

with a crossbow. The judge said that the trial had a sense of unreality about it because Dumas repeatedly refused to allow evidence of his insanity even though that evidence was overwhelming. Apparently he had been dropped as a baby and suffered brain damage to which doctors attributed his mental illness.

It is apparent that psychiatric experts use a range of descriptions in criminal cases, but the question as to why the descriptions constitute relevant information is rarely, if ever, faced.

This leads us to the notion of "mental illness" and how mental illness acts to impair responsibility. The law does not help us at all there. Neither the Crimes Act nor the Mental Health Act defines mental illness. The psychiatric diagnostic scheme now in use is not enlightening either, as it shies away from using the term "mental illness" — presumably as a result of the deep conceptual problems with this notion. It uses a notion of mental disorder, but this is broad as to include, for example, problems with reading and arithmetic, with giving up smoking, and mild mood swings — hardly excusing conditions for killing. Perhaps, then, it is certain sorts of mental disorder that are relevant, but which they are and why they are relevant is an open question at the moment.

As I pointed out above, the psychiatric categories that incorporate criminality are behaviourally defined and hence cannot provide a ground for reducing culpability. You can't excuse some behaviour on the basis of other behaviour. And why would it be relevant to point out that an accused person is suffering from a neurotic disorder or even schizophrenia? An easy answer might be to say that their judgment is impaired, but even granting that is so, does that distinguish such people from other killers? It is fairly safe to assume that most of us do not condone killing, so there is a sense in which *anyone* who kills has impaired judgment. If it was not mental disorder that impaired their judgment then perhaps it was an

unhappy childhood, a life of discrimination, or poverty or something else. Consider, for example, this report from the *Sydney Morning Herald* relating to John Travers, one of the convicted murderers of Anita Cobby:

The story of the Travers family and their eldest son, John, is a suburban nightmare. It is a depressing tale of a broken family living mostly on social security. Of an obese mother who was often unable to control her seven children. Of a father, a drinking man, who left his wife and children.

(Travers] uncle introduced him to marijuana when he was ten and, later, to heroin.

Any child from such a family is likely to have their judgment impaired to some degree. People don't, by an act of will, impair their judgment but rather become molded into certain sorts of human beings by their social context. If you dig deep enough with any killer you will find why their judgment is impaired, so this line of reasoning does not lead us into a rationale for the separate treatment of some killers over others.

Is it something else about mental disorders which gives them an excusing quality? Perhaps it could be argued that with certain disorders one loses control; it is as if some other agency is working through you; and hence you are excused. This isn't satisfactory. It is you who performed the act even though you may not have thought so. You were mistaken, i.e. suffered from impaired judgment. Hence this "lack of control" approach collapses into a variant of impaired judgment.

Nor does there seem to be anything else that could account for the excusing quality of a mental disorder. This conclusion does not rest very easily with the apparently widespread intuition that psychiatric conditions should be allowed to reduce culpability. This suggests that we either need to rethink this intuition or do a lot more hard thinking about diminished responsibility.

Denise Russell

Party Games

Sydney supporters of the "charter" for a new left party aimed to become a "third force" in Australian politics received something of a surprise in the mail in February: two letters posted on successive days inviting participants to two separate charter groups.

The first, containing the signatures of three-quarters of the charter's Sydney co-ordinating committee, stated that those individuals felt unable to continue working in the project alongside the ex-Trotskyite Socialist Workers Party (SWP). The second, signed by a member of the SWP's leadership, stated that the signatories to the earlier letter had "abrogated their responsibilities" to the group by failing to call a full Sydney meeting, and proceeded to announce one of its own. Not so coincidentally, the latter meeting was scheduled for Parramatta, in Sydney's outer-west, where the SWP's side of the process appears to have its only outside base of support. (The success or otherwise of this meeting has gone unreported in the SWP's weekly *Direct Action* in the weeks since.)

The origins of the Sydney split lay in a national conference of the project's supporters, held in Melbourne last November. The conference, which had been intended to lay the foundations for the formation of a party in 1988, instead turned into a disaster area. SWP delegates, voting as a bloc, denied rival motions the two-thirds majority required for ratification, with the result that very little other than a general statement of aims was actually produced. The conference cemented the growing hostility between many of the "non-aligned" delegates (those not in existing parties) and the SWP, with the third element in the project, members of the Communist Party (CPA),

mostly siding with the former.

