

A Flight
into the
Cuckoo's Nest:

An Asian Women's Struggle Against Racism
at
Bournville College
and in the
Lecturer's Union (NATFHE)

by

Gordon Weaver

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Dedicated to the invisible people – often seen but
never heard nor listened to

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ABBREVIATIONS - GENERAL

ACAS – Advisory, Conciliation and Arbitration Service
ACVFT - Association contre les Violences faites aux Femmes au Travail
ARNP – Anti-Racism National Panel
ARO – Anti-racism Officer
ASTMS - Association of Scientific, Technical and Managerial Staffs
AT – Asian Times
AUT – Association Of University Teachers
BCh – Branch Chair
BCC – Birmingham City Council
BEM - Birmingham Evening Mail
BEVN – Beider Enquiry Verbatim Notes
BhLC – Birmingham Liaison Committee
BLC – Broad Left Coalition
BLCARC – Birmingham Liaison Committee Anti-racist Committee
BLG – Black Lecturers Group
BLP – Birmingham Labour Party
BLPBS – Birmingham Labour Party Black Sections
BOs –Branch Officers
Br - Branch
BR – Black Rights
BSec – Branch Secretary
BTC - Birmingham Trades Council
Bus st – Business Studies
B/V - Bournville
B/V WG – Bournville Women’s Group
BWDF – Bis Weaver Defence Fund
BWG – Black Women’s Group
CC – Course Committee
Ch – Chair
Cllr – Councillor
CN – Clarendon News
CoA – Court of Appeal
Coun - Council
Conv - Conversation
CRC – Community Relations Committee
CRE – Commission for Racial Equality
CTm – Course Team
CT – Caribbean Times
Ctte - Committee
DES – Department of Education and Science
DN – Daily News
Doc – document
DTel – Daily Telegraph
E & S – Express and Star

EAT – Employment Appeal Tribunal
ENCP – East Newcastle Communist Party
EOC – equal opportunities committee
EOCom – Equal Opportunities Commission
EO(R)C – Equal Opportunities (Race) Committee
EMLC – Ethnic Minorities Liaison Committee
FE – Further Education
FEAC – Further Education Advisory Committee
GLC – Greater London Council
Gvs – Governors
H & W – Hereford and Worcester
HMIs – Her Majesty’s Inspectors
HO – Head Office
IP - Irish Post
IRLR - Industrial Relations Law Review
IWA – Indian Workers Association
IT – Industrial Tribunal
JCh – Jewish Chronicle
LEA – Local Education Authority
Mbrs - Members
MEPs – Members of the European Parliament
Mgt - Management
Mins - Minutes
MPs – Members of Parliament
MSC – Manpower Services Commission
Mtg - Meeting
NAAR - National Assembly Against Racism
NACRO - National Association for the Care and Resettlement of Offenders
Nalgo - National and Local Government Officers' Association
NAS/UWT – National Association Schoolmasters/Union of Women Teachers
NEC – National Executive Committee
NJ – NATFHE Journal
NUPE - National Union of Public Employees
NUT – National Union of Teachers
NWC – North Worcester College
OIT – Office of Industrial Tribunals
OL – Outer London
Poly – Polytechnic
Post – Birmingham Post
Rec’d Del – Recorded Delivery
Reg – Regional
Rept - Report
ROIT – Regional Office of the Industrial Tribunal
RR & EOC – Race Relations and Equal Opportunities Committee
RRA – Race Relations Act
SDA – Sex Discrimination Act
Sec - Secretary
SERTUC – South East Region Trade Union Committee
SMT – Senior Management Team
SWP – Socialist Workers Party

TGP – TFE – Teachers Grievance Procedures – Further Education Teachers
TGWU – Transport and General Workers Union
TES – Times Educational Supplement
THE – Times Higher Education
THES – Times Higher Educational Supplement
T/p – Telephone
TUC – Trade Union Congress
TUs – Trade Unions
UoW – University of Warwick
WM – West Midlands
WMARC – West Midlands Anti-racist Committee
WMCC – West Midlands Council Council
WMWP – West Midlands Women’s Panel
Y & H TUC – Yorkshire and Humberside Trade Union Congress

ABBREVIATIONS - PERSONAL

AB – Alton Burnett
AD – Alan Day
AK – Amir Khan
AM – Alice Mahon
AN – Andrew Nickson
AR – Tony Rust
BG – Bernie Grant
BH – Brendan Hartland
BL – Barry Lovejoy
BM – Bill Morris
BP – Brian Pinto
BW – Bis Weaver
CC – Christine Crawley
CD – Cynthia Deeson
CS – Clare Short
DB – Denis Baker
DC – Deryk Clarke
DE – David Evans
DG – David Gates
DR – Dipak Rai
DTr – David Triesman
GB – Gil Butchere
GD – Gwyneth Dunwoody
GH – Geoff Hall
GM – Gurdip Manku
GW – Gordon Weaver
HB – Haris Beider
HM – Harold Mangar
HS – Heather Stretton
IM – Ian MacCartney
JA – Jefny Ashcroft
JC - John Crawford
JF – Julie Frew
JP – Judith Parsons
JW – Jenny Williams
KL – Ken Livingston
KS – Krishna Shukla
LB – Les Byron
LM – Linda Milbourne
MS – Muff Sourani
NC – Norman Cave
NH – Najma Hafeez
NmW – Norman Willis
NW – Nan Whitbread

