

Chapter XVII

The Anti-racist Tradition in NATFHE Might Begin Soon

(a) End of an Era: Another About to Begin

The future struggle to be fought out in new arenas started to unfold before the Industrial Tribunal report was released. NATFHE's reaction to our attempts to draw attention to its policy on tenure touched a raw nerve among NATFHE's self-serving elitists, who responded with a bureaucratic vendetta to divert attention from issues of principle to attacks on the whistle-blower – thus it was ever so. Over the coming months, Bis Weaver again came face to face with myth impersonating reality conjured up for public consumption by NATFHE's myth-making intelligentsia.

NATFHE in the West Midlands, via the REC/BLC and the regional official, had shown itself incapable of dealing with racism. This should come as no surprise as it had never been anything other than a shop-window parading shop-soiled policies for tackling racism, unless the harasser wore some form of armband reminiscent of the 1930s; and even then its opposition tended to be rhetorical rather than action-based.

As far as Bis Weaver and I were concerned any further communication with its officers lacked any merit – the officers were unlikely to respond and they had little of use to say anyway. There were two exceptions to this approach in the short term and the exceptions were Paul Mackney, the re-constructor; and Cynthia Deeson, the reluctant witness.

NATFHE Head Office officials, like their followers among the West Midlands regional officers, dug in their heels and refused to accept that Bis Weaver had been vindicated for the stand she had taken against Gates and Day. Nor would they concede that NATFHE's policy on tenure placed Black people and women at a considerable disadvantage in the workplace. In fact, NATFHE bureaucrats denied that NATFHE had a policy on tenure other than the one based on merit offered up in its submission – the policy discredited by the evidence and eventually disowned by Triesman at the Industrial Tribunal. NATFHE had exposed itself in a public place and its disingenuous reaction eventually led us to campaign in search of justice for Black and women members in the union as well as exposing the misrepresentations and falsehoods conjured up by the *apparatchiks* lodged at Hamilton House – NATFHE's Headquarters.

After receiving the Industrial Tribunal report, the first thing on the agenda was to send out copies to interested parties - even to those who may not be so interested and wished the whole case would just disappear. Out it went to John Crawford, Chief Education Officer; Najma Hafeez, Chair of the Continuing Education sub-committee; Les Byron, Chair of the Education Committee; Bill Gray, Chair of the Personnel (Woman and Race) Committee, which had replaced the Race Relations and Equal Opportunities Committee; and Stan Banting, Chair of Bournville Board of Governors.¹ A copy was taken to the CRE in Birmingham with an application for CRE support for the appeal.² An officer of the Birmingham Community Relations Committee was also in contact and a copy of the Tribunal report; the grievance against Gates, Cave and Hartland; and correspondence concerning the grievance from the 25th June to the 5th July 1987 were sent to him.³

The satisfaction of being rid of the whole gang of officials and their doppelganger hangers-on had to be put aside as there were a number of outstanding matters still to be tackled before the next stage arrived – the hoped for acceptance of an appeal against the Industrial Tribunal decision. The possible appeal to the Employment Tribunal was for the lawyers, however, NATFHE's policy, or the policy presented to the Tribunal as its policy, was not going to be allowed to remain hidden in the vaults of the Office of Tribunals or in NATFHE's gallery of inglorious achievements. Its place was in the limelight where 'interested parties might make a contribution', to quote in a different context, Triesman in his letter to Bis Weaver of the 13th January 1986. NATFHE had awakened the Kraken in us and in the not too distant future NATFHE's commitment to anti-racism and anti-sexism, like chaff in the wind, was to be blown to the four corners of the trade union movement.

The rumour machine in the College was still operating and news of the Industrial Tribunal decision circulated around the college in a form akin to the account delivered to the REC by NATFHE's observer at the Tribunal. Short of circulating a document to NATFHE members, which was unlikely to have any effect, it might be possible to combat the false impression making the rounds by tapping into the circuit. Cynthia Deeson, for whom Bis Weaver's request to act as a witness created so many difficulties, was put on the mailing list. We thought she should know that "the documentary material...[that is] written notes of [the] formal discussion...and the questionnaire given...to Mr D Gates...was accepted by the Tribunal." An extract from the report was included showing that Ms Deeson's revised claim of Bis Weaver never mentioning racism against Gates in their June 1985 meeting had been an

unnecessary revision on her part. * This extract went as follows: “At a meeting with the applicant Miss Deeson made notes...of a whole series of allegations made by the Applicant against Mr Gates, which quite plainly included the allegation that in her view the basis of his harassment was racial in origin.” Bis Weaver then referred to the “original request for [Ms Deeson] to appear as a witness and [her] contact with Head Office...on the 2nd December, seeking NATFHE’s view on a member appearing as a witness in a case of racial discrimination...- an appearance about which I understand NATFHE Head Office was not enthusiastic, have been shown not to have been necessary.”⁴

A short response came from Ms Deeson asking if Bis Weaver “found the Tribunal conclusions satisfactory [and that she] would be interested to know what they were.” She wished Bis Weaver all the best in the new appointment at another college.⁵ It was unlikely that Ms Deeson was unaware of the case being lost as it had figured in the local press and in college rumours, although it was unlikely for her to have known that a number of outstanding issues were resolved in Bis Weaver’s favour. We decided to make sure Ms Cynthia did not labour under a misapprehension of what came out of the Tribunal.

Three issues in the Industrial Tribunal report were referred to: (i) the Tribunal’s unanimous criticism of Mr Day for not dealing with the issue of racism; or attaching sufficient importance to it when communicating with senior trade union officials; and for failing to properly investigate “serious allegations of racial harassment by a member, particularly when levelled at a lay official of the union”; (ii) the criticism of “Mr Triesman in forming an opinion in April 1986 that Mr Gates was not a racist...[as] He should have recognised the limitations...of Mr Day’s report...”; and (iii) “the consequences for Black and women members” resulting from NATFHE’s reasons for not providing advice and assistance, which she intended to appeal against. To answer Ms Deeson’s question asking if ‘the Tribunal conclusions [were] satisfactory’, she stated that “Struggle in the cause of justice is always satisfactory if somewhat wearing” – a variation of a comment made by Ms Deeson to her in January 1987. **⁶

The next task on the list was a visit to the CRE. On the day Bis Weaver went to the CRE, 7th July, which started a new phase of Weaver v NATFHE, the last Bournville branch meeting of the academic year took place. There were wholesale resignations from the branch

* This revision came after she had spoken to an official at head office

** Bis Weaver had, as explained earlier, asked Ms Deeson to appear as a witness and Ms Deeson, after first agreeing then refused. During the course of their communication, Ms Deeson let Bis Weaver know that “the continued repetition of questions [was] very wearing” and preferred to be treated as Bis Weaver would “wish to be treated by colleagues and friends.”⁷

committee, including Cave and Hartland, leaving eleven posts vacant. A new chair and secretary were elected. The *kernels* as a dominating force in the branch ceased to exist. *⁸ Shortly afterwards, at the usual end of term address to staff, the Principal welcomed the approach made by the new NATFHE branch executive to the central management team as a positive step forward in the relationship between both executives, which, she said, had often been strained in the past. Listening to the Principal, ** and reflecting on the demise of the branch committee, I briefly dwelt on the consequences to the branch of its actions against Bis Weaver. The struggle had been about the rights of members to be treated fairly, yet it seemed the main victor was management, which had not taken much of a stand on Bis Weaver's behalf when the demagogues in the branch committee were calling all the shots. But the branch could not bewail the consequences, since like the populace, which gets the politicians it deserves, branch members got the branch committee they deserve; just as union members in general get the officers and officials they deserve.

As for the complaint against Day that was now irrelevant – the Tribunal had settled the issue with Day, but it would be pursued to see Dawson's response and he was reminded that answers to her questions concerning the procedures had yet to be provided.⁹ The Rule 8 complaints were still on the cards and, even though some *kernels* had either left the college or had resigned from the branch committee, the complaints would still be pursued merely to establish how long it would take to get a hearing.

Another outstanding issue, the LEA's report, was followed up with several letters to the LEA linking the June 1986 grievance, the *Beider affair* and the April 1987 grievance to the so-called restrictions on her right to use the grievance procedures. The letters also called for the release of the LEA's report.¹⁰ Despite the LEA's reluctance to respond to letters, eventually, Geoff Hall wrote to confirm that a written report would be available at the end of August and for Bis Weaver to phone Hall's secretary to arrange a time "to discuss the conclusion and possible follow up." I sought details of the proposed agenda and the

* The time between ordinary branch meetings had become increasingly erratic. The first ordinary meeting of the academic year had been on the 2nd October 1986; then 42 days to the 13th November; then 139 days to the 1st April 1987, then 97 days to the 7th July. In between there had been special branch meetings on the 3rd December 1986 (salaries); 21st January 1987 (*Beider*); 5th February (Rule 8 complaint); 4th March (AGM); 12th May 1987 (salaries) Noticeably omitted from the 7th July meeting was the Bournville 'racist' motion held over from the previous meeting and due to be presented to the branch for ratification. Whether it was ever presented to any other branch in the region was never pursued by us. But the reason for its non-appearance might be explained by the possibility of it transgressing the Race Relations Act.

** Bis Weaver did not attend as she was at the CRE office seeking support for the appeal

information asked for in the previous correspondence “to ensure that the disadvantage to which [Ms Weaver] has already been subjected...is removed.”¹¹ What the ‘possible follow up’ could be about was difficult to see. Gates had left the LEA and it was up to the governors to decide what action should be taken against Cave and Hartland.

Shortly afterwards, we left for a holiday in the knowledge that vindication for refusing to accept Day’s report had come Bis Weaver’s way and many of the difficulties experienced over the previous year would not be repeated. However, we did not realise the lengths to which NATFHE officialdom would go over the next twelve months to protect the myth and its own self-interest. There was to be no let up as we were confronted by a ‘union of enemies.’

The first shots in the post-Industrial Tribunal campaign had already been fired and when we returned from holiday several letters were waiting. A response from Mackney had arrived as had other letters of a different calibre. Members of the Communist Party, following the publication of a report on the case in the 18th July edition of *7 Days*, * sought information on the case. There was also a letter from Christine Crawley, MEP.

Mackney’s reply, dated the 18th July, was in the same vein as his previous letters – a marked reluctance to answer the points raised with him and showing a tendency to reconstruct any statement or question. On this occasion, he ignored the contents of Bis Weaver’s Rule 8 complaint and merged it with my Rule 8 complaint. Mackney challenged what he described as our attempt to clarify for his benefit that Bis Weaver’s Rule 8 complaint did “not deal with the removal of [her] rights”, or as he put it, “the issue of alleged removal of Bis’s rights.” He wriggled out of acknowledging that Bis Weaver’s Rule 8 complaint was not on the rights issue by saying it “is clearly on matters related.” He failed to see, inadvertently or otherwise, that a ‘rights issue’ and ‘defamation’ are clearly different. Bis Weaver’s complaint was specifically and solely concerned with a defamatory statement circulated both inside and outside of the union – an attack on Bis’ Weaver’s integrity. Nowhere in her Rule 8 complaint was any reference made to the removal of her rights. ** Just as Triesman ‘mixed up’ racism and defamation when giving evidence to the Industrial Tribunal, Mackney had made a similar mix-up between rights and defamation.

* *7 Days* was one of the party’s publications

** Mackney did not seem to appreciate that it would be difficult for Bis Weaver to raise the ‘rights issue’ during any future union Tribunal hearing when her claim was of defamation and attacks on her integrity. The removal of her rights had occurred several months prior to registering her Rule 8 complaint and, therefore, it could be argued by the defendants that she had the opportunity to include it in her complaint but did not do so. It would be difficult for her to introduce an additional item into the complaint some considerable time after submitting the initial complaint. By this time, nine months had elapsed from submitting the complaint, and sixteen months since the April motion

Mackney tried another ploy to get off this particular hook by asking “whether or not there are any other Rule 8 complaints and [to] detail for [him] the matters complained of.” This ‘other’ complaint was undoubtedly my Rule 8 complaint dealing with my rights as a union member, not Bis Weaver’s, and Mackney was not asked to act on my complaint. Mackney’s request for information on ‘any other Rule 8 complaints’ (mine) did not appear to be a search for information as he was almost certainly aware that the ‘rights issue’ was the centrepiece of my complaint. Furthermore, he was obviously aware of my complaint, therefore, it was just as likely for him to be as well informed about hers. He ignored the contents of her complaint, and replaced it with mine - two different complaints by two different members, as an explanation for his failure to act. A characteristic red-herring that was all too familiar within the bureaucratic culture surrounding NATFHE officers and officials.

Mackney then referred to the letter we sent to the WMARC, on the 22nd June, and acknowledged that “there are a number of points [he] could take up but”, par for the course, decided to confine himself to “two in particular.” The first point concerned the motions submitted by the Black Lecturers’ Group, which Mackney claimed “were not rejected, they were amended.” Mackney’s memory was at fault in not remembering that the regional council rejected the following two BLG motions: (i) opposition to the WMARC’s new constitution; and (ii) reserved places for Black members on the REC. The other motions had been referred to head office; or referred back to the BLG or altered out of recognition.

His second point referred to the postscript concerning the different membership criteria for those involved in anti-racist activity and those in anti-sexist activity. In our letter to WMARC members, from which Mackney took the postscript, it was written that if the REC’s position “was that anti-racism was to do with White people as well as Black people,” then “By the same token this argument would also apply to anti-sexism. Can we now expect the West Midlands Women’s Panel to be opened up to men?”

Mackney identified “a point of difference between us [as his] position is that an Anti-racist Committee should be open to Black and White members and...a Black Lecturers Group with similar status in the Rules (i.e. able to put motions to the Regional Council etc) should be open to Black members only (which incidentally will require a rule change).” He added that there was “no anti-sexist committee; perhaps there should be but the position is different.” What this difference happened to be was not explained but from where did he get the idea of an anti-sexist committee? Not from the postscript in my letter. The postscript concerned anti-racism and anti-sexism and in pursuit of these objectives should the same

structures imposed by the REC for members' participation in anti-racism also apply to those involved in anti-sexism and I referred to the Black Lecturers Group in relation to the Women's Panel. This latter panel had the responsibility for promoting the interest of women and proposing strategies and procedures for eliminating sexism, otherwise known as anti-sexism. In effect, there already was an anti-sexism committee albeit called by a different name. The point I was making was why should Black lecturers have an intermediary body dominated by White members scrutinising its proposals when the women's panel did not have such a body dominated by men. Had the way I presented this postscript confused Mackney or was he creating another diversion to avoid addressing the different status of these two bodies. Perhaps, I should do as one REC member suggested for the BLG and improve my knowledge of the English language.

We were already aware of Mackney's outlook on the WMARC and Black Lecturers Group but his position on the BLG reporting directly to the regional council was new to us and perhaps it was also new to Mackney because it was not proposed or supported or spoken in favour of by Mackney at the June regional council meeting. In fact, Mackney's actions at that meeting did not advocate this progressive position as Mackney seconded the proposal for a new WMARC constitution. A corollary of this proposal was to maintain the subordinate role the BLG had in the region's structure by reintroducing the dominance of REC-appointed members in WMARC, the overwhelming majority of whom was White. To hold progressive views is one thing but they need to be voiced and this progressive view certainly did not get an airing at the regional council. Furthermore, why would a WMARC be required if the BLG had direct access to the regional council, unless it was to encourage participation between Whites and Blacks in anti-racism activity? In that case it should be open membership for the WMARC in accordance with the position held by the BLG. By the same token the REC should be seeking to encourage men to involve themselves in anti-sexism by participating in an anti-sexist committee, similar to the WMARC, with open membership for men and women to assist this process, not to vet the proposals from the Women's Panel but to supplement and support the Panel's activities. One committee after another – the ultimate in talk-shops with nothing ever done. This was not going to get us anywhere but it did show the inconsistencies in the REC.

Mackney disregarded the request for assistance under section 7 of the new constitution that he had seconded, which stated that "Council supports the introduction, extension and expansion of...active support for the victims of racial harassment." He also avoided addressing how this requirement to provide 'active support for the victims of racial

harassment' could be implemented in view of the Industrial Tribunal decision on protecting tenure. We had not really expected a response to this as it would mean recognising the union's discriminatory policy towards Black members and women.

In the 21st June letter to the WMARC's newly appointed members, they had been asked to support Bis Weaver in obtaining details of Penny Welch's intervention in her complaint, "which might be of use in a complaint B Weaver has taken out against A Day, the Regional full-time Official." In fact, we thought Mackney might know more about this than anyone other than the two main characters because of his contact with Ms Welsh up until the release of Day's 'report'. This was one request we thought he could not submerge with any Rule 8 complaint whether it was Bis Weaver's or mine. Mackney resolved this issue by ignoring it. We had certainly met our master.

Mackney added his own postscript to his letter – a 'humorous' aside, by saying that both he and we "need new ribbons on our Amstrads [and] perhaps we should apply to the Regional Treasurer for financial assistance!" Or, at least, we assumed it was intended as humour.¹² If it was so intended then it fell on stony ground. Neither Bis Weaver nor I could see anything of levity in the situation forced upon her over the previous thirty months and anyone with any sensitivity to the plight of harassed people would not see it either. But if it was not meant as a humorous aside, what was it meant to be?

Mackney had replied on two occasions recently but still avoided the real issues and chose not to address anything that could not be reconstructed, obfuscated or misrepresented. He also appeared determined to have the last word in this exchange of correspondence. We toyed with the idea of asking if he thought that assisting a Black women harassed by a Broad Left Coalition member would threaten the unity of the Left and lead to a right wing takeover of the union; or if he thought financial considerations, namely, the salary of the victim, should determine whether or not activists supported Black complainants. It would be interesting to receive his comments on those issues. Our sources were impeccable on these, and many other points, but we had had enough of these 'anti-racism' activists in the West Midlands and had a more significant and wider audience to whom to address ourselves.

Before cutting the cord upon which Bis Weaver had once seen as a possible source of assistance, we decided to draw his attention to a specific occurrence that would be difficult to reconstruct or deny since it involved Bis Weaver and Mackney directly. This would provide a direct opportunity to assess Mackney's openness on the part he played during those early days prior to Day's formal involvement in June 1985.

Our reply, written by me, opened by describing Mackney's recent response as "yet another variation/reason for inaction...consistent with [his] imbalanced approach to the whole series of issues concerning Bis Weaver's struggle for justice within NATFHE." A particular point in Mackney's letter to the regional secretary and to others of the 8th April 1986 was reproduced. In that letter, Mackney stated that on the 15th June "After talking with Alan Day I went back into the Council Chamber and formally told David Gates what I had done...(point 4.5) It was my intention to inform Bismillah Weaver of what I had done but I was so busy at the time...that I did not do it immediately. Eventually, I wrote to her in response to a letter from her dated 3 July *...I sent a copy to David Gates." (point 4.6)

In that April letter, Mackney had made a lengthy and detailed explanation of his early involvement; mentioning his attendance at a governors meeting at Bournville College on the 18th June 1985, which was only three days after he had spoken to Day and Gates. (point 5.1) I asked Mackney to recall "that after attending the Governors meeting, [he] visited the multi-cultural exhibition at Bournville College, hosted by Bis Weaver." He was further reminded that he "spoke to her but did not inform her of the details of [his] involvement, unlike [his] actions with regard to D Gates." Drawing attention to this meeting, enabled Mackney to be told that he "had every opportunity to provide the information but [he] chose not to do so." All that was left to say to him was "Enough said." A concluding comment was offered up for not claiming financial assistance for printer ribbons from the regional treasurer, as it would be difficult for us as "NATFHE officers are under instructions from Head office not to reply to any correspondence from me on any issue."¹³

Mackney's Achilles tendon appeared to have been struck with this exposé because no reply came explaining why he failed to take the opportunity in the midst of his early involvement to inform Bis Weaver of his actions and it looked as if we were to have the last word, at least outside of smoke-filled rooms. There was not even an offer of a discussion with *all or none*.

We thought that Mackney might have cut off correspondence with us because he had no way of reconstructing the 18th June 1985 meeting. His silence reinforced our view that a

* In his letter (5th July 1985) Mackney still did not tell her anything about his early involvement. It was only on the 8th April 1986 that he told her he had spoken to branch officers, to Day and to Gates, about the complaint. Up until then, she had heard only that Mackney had spoken to Ms Deeson about the regional official becoming involved. This information came from Ms Deeson on the 18th June 1985, later in the day after a conversation Bis Weaver had with Mackney during which he did not refer to his involvement. She also heard in early January 1986, from Evans and Doughty, that Mackney had spoken to Day and Gates on the 15th June 1985

lot of undisclosed activity and intention surrounded those early days, which union officers and officials preferred to keep under wraps. Perhaps, Mackney's silence may be due to remembering – had I not reminded him, of NATFHE officialdom's instruction for officers not to respond to correspondence from the 'Weavers'; or it could have been because the motion removing my right to correspondence had yet to be heard; or had he decided that any further communication was not worth the wear and tear on his printer ribbon; or was it the possibility of what else we might know and confront him with?

This brief bout of correspondence served its purpose and we were not altogether disappointed that Mackney had decided to conserve his printer ribbons as communication with officers in the West Midlands region was a dead end.

Overall, we found 'no merit' in any claims made by Mackney; or his allies in the Broad Left Coalition; or head office officials; and we thought no 'extraordinary reasons' applied to allow us to assist them in their attempts to justify spurious claims and evasions.

As far as we were concerned, NATFHE head office, the NEC and NATFHE West Midlands/Broad Left Coalition had exposed themselves for comparison with another *Freire maxim*:

The fear of freedom is greater still in the professionals who have not yet discovered for themselves the invasive nature of their action...[but who] begin to realize that if their analysis goes any deeper they will either have to divest themselves of their myths, or reaffirm them...[and] to reaffirm those myths is to reveal themselves.¹⁴

Of the other letters, one was from the secretary of the Communist Party Further Education Advisory Committee, who wrote to express concern about Bis Weaver's "complaint against David Gates and the difficulties...experienced in pursuing this in NATFHE." He went on to say "the CPGB of which D Gates is a member is unequivocally...opposed to discrimination...on the grounds of race, creed, colour or sex" and asked for "six copies of any information available...so that [he] may follow this matter up."*¹⁵ The East Newcastle Branch of the Communist party also wrote to express how appalled it was by the account in *7 days* and sought more information on the case. The branch also enclosed a cheque to cover expenses.¹⁶ Another correspondent, having read the article, offered support.¹⁷ Copies of the Industrial Tribunal Report; the grievance to the LEA; and other relevant documentation covering the case were sent to them.¹⁸

Christine Crawley, MEP, enclosed two copies of letters she had sent out.¹⁹ One went

* He was asked by the Communist Party to take the case up in NATFHE and, apparently, came in for a lot of pressure from senior NATFHE officials²⁰

to NATFHE's West Midlands regional secretary, David Evans, "concerning a complaint" made by a constituent "against some other NATFHE members regarding racially motivated misconduct" and requesting "details of the case, and the consequences for [NATFHE's] policy of the ruling of the Industrial Tribunal" to enable her "to reply to Ms Weaver in a properly detailed way."²¹ The MEP had taken appropriate action but expecting a NATFHE officer or official to provide details was reaching for the stars.

Evans did reply to tell her that the case was "complicated" and that "all matters relating to the Industrial Tribunal and all complaints which Ms Weaver has against members of NATFHE and other unions are now being handled by the General Secretary." Evans, who would have certainly contacted head office about a letter from a MEP, promised "to seek [the General Secretary's] advice and one of us will reply...at greater length in the future" but that was a promise never honoured. *²²

There was nothing complicated about the case unless successive attempts on the union's part to misrepresent the issues and to inflict continuous pressure on Bis Weaver warranted the term complicated. ** As the MEP had not asked about anything other than the Tribunal decision, Evans gave NATFHE's game away, initiated by the leadership in its Industrial Tribunal submission, by implying Bis Weaver was some kind of serial complainant 'against members of NATFHE and other unions' – the plural term 'unions' did not go unnoticed. No Einstein intellect was required to understand that the complaints to the union, the LEA, the Rule 8 and the one against Day, a NATFHE employee, were offshoots of the initial complaint and became necessary for Bis Weaver as a result of NATFHE's attempt to *Whitewash* the original complaint and then cover up the *Whitewash*.

The other letter was sent to Manuel Marin, a Commissioner of the European Communities, explaining the attempts of a constituent "within her trade union to bring an action of misconduct against some colleagues after...racially motivated behaviour." The MEP further explained that "The union found itself in difficult circumstances, since, in order to protect a member's working rights, it could not support the constituent's action." Christine Crawley summed it up as "The trade union had...to decide that fighting in support of a member's tenure was of a higher priority than fighting a potentially racist claim." The

* I spoke to Christine Crawley at the re-opening of *Star Books* in Birmingham in 1988 and she told me that NATFHE never contacted her again, even though she had sent a reminder to NATFHE ²³

** In 2007, the NAAR, having heard that the case was still a precedent, contacted Mackney, now the General Secretary of NATFHE and a colleague of Evans on the REC during the Weaver case. Mackney explained to her, amongst other things, that it was a complicated case. The humbug had lasted a long time ²⁴

Commissioner was asked if he had “come across any similar instances in the UK or in other parts of Europe.”²⁵ We despatched a copy of the Industrial Tribunal report to Christine Crawley to confirm the implications of NATFHE’s declared policy.²⁶

(b) The Phoneyess of the Long Distance Spinner

The letters from Communist Party members prompted a visit to Star Books, the Communist Party bookshop in Birmingham, to buy back issues of *7 Days*. In one edition there was an article on the Industrial Tribunal hearing and, in another, a rejoinder written by Triesman.

The article headed ‘Test Case Raises Further Problems’, written by Andrew Nickson, opened with a reference to a recently adopted policy by trade unions “to actively defend members who have suffered racial discrimination at work by supporting them to obtain legal redress” and noting that most of the “cases involve a complaint by a union member against a non-union member, usually management.” He then posed the question as to “what happens when the accused person is also a union member – in fact a lay officer of the same union.” To answer that question he referred to “a recent ‘test case’ in Birmingham [that] raises the thorny question of just where the union’s loyalties ultimately lie.”

Identifying the principal parties by name, he wrote of the “abuse, insults and continuous harassment” of Bis Weaver by David Gates; “the internal enquiry...carried out by Alan Day, NATFHE Regional Officer,...rejected by [Bis] Weaver on the grounds of irregularities by Day in implementing the complaints procedures.” He covered her disillusionment with NATFHE’s “reluctance to offer a fair procedure” and its refusal “to provide...advice and assistance to pursue her complaint” to the college governors. The reasons put forward by NATFHE, which Nickson explained, led to her taking “a complaint against NATFHE under the Race Relations Act.” He wrote of the Industrial Tribunal’s criticism of Day’s enquiry but, despite this, the Tribunal upheld NATFHE’s policy of protecting tenure as “justifiable and necessary in order to carry out its functions as a trade union.”

