter from M of February 14th spells out the decision of the EC in respect of the conditions under which I am allowed to approach the Control Commission.

I have to say that I find the decision unacceptable and that I am unable to comply with it for the following reasons:

- a) The right to approach the Control Commission is a basic unqualified democratic right. The Control Commission itself will decide if the approach or the complaint is valid and how it should be dealt with.
- b) Prior notice of charges does not come into it at this stage. An approach to the Control Commission is different to the disciplinary procedure which is covered by section 14 of the Constitution. The Control Commission is covered by section 15 and its terms of reference are to "independently investigate disputes.....which are referred to it by any of the parties of the dispute". There are no conditions laid down for its operations and no qualifications laid down on the rights of members of leading committees to approach it. Section 12:111 covers "political difference" which is different matter.
- c) In the case of complaints by individuals against leading committees it would be contrary to the concept and principle of the Control Commission to force the individual to go first to those who he or she may feel are responsible in the first place.

It is therefore my intention (and I believe the intention of others) to go direct to the Control Commission and first to raise with them this particular point.

Smith. J

Oxford  
6.3.84.

To the Control Commission.

Dear G.

For your help and mine it would be good idea if I put in writing the main points I made to the Control Commission last Sunday.

- 1) I object to pressure being put on me to take my complaints to the EC before going to the Control Commission. Resort to the Control Commission is a basic democratic right open to all members of the organisation. It is true that members of leading bodies are obligated to take political differences to the highest body they are on first, but what is involved here are complaints of abuse of authority by the leading committees themselves. On such matters as that it is obvious that members must have the right to go straight to the Control Commission, it is then up to the Control Commission to conduct things to allow those accused of anything to have the right to be notified of the allegations and the right to answer them. I also object to the decision taken by the EC majority on Sunday March 4th that the Control Commission should not meet and that if it did it's decisions would be disregarded.
- 2) I object to the statement made by Carolan at the EC on February 5th that in the future only the views of the majority on all matters would be carried in SX. This he said was the norm in Trotskyist groups and it would now be the norm in the WSL. He cited the example of his own position when in IS, where he said they were lucky to get the occasional article in SW. In this I object both to the decision and the way it is done. I think it is politically wrong in a group like ours to publicly suppress the views of nearly half of the organisation. (Who are the "majority"? Presumably they are the people who loyally support Carolan. If that is the case they may not be a majority at all! That must be the way it is defined since there is no one else in the movement who is going to have their views printed if they conflict with Carolan on a significant political issue). On the way it was done I think it is incredible that on such a major issue as the access of the membership to the party press (by far the biggest undertaking of the group, and by far the most influential factor inside and outside the group) can be changed by a verbal statement (which can be juggled later if necessary) by an individual. We have had three conferences and numerous NC meetings with no such proposal being made. It was not even put to the vote at the EC. The bit that was minuted can be read in several ways and does not reflect the clear statements made in the meeting. (As I told you we were also told in the meeting in the same way that we must knuckle under or be thrown out - the exact way that will be done Carolan said is not the issue "but take this as a warning it will happen").
- 3) The annual conference. I object to the decision of the NC not to have the annual conference one year from the last as required by the constitution. Although the last conference was in three stages I think the overwhelming argument is that the April session was the definitive one since it was there that the main documents were voted on and the leadership elected. I don't think it is right for one section of the movement to decide that a conference is not a good

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thing to have at the present time for political reasons. That may be their opinion, but if a minority want a conference at the time called for by the constitution it becomes a democratic right. (I believe the conference is politically necessary as well of course on the grounds stated in the call for the conference - I don't believe the acute problems the organisation now has can be sorted out by a period of practical work, even if we could define what practical work, the basic problem is that there are deep political differences in the organisation which can only be contained if there is a democratic structure. But this is not an argument which should be had at the Control Commission).