PD – Peter Dawson
PMc – Paul Mackney
PMT – Pat Twyman
PMy – Philip Murphy
PW – Penny Welch
RAW – R A Wootton
RB – Roy Benjamin
RC – Bob Carter
RDty – Robin Doughty
RDwy – Richard Downey
RJ – Ron Jones
RK – Dick Knowles
SB – Stan Banting
SD – Sardhul Dhesi
SN – Shuk Nedjat
SP – Sue Pattinson
SS – Steve Stevenson
TB – Tony Benn
WG – Bill Gray

Preface

"[T]he more radical the person is, the more fully he or she enters into reality so that, knowing it better, he or she can transform it. This individual is not afraid to confront, to listen, to see the world unveiled. This person is not afraid to meet the people or to enter into a dialogue with them. This person does not consider himself or herself the proprietor of history or of all people, or the liberator of the oppressed; but he or she does commit himself or herself, within history, to fight at their side." Paulo Freire (*Pedagogy of the Oppressed*)

"To affirm that men and women are persons and as persons should be free, and yet to do nothing tangible to make this affirmation a reality, is a farce." Paulo Freire

Harassment in one form or another is an everyday experience for many in the workplace and those who are confronted with it face numerous difficulties besides the harassment itself. In many cases the harassed fail to pursue complaints of harassment and are forced to take expedient ways out. As a consequence, their experiences rarely reach the wider public arena.

This particular case, while not being unique, was significant for the detailed records kept from the very beginning of the harassment in 1985. Copies of notes taken in union meetings and conversations were often sent out to the various parties involved; to union committee members and officials; and to employer's representatives, giving the recipients an opportunity to comment on the contents. An occasional response was made but usually the recipients failed to avail themselves of this opportunity. Therefore, it was reasonable to conclude from their silence that the contents were not contested. Alternatively, they may have thought the contents trivial and not worth commenting upon but could that argument be reasonably sustained in view of the significance of the notes to the issues raised by this case.

This account began to be written in May 1986 when there seemed to be no way out of the pit into which the harassed lecturer had been thrown to stifle her protests. It seemed that the only means available to expose the way in which the union bureaucrats operated was to write an account in the hope that one day it might be published as a guide to others. At that time there was still a long way to go; more hardships for the harassed lecturer to endure; and many more words to be put on the record before her appeals for some kind of justice were eventually heard in the public domain and acted upon favourably by some concerned parties.

The following account is one of numerous examples of the distress and anxiety suffered by those harassed in the workplace. It is to these victims of harassment - often seen but too often disregarded, that this account is dedicated.



How to use the natfhe pack
.... registering a complaint

Introduction

“We shall tell our story clearly if we treat first what was done first, if we keep the temporal order of events.” *

Harvey on Industrial Relations and Employment Law is the authoritative source for all legal matters relating to race and sex discrimination, trade union and other employment issues. It contains judicial decisions concerning conditions/rules/policies that are discriminatory and subject to penalties under the Race Relations and Sex Discrimination Acts. It also covers those conditions/rules/policies that while being discriminatory do not fall foul of those Acts. One of the latter type relates to the *Weaver v National Association of Teachers in Further and Higher Education* case, [1988 ICR 599 EAT] which states, "union justified in not assisting applicant's discrimination claim since it would have jeopardised the job of a fellow member." [Harvey Q 90 (Q 187)] **¹ Those few words, nineteen in all, represent three and a half years of a bitter and acrimonious struggle, inside and outside the workplace, between, on the one hand, NATFHE officials and lay officers from all levels of the union's organisational structure and, on the other, a Black woman lecturer. The former, initially, seeking to cover up a case of harassment committed by an influential union officer, and, ultimately, defending the union's racially discriminatory policy; the latter, a victim of the harassment, searching for right and justice.

In line with the pressures building up in the wider society to tackle racist harassment and discrimination, both NATFHE and the Birmingham LEA had given an outward appearance of combating racism in the workplace. NATFHE had responded by establishing anti-racism committees at national, regional and district (liaison) level in order to promote anti-racism in colleges of further education. Similarly, the LEA, under the control of the Birmingham Labour Party, introduced policies to counter racism in all local authority institutions - policies initiated by the City Council's Race Relations and Equal Opportunities Committee, whose membership consisted of local councillors. However, the flowing rhetoric of equality accompanying these 'equal opportunities' and 'anti-racism' initiatives acted as a smokescreen to obscure the reality of this 'commitment.' Consequently, the inadequate

* Unknown author of *Ad Herenium*

** Harvey cite this as an extant precedent in its December 2013 edition. Smith and Woods recorded it as the Tribunal "upheld a union policy not to assist a member to make a complaint which might jeopardise the job of another member, even where that refusal of assistance might constitute racial discrimination"²

practices and hostile responses of those charged with implementing the policies left many Black workers and women without any real safeguard for their welfare in the workplace. The experiences of one relatively minor player in the LEA and NATFHE, a Black woman lecturer, exposed the shallowness of that commitment. When NATFHE and the LEA were put in the position of having to defend the rights of Black employees and/or Black union members, who, as so often happened, became victims of racial discrimination in the workplace, officers and officials in both these organisations were more concerned with protecting their own interests and aspirations than in easing or eradicating the burden imposed on the victims. This account reveals the harassment, intimidation and bullying suffered by that Black lecturer in a Birmingham Local Education Authority college where she had worked since 1976 and the disingenuous actions of bureaucrats – paid and unpaid, in NATFHE, the union she had joined also in 1976.

Bismillah Weaver, the Black lecturer, was no newcomer to racist discrimination. Over the previous twenty-three years living in Britain, she had, like other Black people, experienced racism in varying degrees. As a result of her experiences, when entering university as a mature student in the mid-1970s, she specialised in the field of race relations. Upon leaving university, she joined Bournville college and became Director/Co-ordinator of the Access Courses, which she had helped to establish. * After several years as head of what had become a successful course, she was at the receiving end of a sustained series of abusive and intimidating attacks – harassment. The underlying purpose behind these attacks appeared to be to force her out of the position she held in the college in order that the harasser – a White male lecturer, or a close associate, could replace her. Bis Weaver's experience and understanding of racism led her to the conclusion that the attacks made on her to achieve this aim were not unconnected with her ethnic origins. The difficulties ethnic minorities have in the workplace and the ease with which they can be isolated facilitates the task of undermining them in any post they hold.

The accused harasser, an influential officer in the branch and at other levels of the union, would be aware that support from college staff or management for Bis Weaver, a member of an ethnic minority, was likely to be thin on the ground and this vulnerability was an aid to further his aims. This objective was confirmed during the initial phase of her difficulties (February to May 1985) when her attempts to get management to intervene

* Access Courses were an innovation in the early 1980s providing pre-university courses for members of ethnic minorities. By the mid-1980s these had become successful additions to college courses

proved unsuccessful. Frustrated at management's inaction, she turned to the union and submitted a complaint in June 1985 asking for an investigation of his behaviour towards her and the motives for this behaviour, which she had identified as being linked to her ethnic origins. After submitting a complaint to the union involving a union officer acting in a college staff role, other members of staff joined the fray and additional pressure was put on her in the workplace. Registering the complaint acted like a tinderbox inflaming an already difficult situation, and she was to face mounting pressure from all levels of the union as she sought justice and redress for what she was being put through. She was also unaware of the extent of her adversary's influence in the wider union at liaison (district), regional and national level and how this would affect the outcome of her complaint. Nor did she realise the forces that would be unleashed in both the trade union and the local authority, and the lengths the bureaucrats would go to try to keep the issue under wraps.

The West Midlands regional official became involved and the union's response was to offer an initial enquiry leading to a union tribunal, which appeared to offer her the prospect of securing protection. In order to benefit from this union service, she had to sign a conditional agreement not to take the complaint to any other body without the union's express agreement otherwise she would not be eligible for further union assistance. This was Rule 24, which we eventually found out had nothing to do with internal complaints involving member v member. However, this offer was paraded as a union procedure giving the impression it was consistent with union's rules * but it was soon shown to be a sword of Damocles held over the victim's head.

In November 1985, after the initial 'enquiry' had been carried out, no tribunal materialised and the regional official 'investigating' the complaint merely produced a report *whitewashing* the complaint to protect the union's image while exonerating an influential lay officer irrespective of what he had done in front of numerous witnesses. The regional official's 'report' contained false allegations against Bis Weaver, misrepresentations, significant omission of evidence, unsupportable attacks on her personal integrity and professional competence and implicitly supporting the accused's attempts to remove her from the supervisory role she held. In other words, save the accused's job but remove her from her post. The regional official's actions had the purpose of aiding a close colleague of his ** by producing an environment where not only her physical well-being came under continual

* NATFHE did not have any rules in 1985 for dealing with complaints of racism

** We found out later that the 'investigating' official was a close colleague of the accused officer

attack but also encouraged attacks on her integrity in the college and in NATFHE at branch, liaison and regional levels.

Bis Weaver refused to accept this *whitewash* and a series of letters taking the 'report' apart went to the regional official. Additional letters went to the general secretary seeking an investigation of her original complaint of racial harassment and also into the circumstances surrounding the 'enquiry'. This was accompanied by a renewed upsurge of hostility directed against her that lasted until June 1986, involving other NATFHE branch officers, while acting in their roles as members of college staff. In February 1986, she declined to participate in another unconstitutional ad hoc enquiry conducted by a head office official, whose remit did not include investigating allegations of racism in her complaint or the regional official's *Kangaroo-style* enquiry. As a consequence, she faced continual attacks from members of the Bournville NATFHE branch, extending into the liaison and regional committees of the union.

During this period every avenue within the union, at branch, liaison, regional and national level were closed to her by head office dictat and a branch motion restricting her trade union rights. It became, in effect, a struggle between her and the Bournville branch, West Midlands' regional officers and the national official, who had overall responsibility for complaints of this type. This official - the Negotiating Secretary, * appeared to be more concerned with protecting lay officers and the regional official than addressing allegations of racism and sexism. In those circumstances, the victim had to face the hostility of formal assessors - full-time officials, and lay officer colleagues of the accused - the informal 'spin doctors', all of whom used their influence to favour the accused.

One significant problem confronting her, as with other Black members was to get union officers and officials – male and female, to acknowledge the validity and nature of these types of complaints. The avoidance technique employed by officials and officers showed not just how damaging they viewed her particular complaint but the lengths they were prepared to go to cover it up. Throughout the whole sequence of incidents, and these were numerous, they appeared programmed into never giving a straightforward answer to a straightforward question or in never giving an answer at all.