The author considered that “if NATFHE is correct in its claim...that this policy is widespread throughout the trade union movement, it means that no member of a racial minority can hope to obtain union support when bringing a complaint of racial harassment against another union member.” He concluded with an observation that “racial minorities might well reconsider the value of belonging to trade unions, if their policy of defending

tenure continues to override the protection of Black people in the workplace from racial harassment [as the policy] makes a mockery of the much-vaunted anti-racism policies of many unions.”²⁷

Andrew Nickson had produced an impressive report on the Industrial Tribunal; the background issues leading up to the Tribunal; and the consequences of NATFHE’s policy for trade unions. This article showed that the so-called ‘NATFHE left’ was not representative of the Left in general and it would certainly ruffle a few feathers among the hawks residing in Hamilton House and the vultures in the West Midlands circling above Bis Weaver as they had done for many months.

Triesman was the official raising his head above the parapet to take up this challenge, something he failed to do when confronted by the Black newspaper, the Voice. Perhaps, what pressed his button was the exposure of NATFHE’s policy and the behaviour of a NATFHE lay officer and an official in an organ of the working class movement – a newspaper that Triesman helped to set up in 1971. NATFHE’s spokesperson pounced on the author of the article and the paper publishing it in a way that was all too common among NATFHE bureaucrats; defend a position by using the well-rehearsed myths that were integral to NATFHE’s version of reality.

Triesman’s rejoinder, published a month after Nickson’s article, was in keeping with this ‘revisionist version of history’ passed off as an explanation for NATFHE’s actions. This was a stance that feigned concern for disadvantaged members and projected an openness and fairness for dealing with complaints from members. Triesman pushed up the volume from the very beginning of the rejoinder; the usual approach coming from those exposed by a whistleblower and looking to denounce the singer for bringing attention to a very sordid song.

He began his defence by adopting the mantle of an aggrieved party. He referred to the “hostility to trade unions in newspapers [that] is so widespread that most unions can immediately think of the few occasions on which they are treated fairly.” But even in those circumstances, newspapers “normally go through the process of putting the issues to us, hearing our response and even printing it in the article.” He reproached *7 Days* for failing to follow the norm and thought it “depressing in a paper purporting to hold [the] movement’s interests at heart.”

Triesman’s own actions had differed little from this as he had been responsible for closing down access to information for Bis Weaver on a range of irregularities carried out by

union officers and officials that had caused her considerable problems. * As for the claim of hostility directed at unions from newspapers, Bis Weaver had been the victim of hostility not only from the individuals concerned but also from different levels of the union, including a hostile branch motion among other detriments. Perhaps, Triesman was also lacking competence in assessing how devastating the hostility of the union at all levels had been to her.

Triesman moved on from his opening salvo to denounce Andrew Nickson's account of the Weaver v NATFHE case as "not only a pack of lies about a trade union but not one single fact was checked or discussed," adding that "The awful truth is we get a better deal from Murdoch."

His criticisms of Andrew Nickson and *7 Days* did not hold up and he would probably have been laughed off-stage if the readership had access to the Tribunal report but how many of those reading his article would go out and get a copy? Triesman then retreated into NATFHE's Industrial Tribunal submission, as if the contents had not already been discredited at the Tribunal hearing. Did Triesman think that the Industrial Tribunal report would be locked away from public sight and that we would not distribute the report to those who might read it and act upon it? ** Or did he think we were too stingy with money to do this?

After this opening tirade against Andrew Nickson, Triesman turned to what he described as the facts, i.e. Triesman's version, after the facts have been sifted through a NATFHE 'filter' to leave only the myths intact. He stated that "in 1985, Mrs Weaver complained to her college management of insults and professional attacks by one of her colleagues...and did not claim that this was racially inspired." *** When "college management did nothing...she turned to NATFHE and an official of the union carried

* Triesman's reprimand to *7 Days* for lack of openness hardly matched NATFHE's own practices but, of course, Triesman was talking about newspapers and not unions. Trade unions had a similar obligation, if not a duty, to be open and fair to its members. Triesman, on behalf of NATFHE, had not lived up to those expectations when refusing to answer questions or assisting her in getting answers to questions concerning Day's enquiry; concealing the real objectives of his own enquiry; and stifling her access to information by directing local union officers not to answer her correspondence

** A copy of the Industrial Tribunal Report had been given to Andrew Nixon by me and he used that for the article

*** Bis Weaver made no complaint to management in 1985 but brought the situation she was facing to management's attention and did reveal she thought racism was an integral part of Gates' behaviour. Both management and the union were made aware that she considered racism to be a factor

out an investigation in which no evidence was forthcoming of any racism.” * Seeking “further help from NATFHE nationally,” Mrs Weaver “was offered, and...refused, a further informal investigation or a full scale hearing under the union’s rules.” ** He described Andrew Nickson’s comment of the union not offering a “fair procedure” as “a lie.”

Triesman continued the rejoinder in the same vein. He wrote that in 1986 “Mrs Weaver sought...assistance in a course of action that [he] believed would lead either to her colleague or her being dismissed.” Triesman’s assessment was curious and he had again dressed up myth as reality since Mrs Weaver had done nothing to warrant dismissal – she had not harassed the ‘all conquering hero’ it was the other way around, a situation that appeared to have escaped Triesman’s notice. Nor had Triesman, the man of ‘openness and fairness’, ever mentioned this possibility to her.

He described the union’s position as clear in that “whilst we (the union) will do nothing to defend a member we strongly believe to be a racist, *** we cannot get into the business of trying to get our members sacked”. As far as Triesman was concerned, “sacking people is in the employers’ domain, not the union’s. Choosing whether to defend cases is our responsibility.” To reinforce his disdain for the author, Triesman said “to say that our principal policy objective is to defend tenure even in a case of proven racial harassment is a grotesque lie” as was Andrew Nickson’s other “assertion that a precedent has been set for all unions.”

If Andrew Nickson’s account was ‘a lie’ or ‘a pack of lies’, Triesman’s account was anything but the ‘truth’ and was dressed up in a strange garb, having little or no connection to the ‘facts.’ Triesman’s approach suffered from a similar fault as the one Andrew Nickson was being accused of, namely, a failure to check his facts. However, an assessment that considered Triesman to be ignorant of the facts would be difficult to maintain because Triesman knew the facts but was working flat out to create a new set of ‘facts’ assembled from NATFHE myths. This was naught but spin on Triesman’s part as would be amply

* Triesman was fully aware of the severe criticism of Day’s enquiry by the Industrial Tribunal; and that substantive evidence was presented to the Tribunal to show racism was mentioned by Bis Weaver to the regional official on several occasions during Day’s meeting with her; and to Cynthia Deeson, the Bournville chair

** Triesman’s ‘informal investigation’ was no more than a re-run of Day’s enquiry without any investigation of racism or the irregularities in Day’s enquiry. A full scale hearing referred to Rule 8, which did not cover complaints of racism ²⁸

*** How would the union “strongly believe [a member] to be racist”? This could only be achieved by an enquiry to establish the facts. But NATFHE would have to represent him at an enquiry until it had been proven to be racism and the what? This claim seems more like Catch 22 than that of a reasonably thought out response

demonstrated when the reality of the Weaver case began to unfold publicly over time.

Triesman had also put words into Nickson's article that were not there in the copy we had, as nowhere was any assertion made of NATFHE's policy setting a precedent. * Reinterpreting points to mean something different and then answering them seemed to be a characteristic of NATFHE officials and lay officers. He disputed the allegation that NATFHE "would not assist a member experiencing racial harassment [as this] is contradicted by the fact that we regularly do so on the basis of strong dynamic anti-racist policies." This was another surprising revelation because Bis Weaver had seen no evidence of 'strong, dynamic anti-racist policies' being put into practice by NATFHE during her experiences with Gates and his supporters. If Triesman meant in rhetoric at Annual Conferences, he might have a point as anti-racism was a useful tool to parade when NATFHE came under public scrutiny. Rhetoric was probably what he was alluding to, otherwise his assertion contradicted the policy he put to the Industrial Tribunal when he said NATFHE's policy of protecting tenure applied, which meant in practice, across the board irrespective of the merit of the complainant's case.

Nickson was further assailed for ignoring what Triesman described as "a central issue by naming David Gates as the other member involved with the implication that he is a racist [and Triesman claimed that] No one has produced the smallest concrete evidence that he is a racist." Triesman regurgitated Gates' political record in "anti-apartheid ** and [the] Birmingham anti-racist movement,...his past friendship with the Weavers; and the absence of any racial content in what he is said to have done." Another display of Triesman's narrow perspective on racism. ***

Triesman did not have the benefit of later legal definitions for drawing inferences of

* Nickson said "If NATFHE is correct in its claim,...that this policy is widespread throughout the trade union movement...no member of a racial minority can hope to obtain union support and advice..." That does not assert a precedent but shows how difficult it would be for members to obtain any form of assistance

** There was no evidence of a motion being put to the branch to affiliate to the anti-Apartheid Movement until the 29th April 1986 meeting. As a result of the motion removing Bis' Weaver's rights at that meeting, there was insufficient time for the anti-apartheid motion to be put to the membership. It was re-submitted on the 14th May meeting and passed, while at the same time, the branch voted to deny Bis Weaver a right to reply to the removal of her rights passed at the previous branch meeting ²⁹

*** Did Triesman never consider that for an anti-racist Gates had a curious way of showing his commitment? Did he never question why Gates could not come up with reasons for his behaviour towards Bis Weaver? Was he in tandem with Ms Welch and unable to differentiate racism from interpersonal disputes? Triesman needed to get up to date with his conception of racism since it consists of more than the use of derogatory terms

racism from behaviour when no alternative explanation had been given.³⁰ However, this in itself did not excuse his lack of competence since as secretary of the ARNP, he should be aware of new developments in this field. Activists and policy makers in the anti-racist movement were already applying this concept to infer racist behaviour even though it took the law a while to adjust itself to changing social attitudes.

As for the all-pervading ‘friendship’ being thrown up, Triesman had bought himself a warehouse full of gossip and should ask for a refund from his suppliers. Perhaps, he should have done what he accused Nickson of not doing, namely, contact the other party, Bis Weaver, to establish the ‘facts’ of this claim. He had the chance to do that on the 12th June 1986 at her home and in his subsequent correspondence but he failed to do so.

Triesman had not finished with this line of defence, or, more appropriately, his offensive against sound journalism, as he added that “The fact that Mrs Weaver is Black and Mr Gates is not does not prove the conflict between them is due to racism.” Triesman excelled in misrepresenting facts and sank further into this quagmire by more than implying Bis Weaver made unfounded allegations of racism and then expected the allegations to be accepted because she was Black. He should have explained why the union went to such great pains to avoid investigating the claims of racism; then falsely accuse her of raising racism only after the union’s enquiry and of playing the ‘race card’. Triesman’s implied allegation had a direct link with the discredited NATFHE submission where it was suggested Bis Weaver used the colour of her skin to get what she wanted. NATFHE’s ‘time warp’ mentality was beating all previous records since its approach to racism was a return to the pre-1976 Race Relations Act era when Black people had no protection in the workplace and the response to Black people’s complaints of racism was to accuse them of using the colour of their skin for advantageous purposes. Bis Weaver, as a member of NATFHE, was experiencing what was the *Pirsis adaptation*.³¹

Notwithstanding this, it was an interesting way of interpreting the situation: (i) ignoring the months of harassment suffered by the victim; and (ii) failing to venture into the inequality of power between the two parties. Triesman would know of the power and influence that Gates wielded in the college and the union compared to that of Bis Weaver and the support he received from the branch, the region and officers and officials at head office. At least this showed that NATFHE myths were for public consumption as well as for NATFHE officers and officials.

Triesman put his highly selective account of the ‘facts’ on one side while he turned to what he described as ‘the politics.’ He acknowledged that “NATFHE’s attempts to deal with

real issues of racism will no doubt be open to criticism” but the union would learn from its mistakes “guided by our ethnic minority members * [and] In doing so we must marry anti-racism and other aspects of good trade union practice.” Triesman believed “this would generate straight forward general rules but [he] recognise[d] that a principled political debate is needed to ensure they are fair and adequate” - a critical area that he claimed was ignored by Andrew Nickson.

Maybe the cynicism Bis Weaver and I held towards the union claiming to be ‘guided by [its] ethnic minority members’ was due to seeing Triesman in action. An official admitting to lack competence in the area of racism had set himself up as the arbiter of what constituted racism and discounted, as of little significance, the viewpoint of a Black woman with years of experience fighting racism in various areas of social and political life and with academic qualifications in that field. If NATFHE’s approach was being guided by ethnic minorities what would it be like if NATFHE’s officials and officers decided not listen to them? **

Triesman then set about listing his ground rules, beginning with the premise that “whatever the allegation against a union member, including racist or sexist harassment, the member is entitled to say that it was not true [because] the allegation does not, [in] itself, make it true.” This must be followed by “a fair test of the facts however difficult this may be.” No one could have any complaints with Triesman’s first ground; the major problem was that NATFHE did not follow this procedure in the Weaver complaint when given the opportunity to do so. NATFHE’s approach was to ignore the racist element; then claim the complainant never mentioned racism; and go on to accuse him or her of playing the ‘race card’ when they protested. This was exactly what was being done in this article despite the fact that NATFHE’s defence was blown away at the Industrial Tribunal hearing.

