

1977

TUCCAR

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NEWSLETTER of the TRADE UNION CO ORDINATING COMMITTEE against REPRESSION

WHY A TRADE UNION CAMPAIGN AGAINST REPRESSION ?

THE STEADY and persistent erosion of democratic rights and civil liberties in the 26 counties of Ireland is by now, or ought to be, a matter of serious concern to the trade union movement. The point about new repressive legislation and censorship laws said to be needed only for 'subversives', is not just that they contain provisions which can be used directly or indirectly against workers as workers, but that they create a climate and atmosphere for such use, now and in the future.

With the rising tide of trade union struggles in recent times, the temptation for the state and the employers to use more extensive repressive methods than the traditional methods of the injunctions and courts is likely to increase. This is why the defense of the democratic rights of Republicans and other political activists is the defense of our own rights, in a very direct sense.

TUCCAR is the result of the concern felt by a sizeable number of trade unionists that more, much more needs to be done by the official trade union movement to highlight and fight the attacks on democratic rights in a number of areas, which we have listed in our statement of aims. Both the ICTU and individual unions, especially the ITGWU, have passed a number of worthwhile resolutions on repression,

but like many others, they have not been followed up with any form of concrete action or initiative.

It is the aim of TUCCAR, through the widespread circulation of the newsletter to provide information and proposals for action which will promote positive action in the fight against repression. We are calling for the support of all trade unionists in this aim.



THE Trade unionists who have set up TUCCAR are activists from a number of unions - Shop Stewards, branch committee members and rank and file members from ITGWU, NEETU, ASTMS, Painters and Decorators' Trade union (INPDTU), National Graphic Assoc.(NGA), WUI, ATGWU, Teachers Union of Ireland (TUI) Irish local and public services unions (ILGPSU) and the national union of Journalists (NUJ), among others.

There have been representatives from Cork, Limerick, Ballina and Sligo as well as from Dublin at the first meetings. Among those to the fore in TUCCAR are individuals who have played a leading role in workers marches and other trade union opposition to repression.

May Day Speeches

SPEAKING at the Dublin May Day march on Sunday, 1st May, Gerry Fleming, President, Dublin Council of Trade Unions, called on trade unionists to concern themselves not only with the struggle for higher wages but also with the 'fact that repressive legislation is being passed in this country'.

Brother Fleming mentioned that the Dublin Trades Council was on record as opposing repressive legislation and had organised a march to the Dail, at the end of which a message was handed in to the Government, in order to underline its opposition. 'Such legislation he said, could be used against more militant trade unionists in the future';

Referring to the Council's 'grave concern' at the number of injunctions being granted against picketers, Gerry Fleming warned at the consequences of the laws being used to hold down the legitimate demands and struggles of the working class.

Also addressing the Dublin May Day demonstration, Matt Merrigan, Dist. Sec. A'T'G'W.U., interpreted the recent pronouncements of the Chief Justice Tom O'Higgins, on the case brought by Gouldings Ltd., against pickets at their East Wall factory, as meaning that the 'quasi-liberal provisions of the 1906 Trades Disputes Act were too liberal for the ruling class.' 'Trade unionists will have to be vigilant against the whittling away of their last rights', he said.

THERE'S A LAW AGAINST PICKETS

THE MAY issue of 'Liberty', official journal of the ITGWU, usefully draws attention to the fact that pickets at the clothing factory of D'G'Hickey & Co. Ltd, in Lime St., Dublin, were earlier this year charged with assault and obstruction in circumstances where Gardai had clearly 'overkilled' in their reaction to the strikers attempts to stop scabs passing their pickets. Maybe, more importantly, the article reminds us that charges were brought in some cases under the CONSPIRACY and PROTECTION of PROPERTY ACT, 1875, and the SUMMARY JURISDICTION ACT, 1851;

There have been no convictions under these old British acts for many years. But 'Liberty' is wrong in saying that there have been no prosecutions under them, three times in the past couple of years charges have been brought under the 1875 act against pickets. That is the same Act under which building workers in England were jailed for periods up to three years. It was threatened against strikers at the Westcon factory in the Galway Gaeltacht, and against strikers in Tipp. Co, Council.

Under the Order of 1972 which established the Special Criminal

Court, the list of scheduled offences to be heard before that jury-less court includes offences against Section 7 of the CONSPIRACY and PROTECTION of PROPERTY ACT, 1875. For trade unionists not protected under the 1906 Trades Disputes Act this is a particular cause for concern.

This Government and the last one have never tired of telling us that the 'anti-terrorist' laws and powers will only be used against subversives and not against trade unionists. If they want to be taken at all seriously, they could remove offences under the 1875 Conspiracy Act from the list of scheduled offences tomorrow.

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should be no such thing as an injunction against strikers, whether they have official backing or not, whether they represent a majority or a minority.

TUCCAR will rally support for any picketers putting themselves at risk by defying injunctions. TUCCAR will actively oppose any deeper interference by the forces of the State into Industrial and trade union affairs.

...AND THEY WANT MORE

CHIEF JUSTICE Tom O'Higgins, a Fine Gael candidate for the Presidency on two occasions, appointed to his present position by the Coalition Government, was certainly speaking for many employers, when he said on 26th April in the Supreme Court 'Whether the degree of immunity for picketing granted by the law should be put on a more rational and just basis is something that might well merit consideration by these charged with the framing and enactment of our laws'.

That statement is not too hard to unscramble in the context of the judgment he had just delivered on the picket at Gouldings Fertilizer factory in Dublin. The Chief Justice, echoed by other Supreme Judges, clearly wants the right to picket to be restricted even more than it is at present.

Only days before his statement, the FUE had spelt out in which they too want to see the law on picketing tightened up. Judges and employers are clearly making their own interpretations of the repressive atmosphere, seeking or granting injunctions at the drop of a wig- and demanding legal bars on pickets in cases where the majority of workers have settled a difference without industrial action.

The ICTU has answered their statements by repeating their traditional demand that workers in public service should be granted the 'protection' of the 1906 Trades Dispute Act, but the most effective answer to the bosses and to the courts has come from strikers at Poolbeg Generating Station, in British Leyland (Ireland) factories, and at the Ross Co.-in Co. Wexford -- they have continued picketing in defiance of injunctions and, in the first two cases forced the companies to retreat;

TUCCAR believes that the courts and the police should have no part in ordinary industrial disputes. As long as they are there, their role is likely to become more restrictive and more repressive. We say there

TWO resolutions of particular interest to TUCCAR will be discussed at the ITGWU annual Conference in Cork (May 31-June 3).

'That Conference calls on the Government to initiate a public inquiry into the treatment of republican prisoners in Irish Jails' (Cork No. 1). There is an amendment to delete the word 'republican' AND 'That Conference calls on the Government to repeal the emergency Powers Act (Youghal).

Concern about prison conditions is traditional at ITGWU conferences. At the 1975 conference a resolution from the Dublin District Council was passed which stated 'That this Conference, concerned about allegations of brutal treatment of all prisoners in Irish prisons and the refusal of the Government to allow certain independent public and responsible persons to investigate these allegations, calls for an immediate enquiry into the conditions in these prisons'.

The Annual report which had been adopted at the previous year's conference had stated 'Our prisons are still grey, cold and overcrowded places of custody, where education, rehabilitation and treatment leave a lot to be desired'.

Individual leaders and branches of the union have a consistent record of issuing statements or passing resolutions against repression inside prisons and outside. This year, there must be a determined follow-up to the resolutions. and TUCCAR will be playing its part in ensuring this.

Calls For Prison Inquiry

THE resolutions passed by three branches of the ITGWU in Dublin and three branches of the same union in Cork, by trades Councils in Wexford, Navan, Dublin and Belfast, all of them calling, in one form or another, for an inquiry into prison conditions, are a clear demonstration that the Government has failed to frighten trade unionists with the allegation that anyone calling for a Prison inquiry is giving support to the Provisionals.

The call for an inquiry, has of course, come from a wide range of organisations. It must be the concern of trade unionists however, to ensure that the official trade union movement must demand access to prisons, particularly those who are their own members. If the coming conferences of the ITGWU and of Congress do not make a hard enough commitment to this issue, TUCCAR itself will take the initiative in assembling material for a report to the trade union movement.

The demand for a Prison inquiry will be one of the principal issues to be discussed at our conference on July 10th, to which we will be inviting representatives of Civil Liberties groups and other organisations which have supported this demand.

POLITICAL SACKINGS IN LIMERICK

TO MAKE an allegation of victimisation by an employer for reasons of trade union or political activity is obviously much easier than proving the claim.

Employers and their organisations will always deny that 'blacklisting' exists, either formally or informally. But several of the advanced technology industries which have been established in Ireland in recent years have an international record of high security.

In the current politically repressive climate we can expect that the involvement of the Special Branch, and of private detectives who have direct access to Special Branch information, in matters of employment will increase.

Unless we stop it.

Joe Harrington, a factory worker from Limerick, does seem to be one of those whose political victimisation is all

too clear. After three years working in SPS, Shannon, an American-owned anti-union firm where Joe had helped get the ITGWU members and recognition, he was made redundant. So were 200 others. So, nothing strange, you'd say. Except that all of those on that list who were interested in jobs in SPS have been taken back on, and others from outside that list have been recruited - but Joe has never been offered a job there again.