What became apparent during this period was an "us" and "them" mentality between,

* The official was David Triesman, who was later to become general secretary of the Association of University Teachers; general secretary of the New Labour Party; a member of the House of Lords; a junior official at the foreign office; and chair of the Football Association. He resigned from the FA after being secretly taped apparently accusing Spanish and Russian football officials of intending to bribe referees at the 2010 World Cup Finals

on the one side officials and lay officers - the "us"; and on the other side were rank and file members - the "them"; with Black NATFHE members, not even in the reckoning, but trailing somewhere far behind the "them". At the time, NATFHE was seething with discontent from its ethnic minority members, who formed 1% of NATFHE membership, but the union showed indifference to their difficulties except at the level of rhetoric.

Unable to make headway against the hostility of local union officers and members and the intransigence of union officials, whom she felt were trying to railroad her in to accepting a less than adequate 'solution,' she looked for an alternative outlet. *

During a meeting with Mr Triesman, in June 1986, he told her to take her complaint to the CRE if she wanted advice. NATFHE, apparently, was not in a position to offer anything other than what had been served up. She acted on that advice and approached the CRE. The CRE advised her to use the LEA's grievance procedures. That advice gave her the opportunity to take the complaint elsewhere and not fall foul of the union's restrictive Rule 24 condition.

Under the misguided belief that the college governing body and the LEA, unlike the union, would honour its obligations to an employee for whom it had responsibility, she registered a formal grievance, in June 1986, against the original harasser and two of his associates, who by now were willingly collaborating with him.

When she sought advice and assistance from the union for the grievance procedure hearing she was refused. Further advice from the CRE was for her to take a case against NATFHE to an Industrial Tribunal on the grounds of racial discrimination in the provision of benefits, facilities and services.

Submitting these two complaints widened the floodgates of NATFHE hostility and various levels of the union set their sails on discrediting the applicant and her application, bringing considerable pressure on her in the run up to the Industrial Tribunal hearing, which, as a result of four postponements, took from October 1986 to June 1987 to be heard. NATFHE officials, in its submission to the Office of Industrial Tribunals, followed in the path of the regional official by producing a revisionist version of history, containing a series of false allegations and false information attacking her motives and integrity.

Almost immediately after NATFHE's submission had reached the Office of Tribunals, local NATFHE officers went on a rampage and several further attempts were made

* In this long struggle to squeeze information out of NATFHE on its procedures, we coined the term *NATFHEism* to describe a practice within the organisation of closing ranks to cover up complaints of harassment/discrimination - a form of structural inertia

to tarnish her reputation in the branch, the region and the LEA. Their actions coincided with the arrangements made for the Industrial Tribunal hearings and appeared to have the purpose of putting pressure on her just prior to her attendance at those hearings. These attempts nestled comfortably alongside the homespun revisionism of NATFHE officials and only the obtuse would fail to see a connection.

NATFHE's revisionism incorporated a cocktail of reasons for refusing to assist her complaints, including the disreputable accusation of Bis Weaver playing the race card. However, in the end, NATFHE was left with no choice other than to acknowledge, at the Tribunal hearing itself, that it had but one procedure for dealing with complaints of racial harassment and that admission created a bizarre situation for an 'anti-racist' union. NATFHE disclosed it would not provide advice and assistance to any members, who brought complaints of racial harassment against other members because the accused members might lose their jobs. Much to the chagrin of anti-racists, in June 1987, the Tribunal accepted NATFHE's policy and found in NATFHE's favour, although it considered the policy to have a racially discriminatory impact. It also severely criticised the West Midlands regional official's 'investigation'.

NATFHE had sown the wind and the policy and its acceptance by the Tribunal prompted a senior officer of the Commission for Racial Equality to state in the press that this policy left Black members "defenceless....(as) Any union member guilty of racial abuse would know that the union would not help the victim."³ When the consequences of the Tribunal decision filtered through to people in the labour movement, NATFHE officialdom, via its spokesperson, brought its 'slur' machine into operation, producing yet another revisionist version of history. This version was based on ill-founded gossip and fabricated information about the Tribunal's findings, nonetheless, it provided an opportunity for Bis Weaver to campaign nationally against NATFHE's racially discriminatory policy. NATFHE had mangled a just and necessary anti-racism ideal into a tragic farce. Ultimately, NATFHE bureaucrats were taken to task by people far more powerful than this solitary Black woman. Bis Weaver had flapped her butterfly wings causing a hurricane to eventually engulf NATFHE.

The local authority played its part in the NATFHE saga. The LEA was prevented, by the Labour Group leadership in December 1986, from releasing its report of the grievance hearing, as it was obligated to do under the grievance procedures, because it would have led to a CRE investigation into Bournville College. The withholding of the report appeared also to be a favourable gesture to labour movement allies, that is, NATFHE officers, who were

also members of the Birmingham Labour party, as the contents of the report would have shattered a significant part of NATFHE's defence at the Industrial Tribunal. *

The LEA, like NATFHE, produced a cocktail of reasons for failing to honour its obligations and its senior man on the education sub-committee, incredulously and contrary to published evidence, rashly blurted out that no enquiry had taken place and no report was produced,⁴ after the LEA had already been virtually forced to disclose in a press release a watered down version of the harassment of Mrs Weaver.⁵ The reluctance of the LEA to release the report and take action against the three perpetrators ** was due in part to the vicarious liability of Bournville College management for failing to intervene to prevent the harassment of an employee by other employees, despite being fully aware of the situation since at least early June 1985.