Triesman maintained that “the complainant is entitled to fair procedures as well, particularly in stressful circumstances” and, following on from being the noble advocate, he said that if NATFHE “conclude that there is racism involved [it had] an entitlement to say that [it] will not defend a member in any action taken by an employer because [NATFHE]

* No ethnic minorities were involved in developing a new constitution for the WMARC; only two ethnic minorities were ‘consulted’ in the production of the 1985 Anti-racism Pack; and the new anti-racism policy was developed solely by Triesman and Ms Welch, which said it all

** Triesman’s political point scoring made no impression on Bis Weaver or I as we had: (i) witnessed at close quarters how NATFHE dealt with complaints of racism; (ii) faced the West Midlands REC’s witch-hunt of the only two Black members on its anti-racism committee; (iii) observed how the REC, after increasing numbers of Black members were joining the WMARC, excluded them from real participation by despatching the overwhelming majority of them to observer status only, and subordinating the BLG to this White-dominated WMARC

will not defend racism.”

These were two very important points. However, the first one was somewhat rich coming from Triesman because in June 1986, he had personally observed the stressful effect on Bis Weaver due to the actions of Gates; the regional official; the branch; and the union nationally when he met her. * Perhaps, Triesman did not notice the state of Bis Weaver’s health during that visit because immediately after that meeting he spoke to the branch committee and suggested the branch should discuss Day’s report – the very report attacking Bis Weaver’s competence and integrity, which she wanted withdrawn as it was part of her problems.

The second point had been the centrepiece of the Weaver v NATFHE case, which in both practical and legal terms was not an option available to NATFHE following the acceptance of Triesman’s evidence by the Tribunal. In practical terms, complaints to the employers under the grievance procedures had to be heard within a specific period of time – in Birmingham it was ten to twenty working days of the grievance being submitted, and it would be impossible under NATFHE’s ‘procedures’ for any investigation to take place into racist motives, within that time period, assuming NATFHE had anyone competent to deal with this. Consequently, NATFHE would be unable to determine whether or not the complaint was valid and decide who to represent. In legal terms, this would not be available to NATFHE because the union’s policy to protect tenure across the board irrespective of the merit of the complaint, again according to Triesman, ruled that out. The only way NATFHE could act in those circumstances would be if the accused admitted to having acted in a racist manner but could it be expected that anyone would admit to being a racist and face the sack? Perhaps, a member of the National Front might be prepared to do that!

Triesman’s second ground rule was that “the union cannot do the employers’ job as it will be looked at with a corporatist approach ** without a free standing capacity to respond to the employer.” For Triesman, “the positive role for the union is not to attack contracts but to seek positive action policies from employers and insist that they are used.” Triesman acknowledged that this could “involve re-education of [NATFHE’s] own members...[or] face discipline because the employers’ disciplinary codes will be broken.” But who will re-

* She was off work due to stress and was barely able to walk without the aid of a walking stick or did he think this was an act put on for his benefit

** corporatist - relating to or denoting a state organized into corporations representing employers and employees in various trades or professions. We were not sure how this connected with the complaints procedures

educate these erring and misguided members? Will NATFHE be using its incompetent officials and officers to undertake this task or, perhaps, NATFHE would consider using the experienced and competent victims, to whom NATFHE deny advice and assistance when facing these misguided members in the workplace? Will NATFHE defend members facing disciplinary action if they continued to deny racist behaviour? The NATFHE fairies were congregating at the bottom of the garden.

This was another of NATFHE's high-sounding objectives but the Birmingham LEA had such policies and yet NATFHE's regional official, Day, had negotiated with the Birmingham city council to subvert Bis Weaver's right to statutory procedures without her knowledge and Triesman was fully aware of these negotiations as Day informed him of these actions prior to carrying them out.³² Triesman also overlooked the fact that NATFHE's regional official suggested action by the branch committee aimed at removing Bis Weaver from her post as Access coordinator – was that not an attack on a member's contract?³³

The third ground rule was that "It is essential to get as wide a range of consent as possible from all members. The union collectively and members individually should feel committed to anti-racist practice." He went on to say, "There can be few things more destructive of this objective than hanging people without trial of the facts, [which] can only lead to defensive barriers to practical progress." This objective was contrary to NATFHE's performance in the Weaver case. Had not NATFHE tried to hang Bis Weaver by stating she never raised racism at any time before the enquiry and only raised it upon its completion – accusing her of playing the 'race card'? Not only that, NATFHE was in full possession of the facts showing its own claims to be false. The mob aiming to lynch a Black woman appeared to be extremely emphatic in condemning any exposure of what a White man had done.

Triesman concluded by accusing *7 Days* of contributing "to that negative response ironically choosing the same target as the right wing press – a progressive trade union."³⁴ Triesman had attacked his old comrades on *7 Days* for providing information on a case that should be a matter of concern to all progressive trade unionists and in the process Triesman had massacred the evidence. Triesman had certainly changed his perspective since 1971 when, as a member of the working party that set up *7 Days*, he had described the paper's aims as informative and propagandist, a long way to the left but avoiding the hysterical ghetto language of some left wing groups.³⁵ Triesman had certainly performed a good impression of 'hysterical ghetto language' but he was certainly not a 'long way to the left.'

Triesman's rhetoric on fighting racism sounded fine but if he reflected on the Bis Weaver case he would have realised his recommended approach never figured once in the

union's dealings with her. Triesman had not lost the plot; he was merely regurgitating NATFHE's discredited defence – a defence that would dominate NATFHE's utterings on the case for the next twelve months. This was the time-warp syndrome in which subsequent events were not allowed to inform and develop any earlier viewpoint - another feature of *NATFHEism* when myth became reality. *

Triesman conjured up an image of a trade union hard done by as a result of the baseless claims of one of its members while presenting NATFHE as pursuing a positive and progressive approach to racism. He was really scraping the barrel to put forward an argument that a solitary Black woman member was threatening to destroy the anti-racist objective of a union of 80,000 members. ** Nonetheless, Triesman's misrepresentation produced another disturbing episode for Bis Weaver as yet again NATFHE's world of fantasy was an affront to her with its derogatory contentions. This rejoinder was as deplorable as NATFHE's Industrial Tribunal submission. The story line was virtually the same but the consequences to her were completely different. The submission would be seen by only a limited number of people in the legal profession, whereas Triesman had regurgitated these erroneous claims publicly in print. Triesman was to be described later as a significant figure of 1970s Euro-communism that gave communism a human face.³⁶ Judging by this article, this was something else he had left behind by 1987 on his march away from the Left, since there was little evidence of a human face behind this incensed haranguing. Triesman seemed well-versed in spinning fiction and behind his glib presentation was the NATFHE myth of a commitment to anti-racism.

Triesman continued to serve up the same stale fodder. Along with his NATFHE comrades, he appeared to have learned nothing from the Weaver case other than to keep up the pretence of anti-racism by ignoring facts and conjuring up a different scenario to avoid reality and then commenting on that. However, the odds against him would eventually stack up and, as the issues reached a wider audience, his attempt to portray NATFHE as a credible anti-racist union failed. Triesman should have taken heed of the advice of the National Union of Journalists "to strive to ensure that the information he/she disseminates is fair and accurate; avoid the expression of comment and conjecture as established fact; and (avoid)

* This was clearly evident in June 1986 when Triesman met Bis Weaver and he reverted to a pre-January 1986 agenda ignoring everything that had happened since his entry into the case; now it raised its head again as Triesman reverted to NATFHE's submission of October 1986 as if the Industrial Tribunal had never taken place.

** If NATFHE was typical of trades unions, as Triesman had claimed, the Thatcher Government had little to fear from trade unions

falsification by distortion, selection, or misrepresentation”³⁷

Triesman’s ‘contribution’ to the mystification of labour activists might well have caused the hair on the back of our necks to stand out in alarm but by now we were well aware of what to expect from the pen of this member of the ‘revolutionary class of 1968’. Nonetheless, it still brought a feeling of distaste when misrepresentation was paraded as if it were a virtue. Bis Weaver had turned NATFHE upside down and in the process was defined as an enemy of the union by her opponents. But as Winstanley, the seventeenth century Leveller, put it, “Freedom is the man [or woman] that will turn the world upside down, therefore, no wonder he [or she] hath enemies.”³⁸

Triesman’s rejoinder to Nickson’s article did the readers of *7 Days*, including NATFHE members who read the paper, a great disservice because they were left with a false picture of the situation facing women and Black trade union members. As it would be unlikely for those unfamiliar with the case not to be taken in by the myth, it was necessary to address the mythological monster parading itself as an anti-racist and anti-sexist trade union. A lengthy, detailed critique of Triesman’s “misrepresentations and distortions of the evidence” and the situation Bis Weaver faced in the union from June 1985 was written up and sent to *7 Days* under the heading of *Bis Weaver and NATFHE*. The issues were covered by referring to the evidence, documentary and oral, provided at the Industrial Tribunal, which provided a wealth of information to demolish Triesman’s inaccurate version. * Included in this demolition job was the Tribunal’s “unanimous...criticism of Mr Day” for attaching no importance to Mrs Weaver’s vehement allegations of a “racial element in her harassment by Mr Gates,” and its view of Triesman’s defence of Gates, which it had thought “unfortunate...that Mr Triesman should have reached a conclusion (albeit tentative) about Mr Gates lack of racism in the light of the limited information at his disposal.”

We wrote of Triesman being right in saying “every member ‘is entitled not to be hung without trial of the facts’; and to be given the opportunity to refute any allegation that is not true.” This was then compared with the regional official’s refusal to offer Mrs Weaver the same facility when publishing a report of his enquiry containing “serious and unfounded allegations against Mrs Weaver.” The same disparity applied when the Bournville branch removed certain trade union rights from her “without a charge; a hearing; or representation; and in her absence.”

* This covered Day’s, Triesman’s, and the local union’s activities directed against her, over a lengthy period of time, which has been described in the text of this account

Triesman's account of "the legal implications of the Tribunal's decision has not been accurately stated" and we quoted him as saying that "in any event, even if he believed that there was merit in the allegation of racism, they (NATFHE) would not have pursued the applicant's complaint because it could have led to the loss of tenure for another union member." The Tribunal's decision was reproduced fully * to show that "any other meritorious complaint...would suffer the same fate as Mrs Weaver's complaint...and if NATFHE is right...that this is common trade union practice then it does appear that a precedent has been set by NATFHE for all trade unions," therefore, Andrew Nickson's so-called assertion was "not...a grotesque lie."

Triesman's claim that the "union cannot do the employer's job" overlooked that NATFHE's West Midlands "Regional Official negotiated with the Birmingham Education Authority to change established grievance procedures" to favour "Mr Gates and two other members" when Mrs Weaver registered a grievance against them. The Industrial Tribunal concluded "that Mr Day had acted as he did because Mr Gates and Mr Cave were trade union lay officers whereas the applicant [Mrs Weaver] was only a rank and file member."

We suggested that readers of *7 Days* read the Industrial Tribunal report as "it provides an interesting account of the way NATFHE dealt with complaints from a Black woman member against union officers" and they will see it to be "a different account to the one presented by Mr Triesman." As for 'a principled political debate' on dealing with racism, "which Mr Triesman considers essential, until NATFHE recognises the discrimination to which Mrs Weaver has been subjected by all levels of NATFHE, and NATFHE honestly presents the reality of what has happened from the self-interested myth, then this debate will be so much hot air." We proposed that "NATFHE officials and officers...detach themselves from their Unionism – my union right or wrong – and put their own house in order."³⁹

7 Days did not publish the rejoinder. On reflection, the article was much too long so it was condensed and resubmitted ⁴⁰ but this still did not lead to publication. We thought *7 Days* unfair not to publish the condensed version as the editor should have realised from the Industrial Tribunal Report and other documentary evidence sent with the article that Triesman's claims were at odds with the facts. We did not realise at the time that an internal political conflict was being waged within the Communist party and a non-party rank and file

* NATFHE "has a legitimate duty to protect the tenure of its members, to avoid conflicts in its representation of members and to avoid breaches of obligations to members whose tenure is at risk which outweighs the limited discriminatory impact of the condition imposed."⁴¹

union member had little influence on the editorial group. *

With the ink hardly dry on the paper Triesman used for his article in *7 Days*, another illustration of the distance between NATFHE and principled action appeared out of the hallowed shrine in Hamilton House. This was further confirmation of our view, if any was needed, of the futility of Mackney's earlier recommendation for the West Midlands REC to refer BLG motions on the restoration of Bis Weaver's trade union rights and the *Frew enquiry* to NATFHE's general secretary and its lay-president. Peter Dawson, emerged from his dugout, on the 28th August, to deliver his conclusions on Bis Weaver's complaint against the regional official, Alan Day. The general secretary looked to be as concerned, as had been the 'jocular' Mackney, about the cost of printer cartridges because only thirty words were used to reveal his 'examination' of the evidence and to pronounce the verdict. Dawson certainly did not subscribe to the concept that "True liberty can exist only when justice is equally administered to all." ** His conclusion was: "I have given very careful consideration to your complaint against Mr Alan Day. I have to inform you that having done so I do not regard the complaint as substantiated."⁴²

The thirty-word 'report' of Dawson's 'investigation' came as no surprise – what else could be expected from the official at the apex of NATFHE's autocratic structure. Dawson's judgement was of little consequence because the 'bourgeois' Tribunal, carrying out the function required of it, had already declared its independent verdict on Day's 'enquiry and report' by describing it as deplorable.⁴³ NATFHE officials, undoubtedly, saw one of their tasks, likewise not in its rules, as protecting erring officials and officers by conducting 'enquiries' with no right of attendance for the complainant, no rules of evidence, no procedural checks and in secret session – everything conducted in the hidden recesses of Dawson's mind. *** The general secretary had fulfilled his task by *whitewashing* Day just as Day had *whitewashed* Gates. The complaint against Day would probably have been left to wither away but in view of the Industrial Tribunal's severe criticism of Day for what was, in effect, gross negligence, Dawson must have thought it necessary to get out the brush to paint over Day's deplorable actions. **** Bis Weaver had not expected anything from the union; to have done so after her previous experiences would have been absurd.

