

Political issues raised by British National Party trial

Chris Marsden, Julie Hyland
11 February 2006

On February 2, Nick Griffin, the leader of the fascist British National Party (BNP), and party member Mark Collett were acquitted of a total of six charges of incitement to racial hatred. The pair are to be retried on a further six charges on which the jury failed to reach a verdict.

The statements on which the charges were brought included Griffin's claim that white girls were being groomed for sex by Muslim men and Collett's statement that asylum seekers were "coming here to take our whole country, to take everything."

The pair were acquitted for these remarks. The jury failed to arrive at a verdict on Griffin's reference to Islam as a "wicked, vicious faith" and Collett's declaration that Asians were "trying to destroy us," as well as his urging, "Let's show these ethnics the door in 2004," and his description of asylum seekers as "cockroaches."

The trial raises political issues that have an impact not only on the struggle against racism and fascism, but more broadly on the defence of the democratic rights of the working class.

The charges against Griffin and Collett resulted from a sting operation by undercover journalist Jason Gwynne for a British Broadcasting Corporation (BBC) documentary, *The Secret Agent*. Gwynne secretly filmed the pair at a number of closed meetings of BNP supporters, where they made their remarks.

Their statements were of a clearly racist character, but state prosecution for comments exchanged in private between like-minded individuals raises a dangerous precedent that should be clear even to those who are rightly hostile to the BNP. In the end, the trial provided the BNP with a platform to posture as the defender of free speech.

It is not possible to determine the degree to which legitimate civil liberties concerns figured in the decision of the jury to acquit the pair on several of the charges. But the BNP's defence relied heavily on the portrayal of the case against it as an attack on democratic rights.

In their closing remarks, the BNP's legal team cited a 1999 High Court judgment that "Free speech includes not only the inoffensive, but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative, provided it does not tend to provoke violence." They stressed that these were private meetings to mobilise BNP supporters at which no one would have taken offence from Griffin and Collett's

statements.

However, the BNP's defence did not focus exclusively on this issue. It argued that the statements made were not racist as they were directed against a religion—Islam—rather than a racial group, and therefore could not be prosecuted under legislation outlawing incitement to racial hatred. Whether or not anyone agreed with the views expressed by Griffin and Collett, they were "a legitimate point of view," the defence lawyers argued.

Much of Griffin's own testimony consisted of a sustained attack on Islam, which he declared was "incompatible with democracy."

The claim that Griffin and Collett's statements were not racist is patently false. Both referred repeatedly to Asians and Pakistanis attacking white people, and used the word Muslim interchangeably with Asian. The charges brought against the two reflected this.

As a political organisation, the BNP sets out to foment racial hatred. Its web site declares that its political mission is to guarantee "the continued existence, as the clearly dominant ethnic, cultural and political group, of the native peoples of these islands—the English, Scots, Irish and Welsh—together with the limited numbers of peoples of European descent who arrived as refugees or economic immigrants centuries or decades ago, and who have fully integrated into our society." It denounces the idea of "human equality" as an "absurd superstition" and proclaims racism to be "part of human nature."

The prosecution ruled out any challenge to such views. Rodney Jameson QC told the jury that the trial could not be a "mini-referendum" on the BNP. "The last thing we ask you to do," he said, "is to say, 'I don't like the BNP, I think their ideas are unpalatable, therefore I'll convict these two men.'" " "

The prosecutors added that they were not seeking to prevent a discussion on the "very sensitive issues" of race or immigration, which are matters of "legitimate political debate." They stressed that the state's complaint was that Griffin and Collett's remarks went "far beyond robust comment."

In his summing up, Judge Norman Jones QC issued the directive that the issue before the jury was whether Griffin "held a genuine belief in his antipathy to Islam or whether it was a cloak he was using to cover the fact he was attacking a

race.”

Such statements were clearly a contributory factor in Griffin and Collett’s acquittal, but this alone does not explain why statements that clearly constituted incitement to racial hatred were deemed legal by all or some of the jurors.

It is not a question of bemoaning the failure to secure a conviction of the BNP fascists. Rather, the case underscores the basic political fallacy of relying on the capitalist state to oppose racism and the activities of the far right.

There were political calculations behind the decision to prosecute the BNP. The BBC documentary aroused significant public anger, and the trial was no doubt seen by the police as an opportunity to distance itself from charges of “institutional racism.”

It is also significant that the case against the BNP was taken out by the Crown Prosecution Service just 24 hours after Prime Minister Tony Blair had called the May 2005 General Election.

Blair has sought to distance himself from obvious expressions of anti-Islamic sentiment and portray his government as a defender of ordinary Muslims. To this end, the government has cultivated relations with various Islamic leaders and is attempting to introduce a law outlawing incitement to religious hatred.

The essential purpose of such posturing is to legitimise Britain’s role in the invasion and occupation of Iraq and stem Labour’s massive loss of support in many inner-city areas, which are heavily populated by immigrants.

But it is Labour that has created the fertile soil on which the BNP feeds. The fascists are able to tap into the campaign waged by the government and the media to generate fear over Islamic fundamentalism in order to justify war mongering in the Middle East and the ongoing attack on democratic rights at home.

This reached a new high even as the BNP trial was underway, with the publication across Europe of anti-Muslim cartoons that were first produced in a right-wing Danish newspaper. Griffin’s rant against Islam in the court was in no way dissimilar to editorials that have appeared in one European country after another. The BNP’s proclamation of a “clash of civilisations” now passes for good coin in much of Europe’s ruling elite.

The BNP’s central demand for a clampdown on immigration is, moreover, common to both the Blair government and the opposition parties. Griffin and Collett could argue in court that many of their statements were based on press reports because Britain’s media is full of articles scapegoating asylum-seekers for the social devastation caused by Labour’s big business policies.

The danger of the development of a mass fascist movement arises from the political and organisational demobilisation of the working class. The collapse of the old workers’ movement and the transformation of the trade unions and the Labour Party into avowed defenders of big business not only leaves workers

unable to combat the attacks on their living standards, it politically disarms the working class in the face of a sustained ideological offensive aimed at cultivating racial and religious divisions.

The struggle against fascism and racism demands a political struggle to raise the consciousness of the working class and mobilise it in the struggle for socialism. The unification of workers, irrespective of race, religion or nationality, is possible only on the basis of a programme that aims at genuine social equality through the abolition of the profit system.

Moreover, there are numerous historical examples in which legal action against fascist groups set a precedent that was then used to attack the civil liberties of working people—most famously the Public Order Act enacted ostensibly against Oswald Mosley’s Black Shirts in the 1930s.

The same holds true with regards to the trial of Griffin and Collett. Besides legitimising the use of hidden surveillance to build a court case, the trial, having failed to secure a conviction, is now being used by the government as an argument in favour of its Incitement to Religious Hatred Bill and other measures that can, and will, be turned against left-wing opponents of the ruling elite in the future.

The bill supposedly offers the same legal protections to religious groups that are presently afforded to ethnic groups. However, it has met with significant opposition because it not only criminalises the intentional whipping up of hatred against a particular religion, but also makes illegal “reckless” words and behaviour merely critical of a particular religion. Touted by its supporters as a means of opposing anti-Islamic sentiment, the bill can just as easily be directed against Muslims, atheists and socialists.

The clause concerning “reckless” words had to be abandoned after it was rejected in Parliament as an attack on free speech. However, following the failure to convict Griffin and Collett, Home Secretary Charles Clarke declared that the dilution of the legislation could be exploited by the far right, and warned that any weakening of the government’s proposed anti-terror laws would be exploited by other extremists.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact