

Trade Unions and Politics

Labour and the Workplace

Ken Coates and Tony Topham



Trade Unions and Workplace Politics

The trade unions in Britain have now entered their most serious crisis for more than a century.

On one side, this crisis takes the form of sustained long-term mass unemployment, running at the highest level ever recorded. With little or no growth in output, redundancies and plant closures remain daily occurrences. A large-scale collapse in some "traditional" sectors of the economy (as they are now styled, with sinister undertones, by "modernising" demolition squads) has all but laid waste entire regions, and created zones of blight which can anticipate but the most meagre and grudging relief for any foreseeable future. Spreading out from these zones, trade union membership loss has been acute and demoralising, directly reflecting the lengthening dole queues. Recently more than two million strong, the Transport and General Workers' Union now barely tops a million and a half. The Seamen's Union now counts only 25,000 members. Internal political manoeuvres render some other union statistics liable to dispute, but overall there can be no doubt that Labour now faces an adverse market with smaller forces.

This produces understandable hesitation in many areas: collective bargaining has become more timid in its objectives and less resolute in pursuit of them. As the Advisory Conciliation and Arbitration Service reports in its Annual Report for 1982, "Trade unions adopted a more cautious approach . . . with lower pay increase expectations and a decline in industrial disputes in most of the private sector". At the same time, ACAS notes, "some managements have decided that, whether for

economic reasons or otherwise, measures must be implemented regardless of employees' views. In such cases this had led to the unilateral imposition of change, and sometimes, direct approaches to employees over the heads of the recognised trade unions". Whether agreed or not, many broad changes have been imposed, and ACAS believed that many of these "are now permanent and will not be reversed when the economy starts to recover".

All these are purely economic adversities, and they would have to be taken extremely seriously even if they were not, as in fact they have been, suffered during an unremitting legislative onslaught aimed at the systematic curtailment of union influence and controls.

But on the other side of the crisis, we need to face up to the truth that the political attack upon trade unionism has not hitherto taken account of these movements in the balance of economic power, and is only now about to begin to do so in earnest. Without in the least wishing to minimise the impact of previous Conservative legislation, it has all been radically different in quality from the proposals which have now been tabled by Mr Tebbit. These are now going for the kill.

Mrs Thatcher's success at the General Election of 9 June 1983 obviously places the trade unions in a great predicament, because only 39 per cent of their members voted Labour this year. Whether or not this weakening of trade union members' traditional allegiances proves temporary, the continuous slump in the labour market has eroded the movement's industrial strength, has rolled back trade union bargaining power and militancy, and has had certain entirely predictable effects upon morale. In these circumstances, an old theory offered many years ago by G.D.H. Cole, suggests that, as trade unions' industrial strength ebbs, so they will turn to political action. Whatever the state of historical evidence for this theory, few will doubt that the movement's response to its current crisis should indeed be political. In this crisis, there are profound threats, but also opportunities and imperatives for new developments in Labour politics. It is precisely against these that Mr Tebbit is taking up his legal blunderbus.

He clearly perceives that mass industrial action as a resistance to Government policies stands little chance of



evoking a response amongst a demoralised and fearful trade union membership. This is evidenced for example by the repeated reluctance of the mineworkers, both nationally and locally where particular pits are threatened with closure, to employ the method of overall industrial action. The miners' caution is not the result of diffident leadership. On the contrary, miners' leaders have constantly made plain their view that direct action should be authorised, in a succession of ballot which have withheld such authorisation. Trade union leaders in a number of other industries have had similar experiences over the past few years. The need to find responses which will stimulate realistic and effective forms of counter-attack is urgent, and the trade unions would be wise to consider every proposal for practicable action.

But this is the very moment which the Government has chosen to launch a crippling attack upon the political connections and traditions of the trade unions. Norman Tebbit's post-Election programme of legislation includes proposals for new restrictions on the legality of strike action, and for new state interference in the forms of internal trade union government (in ways designed to reinforce media influence upon trade union elections). But by far the most lethal onslaught consists of a series of proposals to sever the links of trade unions with the Labour Party. These are carefully designed to have disastrous consequences for the Labour Party's finance and for Labour's near-century-old base in the nation's workplaces. It is this directly political threat that we have chosen to address here; neither of us would suggest for a moment that the others are unimportant. But the annulment of the trade unions' political fund is the core of a total strategy, which seeks to destroy Labour as an effective political force. It is already plain that this strategy will have as high a priority in Mrs Thatcher's second Government as the annulment of workers' industrial bargaining powers occupied during her first term of office. Doubtlessly she will be reinforced in this intention by media recriminations: there are already signs pointing to the generation of a McCarthyite atmosphere in industry and politics. We may also anticipate continuous employer offensives against trade union representatives on the shop-floor.