A few officers in the city council's administration appeared to want a just settlement but were obstructed by local politicians on the politically dominated council committees and sub-committees. The apparent concern of the politicians was to prevent the publicity that would inevitably arise from a race harassment scandal involving union officers in one of the city's colleges. This type of case was more problematic for the local Labour Party because of the discontent over racism inside the Party itself and the agreement made between the city council and the CRE, to bring in the CRE to carry out full investigations of any colleges where there was evidence of racism.

The negative reaction from the bureaucrats in NATFHE, the city council and the local Labour Party leadership exposed the monumental gap between public statements regularly and forcefully articulated by officers and officials on eliminating racist discrimination and their extremely low level of commitment in practice when the interests of Black members and Black employees came into conflict with the interests of the bureaucrats.

Just as disturbing as the attitudes of the paid officials were those of the unpaid lay officers. In the early days of her struggle with the paid variety of union bureaucrats, Bis Weaver sought support from those whom she thought would be willing supporters - the feminists and self-proclaimed anti-racists in the union. These activists dressed themselves in the garb and expressed themselves in the language of committed opponents of racism and

* The LEA report was never released but a version intending to exclude all references to racism was released for the Department of Education and Science, which had taken an interest in the case. A copy was also provided for Bournville college management. The instructions to vet the report had come from the leader of the Labour Group in Birmingham and the City Solicitor. Those assigned the task of vetting did not cleanse the report of all references to racism

** The ring-leader had been allowed to leave the college without a blemish on his employment record

sexism. Therefore, not unreasonably, she expected them to listen to her claims and examine the evidence before reaching a judgement. That was a pious hope – one of many that would never hit pay-dirt and was a particular feature associated with the Broad Left Coalition in NATFHE. Many of these activists, allies of the harasser, were prepared to use arguments at odds with the evidence and they rationalised their position by discounting racism as a reason for what happened to Bis Weaver. To avoid taking decisive action on her behalf, these activists, especially the opinion-formers, defined it in alternative terminology, throwing up the term ‘interpersonal’ dispute’. This was their way of deflecting attention from racist harassment on to a more neutral explanation - no situation could ever be racist in their eyes when it involved someone with ‘left wing’ credentials, as the accused appeared to have.

The term 'racist harasser' was apparently reserved for people with easily discernible right wing political views in just as easily discernible right wing organisations. This enabled racist motives to be discounted when involving members of other organisations especially those associated with the ‘Left’. These ‘radical’ assessors seemed oblivious to the fact that while the membership of racist and neo-fascist organisations is made up of racists; not all racists were in those types of organisations and, although they might be loath to acknowledge it, racists might even exist among NATFHE officers and the Left.

Bis Weaver’s case challenged their conventional and conformist approach to anti-racism by demonstrating the various forms in which racism operated. As these varieties of racism unfolded before the ‘activists’ chagrined eyes to challenge their rigidity in defining racism, NATFHE lay officers, and paid officials, were unable to grasp these variations and shook their heads and wagged their tongues in disbelief. For them to recognise the attacks on Bis Weaver as racist harassment, their meagre knowledge of racism would have required them to re-read or, more likely, to read books on racism and biographies of Black activists to overcome their own narrow perspective of what constituted racism and adopt a more comprehensive and viable approach to its form and content. They needed to overhaul their limited knowledge of racism by studying the experiences of ethnic minorities confronted with racist practices.

Unfortunately, this learning curve was not on the agenda for them because to contain racism within their existing orthodoxy, the racist dimension underlying the behaviour that had been directed at Bis Weaver had to be discounted and replaced with some other concept - a concept neutral, acceptable, harmless and action-proof. The concept of ‘interpersonal dispute’, repeated *ad nauseam* by West Midlands feminists and so-called anti-racists, was

tailor-made for activists to ignore what had really gone on while convincing themselves they were still spokespersons for anti-racism.

Did it never occur to the Broad Left and other Leftist self-styled 'vanguard of the anti-racist movement' that if racism was not a factor in the harassment of Bis Weaver, why did union officers/officials, local authority officers and Birmingham Labour Party grandees go to such lengths to fabricate a cover up? Would anyone go to such extremes, as did the officials, officers and politicians, to cover up something that was purported to have no substance? Why did these activists continue to distance themselves from her and the issue after the Industrial Tribunal of June 1987 criticised union officials for coming to the conclusion that racist harassment was not a factor in her complaint to the union and the Board of Governors. This was a conclusion, given the publicity the case attracted, that must have penetrated the union smokescreen to reach even these acolytes? Was it because Bis Weaver used the bourgeois legal system that these activists despised * although they did not object to the use of this system themselves when it suited their purpose? ** Was it due to the fact that like the NATFHE national official, responsible for casework, they lacked the competence in pronouncing on any person's racist motives? Did it not occur to them that a Black person might know something about racism? Perhaps, that possibility did not fit in with their ethnocentric paternalistic view of being the High Priests and Priestesses at the fount of all knowledge on race issues that caused them to dismiss the experience of Black people as of little or no significance. Could it be that Black people were really invisible and their interests counted for nothing?

These activists would no doubt claim there were no invisible people anymore, nobody to be disregarded. Had they not pushed for an anti-racism policy – a policy that became obsolete in the light of the Weaver case before it was released to the membership? Analogous with this arrogance was the presumption that only White left-wing activists - this indispensable 'vanguard' armed with a plethora of reformist and revolutionary ideas, could be capable of formulating anti-racist policy and determining what constituted racism or racist harassment and not the 'less conscious' Black workers.