Despite Triesman's claim, at the Industrial Tribunal, that a quasi-judicial

* Several months later when the balance of power around the newspaper changed, the editor contacted us and began to publish our letters on the developments in the case

** Lord Mansfield, who made the judgement in Somerset's case holding that slavery was unlawful in England ⁴⁴

*** Dawson pre-empted George W Bush in how to deal with 'enemies of the people' by 14 years ⁴⁵

**** The details of this particular NATFHE practice was publicised in the ethnic minority press ⁴⁶

investigation was beyond the general secretary's authority as it would invalidate his neutrality, this type of investigation had been carried out by Dawson, or more appropriately, not carried out in terms of fairness and impartiality – the standard constantly flagged up by NATFHE to cover up its seedy practices. Dawson had arrived at a decision without giving Bis Weaver any opportunity to present evidence or question the party involved. Thomas Paine and John Stuart Mill had written on this type of enquiry * but Dawson's approach was more like a page out of Kafka. Dawson's arbitrary dismissal of the complaint was an admission of defeat by NATFHE in the struggle between justice and injustice, honesty and duplicity. In order to preserve the mythical credibility of Day's 'enquiry and report', Dawson, following NATFHE's graveyard path, prevented a fair and impartial investigation; yet another inglorious example of *NATFHEite* procedural impropriety. Little wonder that no action was taken by head office on the rights issue and the *Frew enquiry*. Suppressing fair and impartial investigations was part and parcel of a bureaucracy unable to cope with concepts alien to it, such as justice, principle and rights, especially when dealing with rank and file members. If NATFHE had any attachment to these concepts it was well hidden and strictly rationed, and Bis Weaver, like other Black members, had never been issued with a ration card. Piled on top of other less than reputable practices carried out by NATFHE officials and officers, this latest gem epitomised the lack of accountability so evident within NATFHE, which was to reach its apex during 1989/90. ** NATFHE officials claimed infallibility but were well aware of their weakness, although this would never be admitted. No wonder we were unable to take seriously Triesman's recent outcry over NATFHE's procedures revealed in *7 Days*. ***

* Thomas Paine wrote that "no person can be secure where a formal judgement can be discretionarily produced and published and the grounds and proceedings on which that judgement is founded withheld." John Stuart Mill wrote "Not the violent conflict between parts of the truth, but the quiet suppression of half of it, is the formidable evil. There is always hope when people are forced to listen to both sides"⁴⁷

** NATFHE's response seemed part of the way officialdom, in all walks of life, protect close-linked malefactors at different levels of socio/political life. This approach has been replicated on many occasions, one notable case quoted by Greg Palast was about Balfour Beatty, a company paying bribes in Malaysia for contracts over the Pergau Dam, which was also being investigated in Lesotho for similar offences. When brought to the attention of the British government, no one from the government, Home Office or DTI contacted Lesotho, but decided there was no case to answer. That did not mean there had been no UK investigation. The DTI told one watchdog organisation that DTI officials asked Balfour Beatty if the charges had merit and the company said "No." The Case was then closed!⁴⁸

*** Triesman's rejoinder was virtually NATFHE's swan song as from now on the word would spread to an even wider and more powerful audience. NATFHE officials/officers could not avoid the Weaver case and sought to defend *L'etat* in various anti-racism conferences/meetings organised by bodies external to NATFHE. Continuing in their efforts to promote NATFHE as an anti-racist organisation, they were constantly met with the word 'Weaver' - enough to curb the flow of their hollow rhetoric

In response to this declaration from the High Priest of *NATFHEism*, Bis Weaver wrote to Dawson reminding him of her comments about “the lack of objectivity in an investigation being carried out by a person on whose behalf the irregularities, defamation, unfounded allegations and contraventions of [her] rights to natural justice were carried out.” Dawson’s judgment on Day had to “be seen in the light of the comments...made by the Industrial Tribunal” and she quoted the Tribunal’s “unanimous...criticism of Mr Day.”⁴⁹ She also brought to Dawson’s attention, if he was not already aware, that “the ‘Report’ of the ‘investigation’ carried out by A Day is now on public record, so too is all the substantive material showing the validity of [her] complaint against A Day.” Therefore, Dawson’s ‘investigation’ “merely confirms the lack of democracy in NATFHE, and NATFHE’s complete disregard for the rights of rank and file members to justice.”⁵⁰ A copy went to the president, K Thomas, for the attention of the National Executive Committee; for information only as there was no chance of any action coming from that quarter. NATFHE was an organisation run by a collection of ‘Big Brothers’ whose vocabulary of newspeak did not contain the words ‘fair and impartial.’ Perhaps, NATFHE in practice was more Orwell than Kafka.

Dawson utilised the same dismissive ploy applied by Day in 1985 of sending out postcards. The first ten words of his postcard were part of a standard pre-print: “We acknowledge receipt of your communication on the matter of” followed by four typewritten words and a number - “industrial tribunal dated 1 September.”⁵¹ This ‘message’ had no bearing on the content of Bis Weaver’s letter and its sender was directing attention on to the Industrial Tribunal and away from the real issue of Dawson’s ‘judgement’ on Day.

This avoidance technique, common in NATFHE among officials and officers, provided another opportunity to spell out to Dawson that her letter was about the “formal complaint...against A Day...for negligence, defamation and contravention of [her] rights to natural justice” with regard to her “complaint against Mr D Gates, a senior lay officer and National Council member..., of racially motivated abuse and harassment.” As to “matters relating to the Industrial Tribunal,” Dawson was referred to her solicitor.⁵²

In between the letters to Dawson, not wishing to miss anyone out, we sent copies of the Industrial Tribunal report and Dawson’s ‘judgement’ on Day, and her response to that ‘decision-making process’, to the general secretaries of the TUC and the ASTMS.⁵³ The TUC acknowledged the letter but nothing was heard from the ASTMS.⁵⁴

Dawson’s response to her complaint against Day offered the opportunity to push another of NATFHE’s uniquely partisan procedures into the public domain. In press releases,

we questioned the progressiveness of “a so-called progressive trade union” when the procedure “for investigating complaints against full-time officials (and lay officers)...discards justice, fairness and accountability” and resides solely with “the General Secretary [of the union], who is not a disinterested party.” We quoted a recent statement by Bill Morris, of the TGWU, that “The trade union movement has to get its own house in order” and we added that “it appears that unions, such as NATFHE, exist for the benefit of its lay officers and full-time officials at the expense of rank and file members.”⁵⁵ Another press release went out covering a different facet of Dawson’s ‘investigation’. This focussed on the problem for NATFHE’s general secretary if he had upheld the complaint and “disciplinary action, with possible dismissal, [had] to be taken against the negligent official, which could have brought NATFHE into conflict with another trade union - the ASTMS.” Into this brew, the decision in the Weaver case was introduced. It was pointed out “that NATFHE’s officials, including the General Secretary, are members of the ASTMS and whilst the ASTMS, following trade union policy as outlined in the *B Weaver v NATFHE* case, would have to defend the official, NATFHE would have to take disciplinary action against that official.” We thought “the reasonable person might consider that NATFHE chose the way of expediency and self-interest and not of justice and accountability when dismissing the complaint against the investigating official.” Our solution was for “the TUC...[to] scrutinise existing institutional practices and introduce a new anti-racism charter with sanction against violations...” We referred to the new role taken up in the TUC by the general secretary of the ASTMS, Clive Jenkins, and suggested he “might like to take the lead.”⁵⁶

In addition to his rejoinder to *7 Days*, Triesman had sent a similar set of illusions to Clare Short on the 19th August in a scathing attack on the MP, which she sent to Bis Weaver on the 12th September. His re-invention of events published in *7 Days* was replicated in his response to Clare Short’s enquiry.

Triesman began by expressing surprise at receiving Clare Short’s letter before rounding on the MP in his introduction. * He wrote that “we deeply regret the tone of it” and he put the contents into the same category as the “great deal of ill-informed criticism [of trade unions] usually made from the right and seldom involving critics obtaining the facts.” Triesman added that “As a progressive union with a record of which we are reasonably proud, but not complacent, on racism, it is wounding to be dealt with on this basis by a

* For most of the letter Triesman used the term “we”, which we took to mean NATFHE, unless it was the equivalent of the royal ‘we’

progressive MP held in high esteem in this union.” After this Janus-headed (hard cop-soft soap) opening, Triesman divided his response into four sections none of which really dealt with the consequences of NATFHE’s discriminatory policy.

In his first point, as in *7 Days*, Triesman claimed that “we do not defend or seek to justify racism...[nor] defend members who acknowledge that they have discriminated and are not prepared to change their ways.” ‘Change their ways’ was something Triesman appeared incapable of doing himself as he continued to pump out the same insupportable version of events complete with hearsay disinformation. His second point was dealt with in twenty words: “The Industrial Tribunal considered the background and the union’s policy and found that we do not discriminate directly or indirectly,” adding that “Obviously we will keep our procedures under review and improve them as any progressive union does” * but he omitted to mention that the Tribunal had concluded NATFHE’s policy had a “limited discriminatory effect.”

Almost half the space devoted to Triesman’s four points went into point three, in which he reproduced the contents of Gates’ April letter without disclosing that the source for his assessment of Gates’ ‘anti-racism’, which was in fact that letter. Triesman invoked the ‘we’ in what appeared to be a mask to hide behind, since he was the NATFHE official who ‘assessed’ Gates. He stated that “we do not accept that Mrs Weaver was subject to racist abuse [and] There has been not one example given to us or to the Tribunal that Mr Gates was motivated by racism on the two occasions he swore at her.” Triesman conceded that Gates’ “rudeness was quite unacceptable but, [he argued] that did not make it racist.” ** Clare Short was then treated to a reiteration of Gates’ “long history as a socialist activist in anti-racist work” and his activity in the anti-Apartheid Movement since “the age of 14” and in anti-racism bodies in Birmingham.

* Although Triesman cannot be held responsible for what happened later, as he had left the union, he was writing this on behalf of NATFHE (we), yet thirteen years later NATFHE had to publicly apologise for continuing to discriminate against Black members, and for allowing hostile motions to be passed by union branches against Black members complaining of racism.⁵⁷ As for Triesman, he was severely criticised by a Tribunal when he was AUT general secretary for his role in the Deman v AUT case⁵⁸

** Triesman was still fixated on the use of unacceptable words as the only means of establishing racist behaviour. Did he not understand it was the context in which the behaviour occurred that is also relevant? Triesman related to me in a letter in April 1986⁵⁹ that his house was once attacked by a mob of NF supporters, which he interpreted as anti-Semitism. However, he did not disclose that unacceptable words were used, so under his definition of the significance of ‘words’ in determining racist behaviour, was it not possible that the motive for the behaviour of these NF activists was due to Triesman being a ‘Lefty’ and not for being Jewish? Triesman was probably right on his assessment on this occasion but why did Triesman assume that Gates’ attacks on her were not examples of racism?

The now predictable Triesman threw in the claim of Gates, “his partner and Mr and Mrs Weaver [being] close friends over a reasonable period of time and worked very closely together raising money for the NUM during the miners’ dispute – all four described themselves as having been constantly in and out of each other’s houses.” Triesman did concede “that appearances can be deceptive” but he was not going to admit his vision was blurred on this occasion because he offered up two observations. The first was that his description of Gates “is not a likely profile of a racist abuser”; and the second was “the fact that Mrs Weaver is black and makes the allegation does not make it true.” NATFHE’s Black members would no doubt hope that Triesman was more competent in psychological profiling than he had shown in assessing racist motivations. Or was this how Triesman determined the ‘facts’ by ‘studying’ profiles observed from self-exonerating letters and hearsay.

At the end of yet another excursion into NATFHE’s world of fantasy, Triesman turned his fire power on to the MP in point four. At least this time his target was a woman with more political clout than the solitary Black woman against whom he had been railing against for a considerable period of time. Discarding the first person plural, Triesman adopted the first person singular to produce the barbed comment of “I do believe you should have remained neutral before knowing the facts...I could understand an assumption being made but I do not accept that Labour MPs should prejudge the issue when one of the parties is a trade union.” He added that “I make the point not because unions are always right and we have nothing to learn, but because as a union we are entitled to the proper standards within our movement.”⁶⁰

In advocating neutrality on an issue involving the powerful and the powerless, Triesman appeared not to be familiar with *Freire’s axiom*. As for this entitlement to ‘proper standards’ and an implied willingness to learn, nothing in the actions of NATFHE’s officials and officers over the previous two years could possibly suggest NATFHE had any standards worth mentioning or any capacity to learn from its mistakes. Triesman’s defence of NATFHE and himself resembled the rapid-fire response of the police when attacks by White people on Black people occur; the police tended to define the incidents as ‘not racially motivated.’

