

Party of the Committees to Support Resistance "for Communism (CARC)  
National Direction - International Relations Department  
Tel. +39 0226306454 - e-mail: [carc.ri@libero.it](mailto:carc.ri@libero.it)

Association for Proletarian Solidarity (ASP)  
E-mail: [info@solidarietaproletaria.org](mailto:info@solidarietaproletaria.org)  
Website: [www.solidarietaproletaria.org](http://www.solidarietaproletaria.org)

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**LET'S DEFEND FREEDOM OF EXPRESSION AND ORGANIZATION OF COMMUNISTS  
AND OTHER OPPONENTS to PAPAL REPUBLIC!**

**NO TO THE NEW SPECIAL COURTS!**

## **LET'S NIP IN THE BUD THE EXPERIMENTS OF RACISM AND FASCISM!**

On 20 January in Rome, the Supreme Court will consider the appeal by the public prosecutor of Bologna attorney Paolo Giovagnoli and by Marcello Branca, General Attorney of the Republic at the Court of Appeal of Bologna, against the sentence of *non suit judgement because facts do not subsist* issued on 1 July 2008 by the GUP (Judge for Preliminary Hearing) Rita Zaccariello, about the Eighth Judicial Proceedings (OPG) for "subversive association" (paragraph 270 bis of Penal Code) brought forward for five years by Giovagnoli against 12 comrades of the (new) Italian Communist Party, the CARC Party and the ASP.

The sentence of the GUP Zaccariello barred the way to the exploitable use by the reactionary right of the crime of subversive association, inherited from the fascist penal code, to attack, suppress, subdue to various harassments (house searches, abuses of power, intimidations, seizures, controls, infiltrations, etc.) opponents to the regime of the Papal Republic introduced in our country at the end of Fascism.

This sentence unveiled and demonstrated that from 2003 to 2007 PM Giovagnoli used the paragraph 270a of penal code (in particularly the accusation of terrorism) against some comrades of (n) PCI, CARC Party and ASP and bodies close to them, that is the caravan of (n) PCI, with the main objective to outlaw (n) PCI and hinder the work of the public organizations that recognize themselves and cooperate with his plan to make Italy a new Socialist country.

His aim was to declare them "terrorist organizations", against whom automatically apply the wicked deeds provided by the international "anti-terror" laws and regulations: essentially, detention of suspected people without judicial proceedings, deprivation of liberty and civil rights by decision of the police, harassments and various bullying.

The stop put to the "new Torquemada" Giovagnoli and his accomplices and instigators was a victory for Communists, anti-fascists and all sincere democrats and marked an important step against the resolutions to outlaw Communists and the repression of people's movement of resistance in our country!

**Let's mobilize so that the Supreme Court confirm the sentence by the GUP and put a**

**stop to those want to promote reactionary devolution in our country, to the reactionary right wing gathered around the Berlusconi government and its fascists and racists ministers.**

The Supreme Court will stand up for one or other of the two conceptions of repression (and in particular about the use of crimes of association and the so-called anti-terror laws) existing within the ruling class, the magistracy and the institutions of our country.

On the one hand there is the component of the ruling class that does not want its hands tied by laws in force and is determined to expand and make more and more violent, open and declared the preventive repression against students, workers, immigrants, fighting trade union militants , anti-fascists and communists, up to the outlawing of Communists and all opponents. It is one that leaves a free hand and instigates fascist, racist and members of criminal organizations while pursues, imprisons and condemns anti-fascists, communists and other opponents to the current regime. It is the reactionary right wing, promoter of the experiments of fascism embodied by the Berlusconi's gang. Judges as Giovagnoli and Branca, who support the indiscriminate use of preventive and anti-terror laws and crimes of association, are part of this component of the bourgeoisie which tends to the subversion of the established order and that points to create judiciary and special courts tame to Berlusconi's government and its ministries. Their appeals to the Supreme Court, Branca's Declaration about the extension of police powers and the Italian-French bilateral group on "terrorism and serious threats" built by Giovagnoli speak for themselves!

On the other hand, there is that component of the ruling class that wants to follow, as far as possible, the laws ratified in the Constitution and the penal code, to carry out the repression of political opponents. This is more reluctant to the subversion of the established order and does not participate (and sometimes hinders, denounces) the illegal measures and procedures the reactionary right uses against opponents of the bourgeoisie and in particular of Berlusconi's government.

The sentence of GUP Zaccariello refers to this conception, the conception of the leftist and moderate rightist bourgeoisie.

In essence, the Supreme Court will decide whether to support that part of the magistracy and of the ruling class who wants to strengthen the repression in our country without getting their hands tied by law and the rights ratified in the Constitution, and clear the field by judges who, in one way or another, are reluctant to turn into this road *or* counter this attempt to openly trample on the rights ratified in the Constitutional Charter and to

advance towards the outlawing of the Communists, along with related plans to create special courts and tribunals, strictly subordinated to the executive for political repression.