They obviously did not recognise that Black people had a more informed insight into the destructive influences of racism than they could ever have. This was seen quite clearly in the West Midlands in 1987 over the struggle in the region's Anti-racist Committee when

* One activist put that reason forward for not supporting her

** Ebbw Vale case 1979 and the University of Newcastle case 1989

Black members began to attend its meetings and outnumbered its 'White activists'.

The inadequacies of NATFHE's vanguard 'radical' activists in dealing with a complaint of racial harassment against one of their own, refuted the high flown policy proclamations gushing from the articulate mouths of the White radicals, whom Black members were supposed to rely on to advance their cause. From the moment Bis Weaver made her initial complaint to the union, the Broad Left Coalition activists lined up against her and were party to creating the disinformation fed to other activists through the union's 'radical anti-racist and feminist' grapevine. When it became transparently evident that union officials were operating a policy discriminating against Black members and women, these usually articulate critics of the union's bureaucratic practices found common cause with the paid bureaucrats. They distanced themselves from her struggle because they were either allied politically with the accused, a prominent and influential force in the Broad Left Coalition; or they held a form of union patriotism - "my union right or wrong" in defence of the union when they perceived the union (their union) being under attack. As a result, they rallied in support of the accused; union officialdom; and the 'union' - the three indivisible elements: the Holy or Unholy Trinity of *NATFHEism*. Their tokenism to the cause of combating racism fused with political expediency, reinforcing the reality of their low level commitment to anti-racism. As they were not part of the solution, they were part of the problem. No doubt they would be able to quote Eldridge Cleaver accurately if they were asked.⁶

The 'Marxists' among them might have been expected to subscribe to the proposition that the genesis of ideas and their development lay within the relationship of the individual, group or class to the political and economic structures and, through this process, maintain or challenge existing ideas. As such, Marxists might be expected to accept that ideas generated by Black people from the positions they occupy within those structures are of more relevance in understanding the various forms that racism takes and are able to develop a more relevant means for tackling it. They made the mistake in analysing racism as deriving being from thought – their thought, rather than thought from being – Black people's thought. These 'activists' had turned reality on its head. NATFHE's purveyors of radical change - the comradely, elitist, pedagogues of the new world order leading the workers and Black people into utopia, did not offer the disadvantaged a restructuring of the union's anti-racist committees and policies let alone the radical reconstruction of society. Not even a route was offered to Black members to enter into the very apparatus of bourgeois society which this 'elite' were carving out for themselves – the road of Bradbury's 'history man'⁷ or woman; all they were offered was a subordinate role trailing in the wake of the 'elite'.

Allowing those with a greater understanding of racism to take the lead would have meant the 'elite activists' surrendering their self-proclaimed intellectual superiority and the vanguard role they had assigned for themselves. On the backs of the disadvantaged, this 'pot-pourri' of 1960/1970s anti-Vietnam War radicals and revolutionaries had become tired symbols of their previous zest, clinging to views to which they paid but lip service and which were merely political 'loyalty cards' to flash among themselves in their aim to dominate the union. The proletariat of the 1960/1970s had 'let down' these radicals by not following the script of the 'activists' political programmes devised by these 'activists'; and now Black people were similarly failing to follow the line of liberation laid down by these founts of knowledge. Therefore, workers and Black people had to be told what was in their best interest without any reference being made to how they viewed the situation. These 'activists' superimposed themselves on the Black struggle to control it and make sure it fitted within the rigid confines of their own ideology, whatever 'socialist flavour-of-the-month' happened to be on offer at the time in the supermarket of political theory.

Other local activists, holding various subordinate roles in the union structure, stayed aloof from the conflict, and tended not to get involved. They remained neutral, not reflecting on Freire, who cautioned the self-justifying neutralists that "Washing one's hands OFF the conflict between the powerful and the powerless means to side with the powerful not to be neutral."⁸ There were writers covering the field of racism in education, some of whom sat as members on NATFHE's West Midlands Anti-racist Committee, who found no difficulty in attacking institutionalised racism but there was a marked reluctance to tackle individuals operating within and reinforcing those racist structures in NATFHE.⁹ Their fine words hung limply when the opportunity to act positively against racism came their way.

The former group designed unimpressive and ineffective schemes for addressing racism and made well-rehearsed speeches to conference delegates, which seemed to be forgotten by most delegates as soon as they passed through the exit doors of the conference halls, especially those delegates from the West Midlands. The latter group of intellectuals fed the production lines of anti-racist literature, creating a means to avoid dealing with racism when it occurred in the real world, that is, within the mainstream of British social, economic and political life and not only in the mind set of organised fascist and racist groups.

The message of anti-racism was lost in intellectual terminology - a kind of group intellectual orgasm. While 'ordinary' mortals were too busy fighting racism to hang around trying to unravel these over-abstractionist terms and translate them into language readily understood by real anti-racist activists. "Assuming their mantle, if that were possible,

intellectuals might toy with abstract ideas...[that] blossom in minds cut off from the universe of ordinary people, so that knowing is divorced from feeling..." However, "the intellectual can reach true 'understanding' only when he enters into the problems and feels them as his own." *¹⁰

Their test-tube experiments produce abstract formula that only they can understand. If they do move to the trenches by involving themselves in committees alongside activists, their perception of theory and practice tends to be confined to policy making. When it is necessary to act in concrete situations they make a bee-line for the exit door and keep well out of the way or lecture the anti-racist activists on what should or should not be done. Involvement is seen as damaging their objectivity and, like scientists in a laboratory, they cocoon themselves to avoid contamination or, maybe, to ensure they will be seen as safe 'liberals' in academic postures and certainly not as anti-racist radicals.