After some months on the dole, Joe got a job with Draper-Erin, another American-owned factory, this time in Limerick. In the last week of his probationary period, he was sacked. He had been elected shop steward in that time. While the company gave no reasons, and was not - according to the Labour Court - obliged to give any reasons, for his dismissal, it seems likely to be connected with his trade union activity and his association with 'Bottom Dog', a radical workers' paper published in the town.

It may also have been partly provoked by the activity of the Special Branch. For while he was at Draper-Erin, Joe was arrested and held by the

Gardai, supposedly because he looked like someone who had taken part in a robbery. He had an alibi, however - he was at work. The very fact that the Gardai checked his story with his employers may have been enough for them.

Ten months later, towards the end of 1976, Joe got a job with Burlington Industries. Before Christmas he was out of work again - the management had found out about his 'record' with Draper-Erin and his involvement with 'Bottom Dog'.

Just before the reader rushes to any conclusion, it should be pointed out that in this case, as in others, Joe has been careful not to draw attention to himself in any way.

In February of this year, Joe was given a half hours notice to leave his latest job at De Beer's diamond factory in Shannon. He had been there only two weeks. Other workers protested to the management, stopped work and even occupied the administrative area to get him re-instated. Shop stewards from other Shannon factories associated the themselves with the protests. However, his case has been referred to the Labour Court, and another meeting is due as we go to press.

On the record, the chances of success and of Joe's re-instatement are slim indeed.

British Trade Unionists Fight Repressive Act

ABOUT 20 trade union branches, trades councils, and shop stewards' committees have pledged their support to the Trade Union Committee Against the Prevention of Terrorism Act in London. This committee, which held a conference for trade unionists on 15th May, has been fighting for the repeal of this act since shortly after it came into force in March of last year.

Britain's largest union, the T.G.W.U., also favours its repeal but has not been so active in pursuing the demand.

In little over 15 months, nearly 2,500 people, mostly Irish and many of them trade unionists, have been held under this Act.

British trade unionists, too, who have been thought to have the 'wrong' kind of connections with Irish political activists, have been detained under it.

It was also under the Prevention of Terrorism Act that a number of residents of the 26 Counties - including Ruairi O Bradaigh - have been barred from another part of this country, the Six Counties.

The T.U.Ctte. Against The Prevention of Terrorism Act has, on occasion, been able to mobilise large pickets on police stations where they knew victims of this repressive legislation were being held. Opposi-

tion from the trade union movement also led to a deportation order on Joe Gallagher, a member of Bletchley Trades Council (near London), and a shop steward in the building industry, being withdrawn.

The committee has noted that in the past months the largest number of arrests under the Prevention of Terrorism Act have been at ports and airports where people are arriving from, or leaving for, Ireland. In these cases, it is more difficult for them to act. They are very anxious to co-ordinate efforts with groups or individuals in Ireland who wish to see the Act withdrawn.

In particular, they want to ensure that trade unionists, political activists, or anybody else who thinks they may attract attention from the British Special Branch travelling to or from Ireland, should know their telephone number.

Pass the number and details of your route and estimated time of arrival on to whoever is expecting you at the end of your journey, so that they will use it if they believe the person travelling has been unusually delayed.

Telephone number for the T'U'Ctte. Against The Prevention of Terrorism Act is: London 286.9833.

COONEY'S REPLY

THE 1975 Annual Conference of the ICTU passed a resolution on prisons in particular on education in detention, which was forwarded to the Minister of Justice in March 1976. He replied 'I am surprised to find that the text of the motions discussed at the Annual delegate Conference of the Irish Congress of Trade Unions last July is directed to my Department. The proposer of the motion states that 'it is probable that many of those who end up in prison do so because of their environment and because of lack of education'. These are circumstances outside my control.'

Speaking on the section of the 75/76 report which contained that letter, J. Dorney (TUI) stated at the 1976 Conference that the TUI had received, through Ruadhri Roberts, a letter from Cooney in which he wrote. 'Incidentally it occurs to me that the resolution in relation to education in

prisons may have been promoted in some degree by a campaign currently being waged by prisoners in Portlaine and their associates for the provision of educational facilities there. You may take my work for it that the campaign is phoney and the real intention is to weaken security'.

As Brother Dorney said 'We resent and deny any implications that we are involved with or are fronting any subversive organisations.'

IN THIS first issue of the TUCCAR newsletter we have touched on some aspects of repression and of the trade union response in fairly general terms.

We would hope, with your help, to carry much more detail in our next issue of how trade unionists have organised or should organise against repression.

Send in reports of what is going on in your union - and send in those quid subscriptions, so that we can spread the campaign and co-ordinate our many separate efforts more effectively.

IN RECENT years, the Teachers' Union of Ireland has made representations on behalf of two permanent whole-time teachers who have lost their jobs under the Offences Against the State Act.

Under a section of the Act invoked by the present government, anyone in public employment convicted under the OASA Act is automatically dismissed and cannot be re-instated for 7 years. Pension rights are also forfeited. People in

salariated grades such as teachers who do not pay stamps are not entitled to unemployment benefit of any kind and must depend on meagre assistance payments.