Mr Tebbit's proposals on the political fund take the form of amendments to the 1913 Trade Union Act which currently regulates trade union political activity. Under this Act, trade unions are required to hold an affirmative ballot of their members in order to authorise the setting up of a political fund. In the case of most unions, these ballots were held once only, many years ago. Mr Tebbit has seized on this to propose that the continued operation of a political fund must be submitted to the test of an affirmative ballot of the whole membership of a union (in accordance with the procedure laid down in 1913, which requires a simple majority of those voting) every 10 years.

The second proposal is that the definition of "political objects" in Section 3(3) of the 1913 Act should be "brought to date" so as to cover expenditure on television, radio and other forms of publicity, on elections to the European parliament, and the printing of political literature.


The Employment Secretary has a third threat held in reserve. He argues that "there is widespread disquiet about the way in which the right of individual members not to pay the political levy operates in practice through the system of 'contracting out' ". He is asking the TUC to discuss this "problem". Behind this vague formula

lies the intention, already trailed extensively in the earlier Green Paper, to revert to a legal requirement that unions ask individual trade unionists who wish to contribute to a political fund to "contract in". Such a measure would hinder the collection of trade union political funds wherever the proposed 10-year ballot resulted in a decision to continue such funds. The timetable for all these proposals presses very close; the Tebbit changes could be enacted early in 1984; thereafter, trade unions would be given 12 months in which to conduct the required ballots. Failure to affirm the political fund in those ballots would debar unions from financing political activity for the next 10 years.

How likely are ballots to confirm the political levy? We have already referred to the major defection of trade unions members who voted for Tory or other candidates in the 1983 General Election. Five major unions already have a majority of members contracting out of the political levy — SOGAT, NGA, ASTMS, COHSE and ACTT. A number of smaller unions are in the same position. Unions with large proportions contracting out include TASS, the Fire Brigades Union, Furniture, Timber and Allied Trades, NATTKE (the cinema union), Tobacco Workers, and the building union UCATT. All of these could suffer defeat in the ballots. Moreover, even the larger unions with huge majorities at present paying the levy could not necessarily be confident about the outcome of the ballots. In January 1982 a MORI poll reported that the opposition to Labour Party affiliation outnumbered supporters of such links in the TGWU, AUEW, GMBATU, ASTMS, EEPTU, NUR and USDAW. On the findings of this poll, only in the NUM and in NUPE would Labour win an affirmative ballot such as is now likely to be scheduled a maximum of 24 months hence. Whilst we must always approach polls with some caution, we must face up to the calculations now being made by Mrs Thatcher's closest advisors, that by the time of the Party's conference of 1985 or 1986, a large proportion of Labour's present trade union affiliates might very well be compelled to absent themselves from the deliberations.

What would be the consequences of a divorce between the unions and the Labour Party? The Party's finances, precarious to the point of insolvency already, would be devastated. Even after the recent major increases in Constituency Party contributions, three-quarters of the Party's ordinary revenue comes from trade union affiliations, quite apart from the substantial sums which the unions donate to General Election

VOTE FOR

Home Rule.		Temperance Reform.	
Democratic Government.		Healthy Homes.	
Justice to Labour		Fair Rents.	
No Monopoly.		Eight-Hour Day.	
No Landlordism		Work for the Unemployed.	
KEIR HARDIE.			

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funds, and to capital projects such as headquarters' buildings.

Financial losses at regional and local levels would also be severe. Trade union participation in the Party's work at all levels would be decimated as all formal delegate representation from union branches to the constitutional committees of the Party was withdrawn. Already, under present practice, a dangerous tendency has arisen for trade union influence over Labour Party policy-making to become too heavily concentrated in the hands of a few trade union leaders, while rank and file union participation at the local level has been reduced. But a formal severance of trade union links would have its greatest effect at the local level; we can assume that informal discussion and influence at the top level would continue, although not involving direct financial assistance from unions to the Party. Trade union influence at parliamentary level would be excluded as union-sponsorship of MPs was rendered illegal. Campaigns on single-issues, even by "non-political" unions such as NALGO (for example against privatisation) would become illegal.