The intellectual debate came across as a self-indulgent, time-consuming discourse with entrance restricted to those in command of the over-abstractionist terms of reference. ** When all that Black victims in NATFHE wanted, as elsewhere, could be clearly expressed in nine letters – 'support us.' It was as simple as that.

There were lay officers and ordinary members, mostly Black, who when they heard of the difficulties Bis Weaver was facing on all fronts, gave their fullest support but since Black people in NATFHE were on the margin, their efforts were constantly blocked within the union's bureaucratic apparatus. While Black members and a few White members were up to their necks in the everyday struggle against racism and the consequences brought by that struggle - intimidation, humiliation, stress, ill health, there were too many White 'anti-racists'

* One player in the early stages of the Weaver v NATFHE case when writing on racism a number of years later, stated that the main concern of the 'professional theory mongers' appeared to be to retrieve social science from the alleged anachronism in which it "is frequently seen as a Trojan horse of phallogocentric, ethnocentric narratives and values."¹¹ He was writing in response to the statement that 'Black feminism prised open the discursive closure which assailed the primacy of...class or gender over all other axes of differentiation; and it interrogated the construction of such privileged signifiers as united autonomous cores.'¹² In his critique, he said, "For what has this interrogation been significant? The plethora and diversity of racist ideas and their protean adaptability to different sorts of political and cultural projects is viewed as a quality of the ideas rather than of the actors and agents seeking to accomplish particular ends."¹³

They saw the debate as deliberating on protean adaptability, axes of differentiation, discursive closures, privileged signifiers and autonomous cores in their efforts to create analytical terms for defining race/racism. This was an approach that would probably have attracted the description of 'an exercise in over-abstraction' by C Wright Mills.¹⁴

** This type of intellectual discourse was something like the debate that E P Thompson felt that he "and some of [his] colleagues cannot break into [because they did] not command the appropriate terms"¹⁵

busy fighting racism either: (i) in the smoke filled rooms of public houses or in yuppy theme bars; or (ii) in the lecture halls and seminar rooms of academia. The word anti-racism came to life at conference time and that was about all it appeared to represent – securing a few kudos when the eyes of the trade union movement was on NATFHE.

Despite both Bis Weaver and I having ‘a long history of fighting racism’, * we readily acknowledged that putting any trust in NATFHE officialdom was grossly misplaced. We failed to realise, as we struggled to discover why the union was reluctant to deal with her complaint in accordance with established procedures that such procedures did not exist and it would mean taking on the bureaucrats and the ‘plastic-anti-racists’ in the union. As Bis Weaver sought vindication for what she had been forced to endure in her search for justice and accountability and to expose the union's discriminatory policies and practices, this ill-advised trust in the union evaporated. ** By then, it became virtually impossible for her to extricate herself from the problems that engulfed her. It was like holding a tiger by the tail; let go and be devoured. Nonetheless, the Weaver case, merely the tip of an iceberg of Titanic proportions, would ultimately sink NATFHE’s flagship ‘Anti-racism Pack and Programme’ before it had taken a maiden voyage.

This comprehensive account involves many facets of racist behaviour. The main perpetrators – employees at Bournville College, Birmingham; two of whom were experienced union officers while the third was a newcomer to the college and new to the hallowed post of temporary union officer. Branch officers and committee members aided the harassment by making life as difficult as possible for the victim while branch members were mobilised to restrict all attempts by the victim to seek redress for what she was enduring. Local officers in the West Midlands region were also willing participants, especially those in the Broad Left Coalition, who pulled out all the stops to assist the harassers, especially as the main perpetrator was a member of that Coalition and stood on the same electoral platform as his comrades-in-arms.¹⁶

*A term used by D Triesman in his evidence to the Weaver v NATFHE Industrial Tribunal hearing, although his quote was not about Bis Weaver or I but in support of those responsible in the college for the harassment of Bis Weaver

** Victims of racist harassment, as with sexist harassment, are confronted with numerous problems besides the harassment itself and in many cases victims fail to pursue complaints of harassment because of: (i) the strength of the opposition against them; (ii) the lack of support from fellow employees; (iii) indifference or opposition to their plight from the union; and (iv) non-workplace difficulties, such as (a) family commitments; (b) lack of the necessary skills to take on the harasser(s) and their allies; and (c) not being physically or emotionally capable of withstanding the considerable pressure applied to them. In these circumstances, the victims are forced to take expedient ways out, such as surrendering to their ordeal or leaving their job

The usual outspoken critics of sexism – the feminists, dutifully described the harassment suffered by this Asian woman as an ‘interpersonal dispute’ discounting the months of harassment suffered by her. Certain feminists were also ‘recognised’ by the union as having a certain expertise in the field of anti-racism, although in NATFHE that ‘recognition’ was hardly a recommendation. Other leading West Midlands officers were noticeable, not so much by their absence, but in the plethora of reasons provided for not supporting the victim, with one such reason being that it might ‘split the Left in the Union’ and lead to a right wing take over. Such was their commitment to anti-racism!

Regional and national officials were as keen as lay officers to cover up harassment and went to great lengths to *Whitewash* complaints and exert as much pressure as possible on the victim. The regional official, who oversaw the *Whitewash*, was defended to the hilt, lest one fall and they all fall. The senior official for case work appeared to interpret the Tribunal’s decision in a way that no one outside of NATFHE West Midlands and head office was able to see.