Donal Whelan, head-master of Kilmacthomas Vocational School, was convicted of involvement in the Claudia affair by the Special Criminal Court and received a suspended sentence. He was dismissed from his post and despite protests from the T.U.I. and the G.A.A., remains so. The T.U.I. has, however, succeeded in preventing his post being filled.

Des Ferguson, a woodwork teacher in Co. Meath, was active in collecting for the Prisoners' Dependents' Fund. He was charged with membership of the I.R.A. The only evidence against him was the unsupported word of a police superintendent. He refused to deny membership on a point of principle, although he recognised the court and was legally represented. He was convicted, dismissed from his job - and remains so. The T.U.I. has made representations to the government on his behalf, receiving only the blunt reply from the Taoiseach that he had had the opportunity to deny membership in court,

Public employees can now be charged under a highly repressive act, tried before a jury-less court, convicted on the word of a Garda - and automatically dismissed. The Public Services Committee of the I.C.T.U. should put forward a plan of action for the trade union movement to have this ended.

EMERGENCY POWERS

SIX MONTHS' experience of the Emergency Powers Act, which came into force last October, has confirmed what many trade union activists feared at the time it was being passed. The Act is intended for much wider use than just against suspected, or actual 'terrorists'. It does not now seem far-fetched to suggest that this, and other repressive acts may be used in the future against trade unionists taking militant action.

Within days of the Emergency Powers Act being signed by the President, several members of the Limerick Trades Council were 'lifted' under the Act and held without charge. The 'offence' was that they knew the wrong people. Not long afterwards, a member of the Dublin-based Unemployed Workers' Association was arrested and held for 4 days without charge, also under this Act.

Leafletters, picketers, people leaving political meetings, people coming from work - all have been victims of the 'emergency' powers.

In a statement to the Dail in March the Minister for Justice said that 401

people had been arrested under the Act up to the end of February. That's nearly three people a day. But only half-a-dozen of these have been convicted.

Since that question was asked and the many statements about Garda brutality against people in custody were publicised more fully, the Garda have 'cooled' the use of the Emergency Powers Act just a bit. But their purpose has already become clear to use the new extended powers of arrest and detention (up to 7 days) without charge in order to intimidate political activists and gather information about who knows whom.

But there are ways of frustrating this use of the Act -- particularly if work-mates are prepared to show solidarity. When the Day-shift workers at Arigna coal mines in Co. Leitrim discovered on March 16th that two men from the night shift had been arrested as they left work, they downed tools and made for the Garda Station at Roscommon, 25 miles away. There, they kept up a 60 strong picket for the afternoon. They next day, the two workers, both members of Sinn Fein were released.

TUCCAR believes that the example of this kind of direct action and of solidarity must be spread. We are committed to organising, where possible and where it most appropriate for a trade union group, active defense -- that is, publicity and physical support -- for those who are arrested and held under this Act. The police do not like to have any spotlight thrown on them as they go about this kind of repressive business, it's our job to turn on that spotlight.

SUBSCRIBE NOW!

TRADE UNION CO-ORDINATING COMMITTEE AGAINST REPRESSION

TUCCAR is an organisation of trade union activists which aims to promote a more direct response by the trade union movement to the rising level of political repression. The threat to democratic rights and to the working class movement in the repressive laws has been widely recognised in trade union resolutions; TUCCAR believes that the power of the trade union movement must be used to remove that threat.

TUCCAR stands for:

- * Repeal of the Emergency Powers Act -- and defence of those arrested and detained without charge under that Act;
- * Repeal of the Offences Against the State Act -- and re-instatement of those barred from public service jobs because of convictions under it;
- * Abolition of the Special Criminal Court -- and return to trial by jury
- * Trade union access to prisoners -- and trade union representation on an independent inquiry into prison conditions;
- * Abolition of capital punishment;
- * An end to the use of courts and police against strikers -- and to Special Branch interference in matters of employment;
- * An end to political restrictions on press and broadcasting.

I SUPPORT the aims of TUCCAR stated above and undertake to work for their realisation through my union.
I enclose a £1 subscription towards costs of a newsletter, notices of meetings, etc.

NAME

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UNION

POSITION

Send to: C. Carney, 84 North Circular Road, Dublin 1.

JULY 10th CONFERENCE

On July 10th, in the Ormond Hotel, Dublin, we are holding a National Conference of trade unionists to take the campaign forward, to elect officers who will replace the present committee, and to ensure that the trade union movement lives up to its image of itself as a defender of democratic rights.

We are determined to build a broad national campaign within the trade union movement to get them using their power and influence more directly to stop the rise of repression.

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Organisation: Trade Union Co-ordinating Committee Against Repression

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