Following the conference, the non-SWP delegates from Sydney met to discuss the situation, and responded with a plan for separate processes in the Sydney area — thus avoiding the spectres of “witch hunts” and expulsions, so beloved of the political culture of parts of the left. Hence the rival letters, and the beginnings of a rather confusing episode for many not so well versed in the intricacies of the Australian left.

So far the split has been largely confined to Sydney, where the bulk of the SWP's membership is concentrated. A national telephone hook-up of the various centres in March suggested, though, that similar conclusions have been drawn elsewhere. And since Sydney has so far been the hub of the project, the indirect effects of the split there are sure to spread.

One effect may be to bring philosophical differences over methods of work, hitherto submerged under a rather artificial bonhomie, to the light of day. Another may be a rethinking of the direction of the SWP, whose major allies now are on the ultra-left and among the hard-line minority of the CPA — neither of whom are favourably disposed to the current new party project.

Finally, the tendency of the new party project to become “stuck” on political fundamentals may be exchanged for a more outward-looking approach. One excursion in this direction was charter supporter Jack Munday's campaign for the state upper house in the recent NSW elections — although this was buried under the rightwing landslide in that poll.

The NSW elections may prove ominous for the project in other respects, too. Given that its viability may depend on the relatively calm political waters of Labor governments, the unmistakable signs from the NSW poll suggest that the projected party nationally may have, at best, only another two years in which to strike its roots.

David Burchell

Raymond Williams

1921-1988

The pre-eminent British socialist intellectual Raymond Williams, who died in February, deserves a full retrospective which, unfortunately, time and space will not allow here. As the editors of *Politics and Letters* (1979) (a series of interviews with him conducted in 1977-8 by *New Left Review*) noted, he occupied “a unique position among socialist writers in the English speaking world today.”

books, Williams also had the distinction of being a best seller. In the UK alone, 750,000 copies of his books had been sold by 1978. Among these, many of them now set texts in universities and extra-mural courses, are *Culture and Society 1780-1950* (1958), *The Long Revolution* (1961), *Communications* (1962), *Drama From Ibsen To Brecht* (1968), *The Country And The City* (1973), *Keywords* (1976), and *Marxism And Literature* (1977). He also found time to write novels, television, film and play scripts and to play an active role in socialist politics.

Born into the Welsh working class, Williams became a ‘scholarship boy’ and went on to Cambridge where he was active in the Socialist club and, briefly, in the Communist Party. After a commission in the anti-tank regiment during the war he became active in adult education and the Workers Education Association as a staff tutor at Oxford University and then on to become lecturer and, in 1974, Professor of Drama at Cambridge University.

His influence on a generation of socialists, especially those who were trained in the 1960s battlegrounds of ‘old’ and ‘new’ left, is enormous. This is especially, though not uniquely, so in the area of cultural politics. In recasting the relationship between culture and society, in resisting some of the old dogmatism of left and right, in drawing attention to both the complexity and importance of the forms of popular culture and their relationship to what he called in a simple but memorable phrase ‘a



Photo: Verno Books

whole way of life’, Williams ranks, in the twentieth century, as the foremost cultural thinker of the British, and possibly Anglo Saxon, socialist tradition.

Williams' relationship to Marxism demands a history in itself. In spite of his disclaimer as “one who has never been a Marxist” in *Culture and Society* (1958), it is clear that his engagement with marxism became more and more productive through his later works to his cautious, later self-definition as a ‘cultural materialist’. This led him to engage, less suspiciously, with the work of some of the continental European marxists — Lucien Goldmann, Gramsci, Althusser and, more recently, Rudolph Bahro. The latter interest signalled a shift, more or less contemporary with his retirement, back to the more general and global dilemmas of socialist politics; to the insistence that, in real terms, the ‘alternative’, as Bahro put it, does not have much of a shape or texture in socialist thought.

If it does come to have such a shape, texture and plausibility, then it is certainly worth registering Williams' immense contribution to it.

Colin Mercer