As a bonus for Clare Short, Triesman enclosed the out-of-date, bankrupt Anti-racism Pack to show that NATFHE was fiercely opposed in both practice and theory to this scourge (racism) as if this ‘sacred text’ had been of any benefit to Bis Weaver or any other Black complainants. In conclusion, Triesman offered the MP an opportunity to discuss the case with

him. * It would have been interesting, if Clare Short had chosen to take up the offer, to find out if other fantasies were on offer since Triesman seemed to have already milked the illusions, hearsay and misrepresentations to excess. **

Triesman was certainly trying to promote a NATFHE ‘victory’ in spite of that ‘victorious outcome’ relying on a policy that acted against the interests of Black and/or women members. Perhaps Triesman overlooked section 4 of the Tribunal report, which completely disposed of NATFHE’s submission. However, did Triesman have any alternative other than skirt around the actual findings unless he was prepared to tread the unfamiliar path of candour? He had shown no hesitation in drawing on the Tribunal’s findings, however selective were his disclosures in support of his argument. This was in stark contrast to the position he paraded a couple of years before. In 1985, when co-authoring an article on trade unions, Triesman wrote that “All trade unions...fare terribly in courts. Give a judge a chance to intervene and he will...” These two authors criticised the bias shown by judges against trades unions when petitioners were backed by politically right-wing bodies “like the Freedom Association...”⁶¹ In 1987, Triesman may well have considered ‘bias’ as an explanation for the Tribunal’s criticism of NATFHE’s deplorable treatment of Bis Weaver; yet he was content to disclose the Tribunal’s decision that NATFHE’s policy was justified. Furthermore, he selectively omitted that the Tribunal found NATFHE’s policy to be discriminatory and he withheld the implications of its policy for Black and women members. The bourgeois legal system had its uses, or so it seemed, when it could be cited, albeit selectively and in a misleading manner, to serve Triesman’s and NATFHE’s interests. Did NATFHE bureaucrats think they could bluff their way out of the disaster officials and officers had created for themselves and for the rest of the trade union movement? They certainly tried to do so but in sowing the wind they were to reap the whirlwind. NATFHE made the *Freedom Association* look like a liberal organisation.

The union’s claim of not defending those admitting to racist behaviour and not

* Triesman’s attempt to paint Bis Weaver, and me, as people pursuing a spurious complaint against Gates and NATFHE was bound to fall on stony ground. Triesman did not know, why should he, that Clare Short’s mother, Joan, a progressive socialist trade unionist in Birmingham, was the activist and friend of the ‘Weavers’, who encouraged Bis Weaver and I to join the Labour Party after years as independents on the left wing of political and anti-racism activity. Triesman did not seem to consider there were others besides Gates, who could claim ‘a long history as socialists in anti-racist work’

** Thomas Paine, two hundred years before, covered the type of performance played out by Triesman in the late 1980s, when he said, “hearsay takes on a life of its own...nourished by rumours and whispers...it tramples reputations, hardens opinions and triggers disputes. The counter to hearsay, to probe monopolies of opinion, is to lay bare the facts.” ‘To lay bare the facts’ seemed to be anathema to Triesman but it would continue to be our approach

prepared to change their behaviour was clutching at straws because where would it leave the victim if the accused merely went through the motions of mouthing an agreement to change? Firstly, the victim would not be eligible for union support because NATFHE was required to avoid a conflict of interest in its representation of members. Secondly, NATFHE could only represent a member whose tenure was at risk even if the complaint was meritorious. Thirdly, in the real world would anyone acting in a racially discriminatory manner admit to having done so knowing their continued employment rested on their answer? Another example, if any more were needed, that NATFHE's anti-racism was merely political rhetoric for use against members of racist and fascist organisations.

To claim that no evidence of racism against Gates was raised either before or at the Industrial Tribunal bordered on the spurious because Gates' behaviour was not a point at issue in Bis Weaver's application to the Industrial Tribunal.⁶² It only entered the proceedings when NATFHE claimed there was no merit in Bis Weaver's complaint; a claim ditched by NATFHE when Triesman's method of assessing racism was shown to be untenable. As such, there was no need for Bis Weaver's counsel to delve into it. If it had been an issue then Gates would have been summoned to attend to explain his behaviour on oath; and it was noticeable that NATFHE, bearing in mind it was relying on merit, chose not to call him to give direct evidence. If NATFHE was so confident that Gates had not behaved in a racially harassing manner, why did NATFHE not call him to explain the reasons for his behaviour towards her? Nonetheless, the Tribunal decided to take Gates' behaviour into account as a result of NATFHE's claim of 'no merit' and criticised Triesman's conclusions.

Triesman displayed an impressionistic approach to racist situations as he demonstrated as early as the 12th June 1986, which was confirmed in his evidence at the Industrial Tribunal. Racism, to Triesman, seemed confined to the use of racist terminology. He did not take into account: (i) to whom the behaviour was directed; (ii) the context within which the behaviour occurred; (iii) the explanation, if any, given by the accused; (iv) the interpretation given to the behaviour by the victim and the victim's explanation for drawing that interpretation; and (v) the inferences to be drawn from the explanations. Nor was he comparing like with like when using himself as an example of how an ethnic minority would respond to the behaviour or interpret it.

Triesman's own personal experiences of Gates' 'rude behaviour', which he did not consider to be anti-Semitic, were irrelevant to Bis Weaver's experience or her assessment. Triesman's confrontations with Gates concerned two men - an official and a lay officer, in an occasional union meeting, where that type of behaviour is not unknown, as Day, the regional

official made clear when trying to undermine Bis Weaver's claim of harassment in August 1985. Whereas, Bis Weaver faced constant foul mouthed abuse, intimidation and harassment over a period of sixteen months from "a formidable and determined personality, accustomed to expressing views direct" as Day described him when trying to provide the most favourable description of him.⁶³ A man, who Triesman knew, at the time of writing to Clare Short, had physically assaulted a female ally in a disagreement with her barely four months before.⁶⁴ To add to that Bis Weaver was the only Black lecturer in the college in a society where attitudes towards ethnic minorities, if not downright hostile, were hardly favourable and this was reflected in the lack of assistance available to her in a union in which Gates exercised considerable influence at all levels. * This was not a situation of equality of influence, power, physique or aggression and had to be judged in the context of the prevailing circumstances. Triesman was trying to make invalid premises become received knowledge. Triesman was right; he did lack competence on race issues.

As for Triesman's profiling skill, did he never consider that as a Black person living in this country for twenty five years, she might have experienced racism on many occasions and had learned from those experiences? She was a PhD student researching the effects of racism on young Black people and had studied (i) the origins of racism in slavery and colonialism; (ii) the continuity of racism through ideology; (iii) the forms that racism takes and its effects. Bis Weaver's profile was hardly of someone who would play the 'race card' or had Triesman not figured that out.

Was it beyond Triesman's conception to consider Bis Weaver might be in a better position than he, despite his experience of anti-Semitism, to really understand what constituted racism against Black people? Triesman presented himself, maybe unconsciously, as someone downgrading the experience and expertise of a Black woman while preferring the comments in a letter from an accused White person, who lacked experience and expertise in this field. Moreover, the accused did not provide Triesman with an explanation for his behaviour but a CV of some activities he was involved in, which Triesman used as a basis for his assessment. The colonial mentality came to light in many different quarters and it did not surprise either Bis Weaver or myself to find it ingrained in NATFHE bureaucrats. Triesman was employing double standards in his dealings with Bis Weaver by imposing on her conditions he would not accept for himself. Triesman, whose own research field had been in

* A NATFHE women's officer from Inner London was soon to speak of the dominant culture as "White and also male"; and NATFHE as a "network of White men [that] prevails against outsiders (black members and women) who wish to challenge and change old practices"⁶⁵

drug addiction, had criticised his Departmental Director at Maudsley College Hospital in 1974 for not appreciating the sociological perspective Triesman was bringing to the research.

This was a demand for recognition of his own area of specialism; and he went on strike with several other colleagues to press home this point.⁶⁶ Unfortunately for Bis Weaver and all those fighting racism, Triesman appeared reluctant to extend his own concern for recognition of his skills and perspectives to Bis Weaver's specialism and experience in the field of racism and race issues. He also seemed to accept without question that being a socialist and being a racist were mutually exclusive categories. Was Triesman unaware of the history of political ideas and the links between socialism and racism? Did he not know that members of the German Communist Party joined the National Socialists in the 1930s; that Mussolini was a socialist before he was a fascist; and that Jack London, the author, was both a socialist and racist? *⁶⁷ Perhaps, the leaflet '*What 'Isms is this?*' should also have been sent to NATFHE head office.

Regurgitating *ad nauseam* the old nutmeg of a 'friendship' was another straw for Triesman to grasp in defending Gates' behaviour. Where did the idea originate from that all four acknowledged a close friendship? It certainly did not come from either Bis Weaver or me. For Triesman to say we acknowledged this 'friendship' was untrue. We met Triesman only once and he described his version of that meeting at the Tribunal without venturing to suggest this alleged friendship was mentioned. ** This claim apparently made its initial appearance in Gates' letter to Triesman in April 1986; was mentioned in NATFHE's Industrial Tribunal submission in October 1986; was referred to by Triesman at the Industrial Tribunal in June 1987; and twice since then. The source of this rumour must have been Gates or Ms Pattinson and Triesman resurrected it from time to time when he was on the back-foot. Triesman really should have followed his own advice to *7 Days* and put this issue to Bis Weaver, to hear her response, when he had the opportunity in June 1986 but fairness and openness seemed to travel in one direction only.

* The pre-1914 second Socialist International included, among its famous figures, Lenin, Ramsey Macdonald, Keir Hardie, Mussolini and Jack London. The penultimate member founding the fascist movement in Italy, and the last named a noted racist. See especially London's articles on Jack Johnson, the first Black world heavyweight champion and the search for the 'Great White Hope'. London said on the Burns v Johnson fight, I was for Burns all the way. He was a White man and so am I. Naturally, I wanted to see the White man win."⁶⁸

** Gates and Ms Pattinson visited the 'Weaver household' a few times and we had visited theirs on a similar number of occasions in a group of people supporting the miners during 1984/5 strike but that did not make them our friends. Nedjat and Knowles had been in our house, as had Triesman, but that did not make them friends. Downey had been a friend but that did not stop him from swallowing some false information from one of the *kernels* and vigorously support Gates and the union

Bis Weaver had faced severe disadvantages over a long period of time when standing up to Gates, Cave and Hartland; to the Bournville branch officers and committee members; and to members of the Broad Left Coalition on the Birmingham liaison committee and the regional executive committee - the 'dirty tricks brigade' as they launched their attacks in Bournville branch and the REC. There had also been the might of NATFHE officialdom in the form of Day, Dawson and Triesman bearing down on her. However, Triesman took no account of this when leaving her to her own devices. Instead his defensive response followed in the footsteps of Gates by trying to discredit the victim. * Did Triesman really think Bis Weaver would suffer all these pressures to pursue a spurious claim?

Triesman's subterfuge came as no surprise – it was merely further confirmation of the 'time warp' mentality afflicting NATFHE bureaucrats consistently repeating the same myths and expecting fact to be an outcome. If he thought his misrepresentations of the Industrial Tribunal hearing and of the background to the Weaver case would end the matter with the Weaver v NATFHE case fading into obscurity he was to be disappointed.

As NATFHE's counsel pointed out, Bis Weaver always replied to letters and Triesman's latest attempt to pour scorn on her grievance while proclaiming NATFHE to have a progressive commitment to anti-racism would be no exception and she clarified a few points for Clare Short. She explained that "the Industrial Tribunal did not find that NATFHE had not discriminated against [her], only that its actions did not contravene the Race Relations Act..." and..."despite what Mr Triesman claims..." he was the NATFHE official, who revealed at the Tribunal "that NATFHE would not support an allegation of racial harassment because it would lead to a loss of tenure for another member." For NATFHE to do otherwise "would be in breach of its obligations to members whose tenure is at risk." He was also fully "aware that the Industrial Tribunal was not about...[her] complaint of racial harassment against Mr Gates [although] The Tribunal allowed details of that complaint for background information...[and it] rejected Mr Triesman's claim that [her] case did not have merit." As for "Mr Triesman's claim that we [Bis and I] were party to describing ourselves...[alongside Mr Gates and his partner, Ms S Pattinson] 'as having been constantly in and out of each other's houses' [this] was a figment of Mr Triesman's imagination."

Bis Weaver described Triesman's letter as attempting "to deflect attention away from the real issues: (a) NATFHE's discriminatory policy [and] (b) the actions of the West

* Although of much less significance than Thatcher's and her allies attempts to smear and discredit the miners' leaders before and after the 1984/5 Miners' strike,⁶⁹ NATFHE officials and officers employed tactics that were not dissimilar in form and effect to protect their own interests

Midlands regional official (Mr A Day) who was supposed to have carried out an investigation of [her] complaint...” A copy of the Industrial Tribunal report, which we were confident was something Triesman would not have provided, was enclosed to allow Clare Short to judge for herself exactly what were the Tribunal’s findings. Also enclosed was my unpublished rejoinder to *7 Days*,⁷⁰

Triesman’s two recent accounts of the Weaver case – misrepresenting her complaint and the Tribunal’s findings, to be repeated several times in the future, was NATFHE officialdom’s way of showing it did not intend to admit anything about the deplorable way Bis Weaver had been treated. * Therein lay NATFHE’s real commitment to anti-racism – it was naught but a glossy banner hanging limply from NATFHE’s flagpole as the wind of social change swirled around it.

(c) NATFHE’s Achilles Heel Becomes a Glaring Target.

In the weeks after the Industrial Tribunal hearing, a few letters went to the press but Triesman’s post-Tribunal version of events raised the stakes and I sent letters to a whole range of national, local, ethnic minority and left-wing newspapers. The main thrust was to expose “a so-called progressive trade union” that has policies: (i) on protecting tenure that makes “trade union charters on anti-racism and anti-sexism...unimplementable”; (ii) “for investigating complaints against full-time officials (and lay officers) which discards justice, fairness and accountability”; and (iii) showing “that unions (such as NATFHE) exist for the benefit of their lay officers and full-time officials at the expense of their rank and file members – hardly in keeping with the claim of democratic and progressive trade unionism.” Some of these letters were printed primarily in the smaller circulation publications under headings such as ‘Unions Get Your House in Order’; ‘Trade Unions – Time to Address Anti-racism’; and ‘Racism Within Trade Union Structures.’

On the day Bis Weaver received a copy of Triesman’s ‘injured feelings’ letter to Clare Short, one of my missives to the press was published in the Guardian Education Section

* An example of the calibre of activity that inspired Orwell to write of “words falling upon the facts like soft snow, blurring their outlines and covering up all the details.”⁷¹

headed *The Unions in a Hard Place*. The letter ran:

The Mrs B Weaver v NATFHE Industrial Tribunal case, June 1987, arose out of a decision by NATFHE to refuse Mrs Weaver advice and assistance when she registered a complaint of racial harassment against a colleague (a co-trade unionist) with the local education authority.

NATFHE refused on the grounds that it must provide assistance to the complained against because the protection of a member's tenure is the principal priority in determining which party would obtain NATFHE support, and a proven case of racial harassment, in the Birmingham local education authority, could lead to dismissal for the harasser.

This policy, not a rule, was challenged by Mrs Weaver on the grounds that no member of NATFHE (or a woman) could register a complaint against another union member and receive union support.

This was confirmed by a NATFHE official at the hearing, when he stated in his evidence that even when an applicant's complaint, including one of racism, had merit, the union "would not have pursued the applicant's complaint because it could have led to loss of tenure for another union member."

The tribunal found in favour of NATFHE because NATFHE, in accordance with its policy, has "a legitimate duty to protect the tenure of its members and to avoid breaches of obligations to members whose tenure is at risk which outweighs the limited discriminatory effect of the condition imposed."

If NATFHE's claim to the tribunal is correct, namely that this policy is common to all trades unions, then trade union charters on anti-racism and anti-sexism are unimplementable.⁷²

We wondered whether any NATFHE official would rally to NATFHE's cause but it appeared that no one at head office, not even Triesman, would put the prevailing NATFHE myth in writing to a major daily newspaper. However, the Guardian published a letter from a former NATFHE women's officer in London, who wrote of an entirely different policy from the one presented by Triesman at the Industrial Tribunal and elsewhere. She wrote under the heading of *NATFHE protection double-edged sword*:

I was horrified to read the letter which told of a NATFHE official who, as a matter of policy, refused to support and advise Mrs Weaver, a member, who had registered a complaint of racial harassment against a colleague.

Until recently I was Women's Officer for Inner London Region of NATFHE. I took on considerable case work in the area of racial and sexual harassment and discrimination, working as the union's official representative, in line with regional and national policy. Many of the complaints were against another NATFHE member.

I'd like to quote the experience of women members in Ebbw Vale College, who won their case of discrimination with the support of NATFHE, in raising serious complaints against the practice of some male members.

The Birmingham case clearly shows that NATFHE has work to do to put its own house in order. *⁷³

* Linda Milbourne also included, "Thanks to Gordon Weaver for putting this case in print so that in future we can ensure our officials are serving the policies reached through democratic decision."⁷⁴ T his part did not get published

We, too, held the view that NATFHE needed to put its own house in order and echoes of Bis Weaver's letter to the union's President, Nan Whitbread, in 1986 came to mind. A cutting of Linda Milbourne's letter was immediately despatched to Tony Rust.

The day this letter was published, the Industrial Tribunal's comments on Day's 'deplorable actions' seemed to have struck home, at least in internal union matters. Krishna Shukla was having a difficult time in his place of work, which had all the trappings of racial discrimination. * Krishna, initially, sought advice from the regional official, Day, and drew his attention to "an implication of discrimination in this matter." In reply, Day felt "obliged to draw these circumstances to the attention of our General Secretary so that [Krishna's] concern is placed on file." He also asked Krishna "to note that [he – Day, had] determined that in any case in future in which any form of discrimination may be an issue, [he] shall in any event act only on the specific directions of a senior Union Official."⁷⁵ It looked very much as if head office officials were 'determining' this for Day as a safeguard against any possibility of a repeat performance of the Weaver debacle for which Day was, initially, primarily responsible.

Two days after Day disclosed that his future involvement in racism cases was subject to head office 'supervision' - akin to the blind leading the blind, the Anti-racism National Panel had its first meeting since the Industrial Tribunal. Aware of the ARNP's impending meeting and expecting panel members to be treated to the NATFHE version of the June events I despatched a wad of information containing the Industrial Tribunal report; the grievance to the LEA, now part of the public record; and other documents, to some of the Panel members.** These other documents included Bis Weaver's rule 8 complaint – still waiting for a hearing after twelve months; a complaint against Day and the outcome; and my unpublished rejoinder to Triesman's article in *7 Days*.

It was suggested to the members that Bis Weaver's grievance to the Bournville Board of Governors "should be assessed in line with...NATFHE's recently produced *Draft Procedures for dealing with Racist and Sexist Harassment*, which stated that "Whether such behaviour...involves...verbal hostility, and particularly where the behaviour is persistent and systematic, it constitutes sexist or racist harassment. On some occasions it may be [defined

* The allegations made against Krishna could have led to disciplinary proceedings against him. Krishna and I met on a number of occasions to discuss his situation at the college and we produced a detailed counter argument to the allegations. His accuser, when confronted with a presentation that reduced his allegations to rubble, decided not to pursue the case

** The names and addresses of the members had been obtained courtesy of an ally, so Triesman's refusal to supply their names did not have any effect

as] both.” * I also suggested that the incidents in the grievance, reported to Triesman on a number of occasions, should be compared to Triesman’s “approach for drawing conclusions on allegations of racial harassment” that he disclosed to the Industrial Tribunal.⁷⁶ Panel members would be in possession of the facts before attending the meeting and NATFHE officials would be in no position to serve up another menu of pre-cooked artificial dishes. Nor could officials insist on the members disregarding this correspondence under the provisions of the April 1986 Bournville branch motion.

The Draft Procedures showed that NATFHE had learned another lesson from the Weaver case even if its officials and officers would never admit to it. Nonetheless, the level of NATFHE’s commitment to a new policy had to be considered in the light of the background of the drafters of the policy – Triesman and Ms Welch. Nor was there any way NATFHE could get around the issue of security of tenure unless the new policy was engraved on tablets of stone and brought down from a mountain but in all probability it would be scratched on a bit of plastic and waved in front of the membership.

At the meeting, when the Weaver case came up on the agenda, one member excused himself as he was to be involved in dealing with her Rule 8 complaint. There was a repost on the case and NATFHE’s contributor apparently admitted that NATFHE had made mistakes in this case. However, he absolved the union from its errors by dredging up the worn-out ill-founded gossip that a friendship existed between Gates, Ms Pattinson and the Weavers. The significance of this so-called friendship, to the union, was that it thought it was a basis for reconciliation. This was a surprising claim since nothing in Gates’ behaviour between February 1985 and Triesman’s visit to the Bournville branch in June 1986 could possibly have led any reasonable person to such an unrealistic conclusion. Not only that, one of the officials, Day, claimed he had ‘gone for reconciliation’ and yet one of its ingredients was for the branch committee to meet management with a view to replacing Bis Weaver as Access

* The draft document did not find favour with the West Midlands Women’s Panel, which passed the following resolution: The West Midlands Women’s Panel urges Regional Council to reject NATFHE Against Sexist or Racist Harassment Guidelines because they (a) trivialise the issue and fail to address the wider implications of unlawful discrimination; (b) do not recognise the sensitive nature of the problem and the need for confidentiality;...(d) give too much responsibility to branch officers and are therefore unworkable.” The Panel called “for the convening of a NATFHE weekend school for members with experience of dealing with harassment cases to clarify the issues and produce a working document which will address the real issues.”⁷⁷ It was noticeable that they called for those dealing with harassment cases to give the lead and not those with experience of harassment. If it meant that existing women’s panel members would be leading these weekend schools in the West Midlands then it did not offer much of an advance on what was already on offer!

coordinator – removal from her contracted post.⁷⁸ This NATFHE official had an unusual view of friendship such that one ‘friend’ would conspire to remove another ‘friend’ from her post and in the process of doing that call her ‘a fucking liar’ and subject her to other abusive behaviour, intimidation and harassment. If this was the criteria for friendship, we - Bis Weaver and I, were glad this official did not count himself a friend of ours.

Gates’ behaviour was deplored but it was considered not to be racist – no doubt the attack on Julie Frew led to a revised interpretation from ‘abrasive’ to ‘deplorable’. The blame for NATFHE’s difficulties was laid at the door of Gates and the Bournville branch, who were said to be running the college. As for Day, it was denied that there was any criticism of him at the Tribunal hearing, which carried little weight as several panel members had the Tribunal report and could read the comments for themselves.⁷⁹

NATFHE head office’s latest burnt offerings differed from those offered up by union ‘activists’ in the West Midlands, who put the blame firmly on Bis Weaver and me. Different strokes for different folks!

While NATFHE’s officials and officers occasionally came out of the pill-box on NATFHE’s own Maginot line, news came from the ‘front’ that was ultimately to pierce NATFHE’s patriotic defensive line if not its dogmatic patriotic ideology. Tony Rust sent word that the CRE had agreed to support the appeal, which demonstrated the significance the CRE attached to the Industrial Tribunal decision. * He also thought Linda Milbourne’s letter was “most important evidence” and he asked if we could get her address as he wanted to contact her.⁸⁰ I immediately phoned the Guardian but the paper was unable to help as it did not keep copies of letters after publication. As the Guardian had printed the correspondent as Linda Milbourne, London, I began phoning around colleges in the capital but without success. With the considerable number of colleges in London it could have taken me all day, so I decided to phone NATFHE head office. Thinking it unlikely I would get the address if I disclosed my identity I used an assumed name and fictitious reason – David Fairchild of the Fairchild Foundation, which did the trick as a very obliging NATFHE administrator supplied me with her college address. It was passed on to Tony Rust, who got in touch with her. Deviousness appeared to be contagious and had infected me! As the saying goes ‘If you lie down with dogs don’t complain if you get up with fleas.’ I was not complaining even though I seemed to have a perpetual itch!

The issue appeared to be moving along steadily in the English legal system and, the

* The CRE confirmed this to Bis Weaver on the 12th October ⁸¹

very next day, news came from Commissioner Manuel Marin Gonzalez in Brussels, via Christine Crawley, on the EEC's position. He explained that the status of trade unions "laid down by Article 119 of the Treaty and the directives on equality,...are limited to questions concerning discrimination on grounds of sex, not of race." This was further limited because "Community legal jurisdiction concerning sex discrimination mainly concerns questions of employment, training and working conditions" and did not cover the issue raised by Mrs Weaver because that "concerns the contractual relationship between a trade union member and her union,...which falls outside Community jurisdiction."⁸² He suggested a way might be through the British Parliament's Sex Discrimination Act. There was to be no Joan of Arc in shining armour wrapped in the flag of Europe coming to rescue her from NATFHE's Don Quixote. She would have to plod along the present path.

Over the previous couple of years of waging her struggle for justice, one feature was salient – the limitations on complainants whether dealing with the union, the LEA, Parliament or the EEC. However, a saviour did appear on the scene when the author of the Guardian letter phoned Bis Weaver to say she had put together some information for Tony Rust. Linda Milbourne also mentioned a motion to be proposed on the case for the next meeting of NATFHE's Inner London regional council.⁸³ For so long shackled by restrictive dictats and motions by NATFHE officials and officers, Bis Weaver at last felt that things were on the move.

Linda Milbourne put together a document of considerable significance. She was women's officer in NATFHE's Inner London Region "with a major brief for Equal Opportunities policy...handl[ing] considerable casework in this...area...from 1980 to 1986." Currently, as "a Regional Executive member,...[she had] a brief to handle a range of casework, especially...in the area of sexual and racial harassment and discrimination where complaints pursued were against another NATFHE member, and some could have involved threat to tenure..." She sat on various committees during 1983 and 1984 discussing NATFHE's "practice in cases where one member's grievance or complaint was directed against another...particularly related to Equal Opportunities policies. The Regional (paid) Official...had also discussed this with her colleagues at Head Office (other paid regional and national officials)," which resulted in "the practice...described above," namely, assisting complainants in cases where the tenure of the member complained against was at risk.

She had recently "discussed this [practice] with another Regional Officer...and the current Regional Secretary," who both accept this "is how the Region currently operates [and she]...believed such practice to be in line with both Regional and National policy." She

disclosed that a number of Inner London regional council members have “expressed considerable concern [about] points raised by the press reports, both in the *Guardian*, and in *Seven Days*, where Mr Triesman has given some assurances on policy, which may be contradictory to points [she had] read in the draft of the Tribunal.” What did Triesman say to them especially as it would not be in print? Whatever it was, one NATFHE branch “moved the following motion in order to confirm what was felt to be policy and practice in the region.” The motion read:

The Region notes with concern the reports of the case Weaver versus NATFHE and calls on the National Executive Committee to make it clear that the threat to tenure of a NATFHE member will not in itself be grounds not to pursue cases of sexual and racial harassment on behalf of members. NATFHE must continue to pledge itself to defend all members subject to discrimination or harassment on grounds of race, sex or disability. (Underlining in motion)

It “was agreed with an overwhelming majority at the Regional Council” on the 24th October. How different this was to the West Midlands region, which passed a motion [aimed at Bis Weaver] preventing a member pursuing a complaint of racist harassment, from raising it as an issue when the union had whitewashed the complaint.

Linda Milbourne enclosed a copy of NATFHE’s national policy leaflet on sexual harassment, which did not refer to ‘tenure situations’ but she pointed out that “the full support that NATFHE is appearing to offer should surely have a note ‘except in circumstances of threatened tenure’ if this is the case.” She also disclosed her involvement “with the National Women’s Panel in drafting parts of this leaflet and [she] believe[s] that this leaflet means ‘full support’.” She then referred to the recent document on a proposed national policy, ‘NATFHE Action Against Sexist and Racist Harassment’, which “deals mainly with action internally within NATFHE, however,...[it] discusses a situation where NATFHE representatives would present evidence to management showing the case for disciplinary action” and she mentioned the document was written by Mr Triesman. This draft document was put together in the wake of Bis Weaver’s application to the Industrial Tribunal and, as such, changed the policy presented by Triesman at the Tribunal hearing. NATFHE had made a *volte face* because it was proposing to join management in attacking the tenure of members in spite of Triesman telling the Tribunal that “In no circumstances would the union assist the employer to attack the members’ contract of employment.”⁸⁴ However, if NATFHE had been seriously intending to adopt this course of action, it was not now an option, unless the tribunal decision could be overturned, as the union was legally required to continue its policy of protecting tenure. NATFHE officials had become entwined in their own tangled web.

Linda Milbourne referred to the practice employed in Inner London by herself; other regional officers and the regional official, involving “complaints against another NATFHE member,” where the “practice in equal opportunities casework has been to explore the case in detail, by consultation with the official or another officer; to adhere to the principle that both ‘sides’ have the right to advice, but to proceed by supporting or representing the complainant...and in particularly difficult cases a union ‘friend’ has been offered to each side.” This approach had “emerged from the accepted difficulties of taking up cases and the odds against such cases having a positive outcome.” This was certainly not the guiding principle in the West Midlands region, although consultation did take place between the accused, other officers and the regional official, but without the complainant knowing, resulting in a *Whitewash*. The ‘accepted difficulties of...cases...having a positive outcome’, was compounded in the West Midlands by the behind the scenes manoeuvrings to prevent ‘the pursuit of a fair and impartial outcome!’

To Linda Milbourne, these difficulties reflected “institutionalised racism and sexism...in many post-school sector institutions and also within NATFHE” where “The dominant culture of staff within institutions and of the officials, officers and participants of NATFHE is White and also male, despite some improvement in the proportion of women.” She recognised that “The network of White men within NATFHE prevails against outsiders (black members and women) who wish to challenge and change old practices.” While stating these are her opinions, she revealed that “they are also the opinions of very many women, whom [she knew] in NATFHE, and of the black members of the Anti-Racist panel in Inner London; opinions based on personal and experiential evidence.” NATFHE’s ‘dominant culture’ “serves to underline the difficulty of a complainant in these circumstances.”

She certainly summed up the situation in the West Midlands as far as Black members of the anti-racist committee were concerned as they had become victims of institutionalised manoeuvres and institutionalised racism by being virtually excluded from that committee and by the lack of consideration given to “personal and experiential evidence.” As for the West Midlands women’s panel, more than a few of them followed the dominant culture in NATFHE when the complainant happened to be a Black woman. Linda Milbourne was certainly a well-informed and experienced officer in this field and her insights put the officers both men and women in the West Midlands to shame.

Several cases were cited in the Inner London region. “During...1986/7 at South Thames College a case of racial harassment was taken against another NATFHE member [and] A NATFHE Regional Officer represented the complainant. The person accused of the

complaint accepted early retirement offered by the LEA.” At South London College, “three women staff took a complaint of sexual harassment against another member...Three regional officers were involved in supporting and representing the women’s cases, and while the person complained against sought and received advice from NATFHE, he was not represented. Disciplinary action and threat to tenure were clearly involved...The LEA removed the person from [his] post...and transferred him.” She referred to two other similar examples but the fifth example really caught the eye. At South London College between 1983 and 1985 “in a complaint of racial and sexual harassment against two Branch officers...[Linda Milbourne] represented the complainant for NATFHE [and] one of the two branch officers also asked to be represented. The advice given by the regional secretary, Mr Triesman in 1983,...[confirmed by the regional official] was that [Linda] should continue to represent the complainant and that the two branch officers could seek advice from other Regional Officers.”

Linda Milbourne was fully aware “of the enormous difficulties of pursuing cases of racial and sexual harassment and discrimination;...[and was] anxious that NATFHE, does not negate its own policies and put extra difficulties in the paths of black and women members...” She felt “that it is essential that the policy and practice of a union is not made by its paid officials in a court of law when [she is] quite clear that the policy stated by Mr Triesman is erroneous as far as the practice goes in several parts of the country.”

In conclusion, she recognised and “greatly respected [Triesman’s] skills as a negotiator [and was] sure he has worked hard to defend the union’s side of the case, however” she did wonder if “it would have been better not to raise a defence, especially one that is in error, if the result is to alienate a proportion of the membership, albeit a minority.”*⁸⁵

This detailed account of NATFHE’s practice with so many cases in the Inner London region must have been known at head office and particularly by Triesman, who had been regional secretary until 1984, when he became a national union official, with a brief covering case work and union rules. It would be unlikely for him to have forgotten by June 1987, his specific advice to Linda Milbourne that all parties could seek advice and assistance from NATFHE officers. This was in direct contradiction to Triesman’s evidence at the Industrial Tribunal when he emphatically described NATFHE’s policy on tenure as applying across the board. This information was enough to emasculate NATFHE’s defence and it showed the

* This letter was not seen by either Bis Weaver or I until October 1988

policy put forward by Triesman to be spurious. This brought her complaint into the orbit of direct racial discrimination because the Tribunal stated that if it was “to find that that was not a policy applied across the board in good faith, that would certainly give rise to a strong inference of racial discrimination.”⁸⁶ So much for Triesman’s claim that the policy on tenure guided “the way that the union’s officers have conducted their duties over a period of time; it is the general understanding within trades unions...; and that must have been known to members of [NATFHE]”.⁸⁷ The policy was not even the policy used by NATFHE officers and officials. Perhaps, Triesman did not think NATFHE’s policy should be extended to cover the barbarians North of Watford, which appeared to be a no-go area for applying principle when dealing with racial harassment.

Shortly before Linda Milbourne sent this letter to Tony Rust, a press release had been written up and sent out to around forty newspapers alerting them to support from the CRE for Bis Weaver’s forthcoming case to be heard at the Employment Appeal Tribunal. Background details were given of the case and of the Industrial Tribunal’s decision. The press release stressed that “The decision of the CRE to support Mrs Weaver’s appeal can be seen as an important development in the two year struggle Mrs Weaver has waged with NATFHE in her search for both justice as a trade union member and accountability from trade union bureaucrats to rank and file members.” Attention was directed to the “Serious questions concerning the rights of Black and women members in trade unions, and in local authority employment,...raised by this case, which is now becoming an important test case in the pursuit of those rights.”⁸⁸

¹ GW to JC, NH, LB, WG & SB 5 Jul 1987 File P 32

² BW to CRE 7 Jul 1987 File H 43

³ BW to CRC 7 Jul 1987 File H 43

⁴ BW to CD 6 Jul 1987 File H 40

⁵ CD to BW (undated - 7 Jul 1987) File H 41

⁶ BW to CD 9 Jul 1987 File H 45

⁷ CD to BW 12 Jan 1987 File F 11 - 16

⁸ Mins BrMtg 7 Jul 1987 File R 66

⁹ BW to PD 9 Jul 1987 File H 44

¹⁰ GW to GH & JC 5, 7, 8, 9 & 10 Jul 1987 File P 32 - 38

¹¹ GH to BW 10 Jul 1987 File P 39

¹² PMc to BW/GW 18 Jul 1987 File H 47

¹³ GW to PMc 27 Aug 1987 File H 53

¹⁴ Freire P [1972] *Pedagogy of the Oppressed*, Penguin, Harmondsworth, p 125

¹⁵ FEAC to BW 22 Jul 1987 File H 50

¹⁶ ALB (ENCP) to BW 7 Aug 1987 File H 52

¹⁷ NBh to BW 31 Jul 1987 File H 51

¹⁸ GW to FEAC 28 Aug 1987 File H 55; BW to NBh/ALB (ENCP) 28 Aug 1987 File H 56 - 57

¹⁹ CC to BW 21 Jul 1987 File H 48 - 49

²⁰ Conv AN & GW 15 Jan 1988 File Y 12

²¹ CC to DE 21 Jul 1987 File H 48

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- 22 DE to CC 2 Sep 1987 File J 5; and BW to CC 11 Sep 1987 File J 8
- 23 CC to DE 2 Dec 1987 File J 40
- 24 PMc to NAAR 20 Feb 2007 File W 50 - 51
- 25 CC to MM 21 Jul 1987 File H 49
- 26 BW to CC 28 Aug 1987 File H 54
- 27 AN 7 Days 18 Jul 1987
- 28 NJ July 1978
- 29 Br Mtgs 29 Apr 1986 & 14 May 1986 File Q 8 – 13 & 17 - 19
- 30 See *Wallace v South Eastern Education and Library Board* (1980) IRLR NICA; *Noone v North West Thames Regional Health Authority* (No 2) 1988 IRLR 530 CA; *Baker v Cornwall CC* 1990 IRLR 194 CA; *Neill LJ in King v Great Britain-China Centre* [1992] ICR 516, [1991] IRLR 513 at 528-9:
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- 42 PD to BW 28 Aug 1987 File H 58; see also BW to PD 1 Sep 1987 File J 1
- 43 IT Report, 1987, p 13 s6(g)(iii)
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- 46 AT 11 Sep 1987 & 2 Oct 1987; CT 11 Sep 1987 & 20 Nov 1987
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- 50 BW to PD 1 Sep 1987 File J 1
- 51 PD to BW 7 Sep 1987 File J 7
- 52 BW to PD 9 Sep 1987 File J 7
- 53 BW to NmW & CJ 2 Sep 1987 File J 2 – 3
- 54 TUC to BW 8 Sep 1987 File J 6
- 55 AT 11 Sep 1987; & CT 11 Sep 1987
- 56 AT 2 Oct 1987; CT 20 Nov 1987
- 57 *Shahrokní v NATFHE*. ET cases 11880/96 and 44988/96, 2203069/97 and 2205178/97; Mackney P, *The Lecturer*, Feb 2000
- 58 *Deman v AUT* [2003] ECWA Civ 239
- 59 DTr to GW 17 Apr 1986 File L 41
- 60 DTr to CS 19 Aug 1987, sent by CS to BW 12 Sep 1987 File J 9 - 11
- 61 NJ Jul/Aug 1985
- 62 IT Report, 1987, p 3 s4
- 63 Day's Rept p18 s7(v)
- 64 Reg Sec Rept on Annual Conference to WM Reg Coun 20 Jun 1987 s 11 File H 22
- 65 LM to AR 26 Oct 1987 File J 22 - 25
- 66 THES 29 Mar 1974
- 67 *Guerin D* [1973] *Fascism and Big Business*, Pathfinder, New York; and most biographies of Jack London
- 68 *Ward G C* [2005] *Unforgiveable Blackness: The Rise and Fall of Jack Johnson*, Pimlico, London, p132
- 69 *Milne, S* [2004] *The Enemy Within: The Secret War Against the Miners*, Verso, London
- 70 BW to CS 15 Sep 1987 File J 12 - 13
- 71 *Pilger J* (ed) [2005] *Tell me no lies*, Vintage, London, p xvi
- 72 *Guardian* 15 Sep 1987
- 73 LM, *Guardian*, 6 Oct 1987
- 74 LM to *Guardian* 17 Sep 1987 File J 14
- 75 AD to KS 6 Oct 1987 File J 18

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- ⁷⁶ GW to ARNP members 1 Oct 1987 File J 15
- ⁷⁷ Mins WMWP Mtg 28 Sep 1987 File X 21 - 23
- ⁷⁸ NATFHE's response to CRE Questionnaire 15 Oct 1986 Pt 4 (b) NATFHE IT Bundle 30; Day's Rept pp 20/21 s7 (xiv & xv)
- ⁷⁹ Conv KS & GW, Info on ARNP Mtg, 8 Oct 1987 File Y 11
- ⁸⁰ AR to BW 8 Oct 1987 File J 20
- ⁸¹ CRE to BW 12 Oct 1987 File J 21
- ⁸² MM to CC 7 Oct 1987 File J 19
- ⁸³ T/p conv LM & BW 22 Oct 1987
- ⁸⁴ IT Report, 1987, p 14 s 6 (h)(i)
- ⁸⁵ LM to AR 26 Oct 1987 File J 22 - 25
- ⁸⁶ IT Report, 1987, p 16 s 8 (c)(i)
- ⁸⁷ Ibid, p 16 s 8 (c)(i); and p15 s6 (h)(ix)
- ⁸⁸ GW Press Release, 21 Oct 1987, see *Labour Briefing* 11 Nov 1987