4) The imposition of fines on members. I object to fines being imposed on members outside of the procedures laid down by the constitution. The facts are these. On January 30th seven members of my branch received letters from Kinnell telling them that they had already been fined for failing to fill in an assessment form last August. (A letter from Jones on this is attached). The letters were sent to the comrades individual addresses and had a very negative effect. Bill for example is a pensioner and cannot be on anything but the minimum rate. He is an absolutely loyal member who pays his £3 every single week without fail. He received no warning of this and has never had a letter from the organisation at his home address before. He was very distressed and was at my door within 30 minutes of receiving it. Another comrade who like Bill has the kind of working class family situation which Carolan and Kinnell are incapable of comprehending, has been faced with a serious personal crisis as a result of the letter - which was opened by a politically hostile partner who was not aware that he was paying money to the organisation.

To go back, however, to the constitutional points which are the ones which concern the Control Commission of course. When these fines were raised on the EC we were told that the decision to impose the fines had been taken by the OC - which of course has no constitutional authority in the movement at all and could not impose a fine even if they carried out the required procedure. In this case, however, none of the procedures which give safeguards to members, were observed.

5) Lapsing. I accept that it is logical to lapse members for failure to pay their dues - although the constitution does not say that. I think, however, that it is completely out of order to lapse members for paper money, one year old conference levies, NC pool fares, and failure to pay by standing orders. Yet all these things are now being used to lapse members - copies of letters from Kinnell are enclosed which confirm this. I will quote one example of many, Bill: "Your dues arrears are as follows: December balance £1.20; January £2 (Minimum) Conference registration fee, April conference £4. Total £7.20, just over 14 weeks. You are therefore liable to be lapsed from membership unless you pay these arrears. Money should be sent to the address above, by February 14th at latest. If we do not receive the money, the lapsing will take effect then". As you can see from the other letters all money is now being classed as dues arrears and added

up in weeks. Yet the constitution is absolutely clear on this. The only thing a member can be lapsed for under the constitution is falling out of activity - and only then if this is undisputed. There is no provision for lapsing for any of these other things.

Why is this so important? Not simply because it flouts the constitution but because it removes the safeguards that members have under the discipline procedure - which is what should be used if there is a justifiable problem on any of these things. With lapsing you are simply lapsed and that is the end of it. When I asked Kinnell how a member would get back in if suddenly lapsed he said it would be a matter of renegotiating membership, which I took to mean the Majority would have to agree.

6) Collective lapsing. If lapsing for the things outlined above are outrageous, collective lapsing is far more so. Under this if a branch has a dept which may have derived from particular members or from members who have resigned leaving a dept behind them - which is normally the case - the whole branch is responsible and can be lapsed for it. This is being done with my own branch and with Hackney. In the case of Hackney the entire dept derives from members who have left the movement. Every one of the existing members is fully paid up on everything, yet the whole branch is threatened with lapsing if the money is not paid. I must ask how can a member of this movement be lapsed if he or she is fully paid up. It is an incredible situation which we have only seen before in the WRP.

I think all the things I have raised here are matters which are appropriate to the Control Commission. Finally can I say that I do not defend the record of my branch on finance, and I am sure there are a lot of other in the WSL who would say the same. But for the last three months everything has been paid up in full and over £100 paid off back depts and I have taken over as treasurer to ensure that it stays that way. All of the pressure however has come since this turn was made, which is why it is hard to conclude that the pressure is not political rather than a genuine administrative drive, particularly since the finances of the movement have been an administrative catastrophe ever since fusion.

Fraternally A

Report of the Control Commission

To the National Committee 10.3.84

This report was prepared in great haste to allow today's NC to consider Smith and Cunliffe's complaints and our recommendations in relation to them without undue delay. We therefore request that space is found on today's agenda for this report.

Control Commission

Excerpt from constitution

15. CONTROL COMMISSION

The conference shall elect a Control Commission annually. It shall independently investigate disputes of fact relating to disciplinary cases, disputes between comrades or complaints against leading committees or functionaries which are referred to it by any of the parties of the dispute, the NC or PC. It has the power to subpoena witnesses and have access to all information and documents relevant to the matter. It shall consist of three full members who are not on the NC. Any member of the Control Commission who is involved in a dispute which is referred to it shall be excluded from the Control Commission for the investigation of that dispute. The Control Commission shall report to the NC.