The Supreme Court will have to decide whether ranging within those who, at least formally, follow the democratic values of the Constitution, born from the victory of the Partisan Resistance against Nazi-Fascism, or rather within those who believe that freedom of expression and organization ratified by the Constitution are no longer compatible with the political and social situation that is going on, within those who believe that to manage the acute and terminal phase of the of the general crisis (layoffs, business closures of firms, greater misery and exploitation for workers, precarious workers, retirees) it is necessary to sacrifice individual and collective freedoms of people's masses and to recognize owners, businessmen and adventurers of all kinds full freedom to exploit men, women and children, to plunder natural resources, to devastate the environment in which we live. It will have to decide, therefore, whether or not to endorse the package of laws ready-made for Berlusconi, its gang and its class, the so called "reform" of the justice Berlusconi and most reactionary bourgeoisie want to carry out to ensure impunity and a free hand to governments, financial companies, great industries, bankers, rich, high authorities, government, military and ecclesiastical authorities.

The persecution of Communists, the increasingly blatant violations of the Constitution and the laws that to some extent protect the interests of the masses, the suppression of anti-fascists, the police charges against workers, students, environmentalists, the Centers where illegal migrants are closed in, the security package and the hunting of immigrants, the raids of Rom camps, the evacuations of social centers, the militarization of whole cities and areas, the extension of measures of control and repression go hand in hand with the proliferation of experiments of fascism. Casapound, Forza Nuova Fiamma Tricolore, La Destra, the green shirts of the racist Borghezio, etc, that is the most reactionary ruling class, properly represented by the gang of criminals

, fascist and clerical gathered around Berlusconi, is testing each fascist and racist group and movement to find one able of leading the reactionary mobilization of the masses. By the establishment of locations of Forza Nuova, of Casapound and other fascist formations in popular neighborhoods, this part of the bourgeoisie prepares the conditions for organizing the masses, especially young people from whom it is taking away any hope of living and future, on the field of reactionary mobilization. So, it tries to shift the problems and contradictions it has in ruling and ensuring decent living conditions to the bulk of the population in the attack to the immigrant "who steals jobs" and to the "different one" "who undermines the values of Christian civilization" in the "war to foreign competition that ruin our businesses", in the conquest of "living space" for our own bosses, in the struggle to "defend the interests of Italians before all and above everything. To repress opponents and mobilize the most backward and brutalized part of the masses against the other part, to drag them all in the aggression and plunder of other countries is the way by which the ruling class dominant tries to "get out of the crisis" keeping up its system of social relations, its

power and its privileges. The revolt of immigrants in Rosarno has uncovered what is the future that this scum is preparing for us: brutal exploitation, elimination of most basic rights, degrading conditions of life, misery and general degradation. It showed what means it uses to do this: the fascist squads arm in arm with organized crime and police and carabinieri forces.

**It is possible to put a stop to all this! It is possible prevent the reactionary right from constituting its emergency government!** Workers's Organizations, People's Organizations, the true democrats must pick up the reins of the country and build their own government, a government of People's Bloc, which bars the way to the reactionary right wing, to fascists and racists, and takes all necessary measures to cope with the worst effects of crisis by centering the interests of workers, students, pensioners, immigrants and housewives. This government will make the popular masses do the experience needed for large sections of the population understand that "while the owners can do nothing without the workers, workers can do everything better without the owners". So, such experience will strengthen the fight to end the capitalist system and make Italy a country free from owners, from Vatican, the U.S. imperialists and the criminal organization, a country where everyone could have a life of dignity and that will allow to make new steps on in the development of human civilization: a new socialist country!

*The fight against the persecution of Communists and anti-fascists, against the clearance of fascists and subsidizing racists, against attempts to subjugate the magistracy under the orders of the reactionary right and to throwing into wastepaper basket what remains of the political rights gained by the Partisan Resistance feeds the construction of the People's Bloc Government.*

**We call all true democrats, all anti-fascists, all anti-racist, all Communists to take a stand against these attacks and to mobilize and participate in the rally on 20 January held in Rome against the persecution of the communists, against the persecution of comrades belonging to (n) PCI, the CARC Party and the ASP!**

**We invite all anti-fascist and democratic forces to join the rally of 20 January which will be held contemporarily at the Court of Pistoia at the first hearing of the trial against the anti-fascists arrested on 11 October in Tuscany (including Alessandro Della Malva, federal secretary and a member of National Direction of CARC Party and National and**

**Juri Bartolozzi member of CARC Party of Pistoia) and the rally of 26 January at the court of Massa, at the trial against the anti-fascists who have sponsored and organized an anti-fascist, antiracist and popular squad on July 25, 2009 and have disinfected the city from the fascist squad SSS!**

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