The way the West Midlands regional official, the region’s lay officers and national officials dealt with the Weaver harassment case exposed the Achilles heel of NATFHE’s oft-repeated commitment to anti-discrimination and its ‘more anti-racist than thou mentality.’ From the Bournville branch, through the West Midlands region up to national level, NATFHE’s guidelines on sex discrimination and anti-racism might as well have remained unwritten for the impact they had on the situation of Black and/or woman members confronted with harassment. *

When the labour movement began to take an interest in NATFHE’s now publicly declared policy of not aiding victims of racist harassment, NATFHE officialdom concocted a version at odds with the facts that made no impression on senior radical trade unionists. The Birmingham Labour Party also became immersed in the issue as a number of Labour councillors sought to cover up the implications of union officers harassing an employee of the city council and they went to great lengths to try to entrap the complainant during working hours. The local Labour leadership failed in this attempt but this was no thanks to NATFHE’s local committees, which refused to take up the issue of an employer making unwarranted

* Plato wrote of those metaphorically living in a cave, who see only the images of life outside the cave as images on the walls inside the cave – they do not see the reality of what exists outside the cave and order their lives by their perception of what is believed to exist outside. Anyone seeking to bring the reality of life into the cave is killed by the cave-dwellers. He had Socrates in mind when writing of this.¹⁷ Between 1985 and 1988, it could easily be mistaken for life in NATFHE

surveillance on a NATFHE member's movements. NATFHE's objective during that period was for the Labour Council employer to pull NATFHE's chestnuts out of the fire by exonerating the three perpetrators for the benefit of both NATFHE and the Labour council. All in the interests of NATFHE's and the Labour Party's commitment to anti-racism!

British colonialism cast a shadow long after its formal apparatus had passed into history. During the colonial era, British citizens displayed a range of attitudes and behaved in different ways to Britain's colonial subjects. But rarely did they allow these subjects to discard the badge of inferiority and subordination assigned to them and it was these attitudes that became an integral part of British culture at home and abroad. Many post-imperial British citizens tended to follow in the path of their predecessors and embraced variant forms of these colonial attitudes. This malleability included British liberal/radical 'anti-racists' with presumed and actual close associations with these now liberated ex-subjects. However, many of those 'anti-racists', outwardly parading themselves as heralds of the new age of parity between the citizen and subject, were naught but camouflaged leopards descended from the pre-colonial age.

The question that requires answering is: despite union officers and officials and members of the Birmingham Labour group seeking to discount Mrs Weaver's claims with a range of gross misrepresentations, why was it that a workplace issue of harassment, not a unique experience for Black people, developed into a three year struggle against NATFHE? This struggle involved hearings before an Industrial Tribunal, Employment Appeal Tribunal and an application to the Court of Appeal, backed by the CRE; as well as involving Labour MPs/MEPs, national and regional trade union leaders, Black groups, Community Relations Councils, the CRE and the Equal Opportunities Commission, Birmingham Labour councillors and local authority officers? An attempt will be made to answer that question by unfolding the sequence of events, recorded in detail as they happened (a significant asset that distinguishes this from other cases of this kind).

This account will show collusion, duplicity and the total disregard for the rights of those who are vulnerable in the work place – the invisible people, who, as far as NATFHE officials and officers were concerned, were not only 'not to be seen' but to be completely disregarded. The invisible people rejected the subordinate roles or subordinate postures they were expected to adopt in order to get a minimal measure of recognition of their right to justice and equality of treatment. These 'invisibles' were, and still are, forced to take on highly visible adversaries. These adversaries are the gatekeepers whose role is to prevent the

onward march of the disenchanted and maltreated lest it interferes with their own personal and political agendas.

¹ Harvey on Industrial Relations and Employment Law [2013] Butterworth, Sevenoaks

² Smith & Woods Employment Law (9th Edition) Smith I & Thomas G [2008] Oxford Un Press, Oxford

³ The Voice, 19 Jul 1988

⁴ Byron, L, BEM, Post and E & S, 9 Jan 1989

⁵ LEA Press Release 15 Dec 1987 File P 74

⁶ Scheer R [1969] Eldridge Cleaver, Random House

⁷ Bradbury M [1977] The History Man, Vintage, London

⁸ Freire P [1984] The Politics of Education: Culture, Power and Liberation, Begin & Garvey, Massachusetts, USA

⁹ Carter R & Williams J, Attacking Racism in Education in Troyna B (ed) [1987] Racial Inequality in Education, Tavistock, London, pp 170-183

¹⁰ Hoare Q & Smith G N (ed) [1971] Selections from the Prison Notebooks of Antonio Gramsci, Lawrence and Wishart, London pp 201 & 418

¹¹ Carter, R, [2000] Realism and Racism, Routledge, London, p 1

¹² Brah, A, [1996] Cartographies of Diaspora: Contesting identities, Routledge, London p14

¹³ Carter, R, [2000] Realism and Racism, Routledge, London, pp 50/1

¹⁴ Mills C W, [1970] The Sociological Imagination, Penguin, London

¹⁵ Thompson, EP [1974] An Open Letter to Leszek Kolakowski, in Socialist Register 1973, Merlin Press, London p 13

¹⁶ See WM Broad Left Coalition platform File X 64

¹⁷ Bloom A D [1991] The Republic of Plato, Basic Books, New York