Quite apart from these formal, constitutional and financial consequences, the ending of the trade union link with the Labour Party would encourage those who seek to further weaken the loyalties of union members to the Labour movement. We might then expect less principled, more opportunist lobby-politics at the apex of the trade union movement; possibly the TUC would finally emerge as the "neutral" spokesman of workers' interests, functioning as the expression of just another "interest" in society. The corporatist drift in TUC policies, already made more evident by some of its spokesmen since the General Election, would undoubtedly be increased. Another wing of the leadership might try ever more desperately to resort to direct sectional action, unlikely though this might be to win wide support.

We need a firmly political answer to this most serious threat. During the passage of Tebbit's Bill over the next few months, the trade unions and Labour Party will have to organise a major campaign of propaganda and education, aimed at swinging rank and file trade union



opinion behind the defence of the political fund. Of course, it has all been done before. After the infamous Osborne Judgement in 1909, when the judiciary held that it was illegal for trade unions to spend their money to achieve political objectives, the unions and the TUC, along with the then infant Labour Party, campaigned stridently, lobbied, and argued insistently in support of the principle that a trade union had the right to spend its own money freely in accordance with the wishes of its membership. Only reluctantly did the movement accept the 1913 Act with its provision for a ballot of the membership to legalise separate trade union political funds, and its establishment of the right to contract out, for dissident individuals, even after the majority had determined to establish a political fund. Not without criticism, the main leaders of the movements argued that it was justified to accept the 1913 measure as a step towards the full restoration of the right of trade union self-determination. Unions organised vigorous pro-fund campaigns and — as is evidenced by the continued high level of trade union affiliation and levy-paying — they succeeded in winning the ballots and in keeping contracting out within narrow confines. The law changed again after the General Strike of 1926. Between 1927 and 1946, legislation required members to contract in, as individuals, to the payment of the political levy. This had serious effects on Labour Party finance, but it did not destroy the trade union-Party link, and Labour won the 1945 general election whilst operating under the restrictions imposed in 1927 by the Tories, even though the proportion of trade unionists affiliated to the Labour Party had then fallen from 75 per cent to under 50 per cent.

Today the task of holding the line is quite exceptionally difficult, because this must be done while Labour struggles to recover from a traumatic Election defeat; to group its forces for a General Election in June 1984, which is all set up within an optimally inhospitable framework of choices; and to cope with a rain of physical blows upon all the welfare and public services which have been wrested from the now collapsing post-war political settlement. Yet however firmly the Party takes up these other major challenges, it cannot avoid the priority of maintaining its own defences. The links with trade unionism must not only be defended, but extended and revitalised. A key instrument in this respect will be the newly available institution of workplace Branches. Such Branches have been slowly forming themselves since 1981, in response to a constitutional change which permits individual Party members to group together in the same workplace, and to seek direct representation in such constituencies as it may qualify to join by the simple criterion of recruiting 10 workplace members resident therein.

The objectives of such workplace Branches are:

- i. to provide a firm base for recruitment to the Party and to encourage participation;
- ii. to extend the influence of the Party to the widest audience and generate more interest in political matters amongst trade unionists;
- iii. to provide opportunities for political education and propaganda for the Party;
- iv. to propagate the principles and policies of the Party;
- v. to reflect the strong links between the Party and the trade unions at national, regional and local levels in the co-ordination of campaigns and activities;

vi. to work with the Constituency Parties covered by the membership of the Branch."

The model rules for such Branches naturally preclude discussion of "any industrial matters that are properly the responsibility of the appropriate trade union organisation", since their intention is to present the face of the Labour Party in a working environment, and not at all to cross industrial relations wires with relevant union bodies. Complementarity, not competition, should be the rule in this respect.

Up to now very few workplace Branches have been constituted, partly perhaps because of uncertainties about this division of roles, and partly because of very firm convictions about the need for unity of purpose in the face of all the many tribulations which are nowadays visited upon so many workplaces.

But these quite reasonable hesitations no longer retain force, once the intentions of Mr Tebbit's new legislation have been understood. There is no way that Labour Party supporters in any workplace (and "workplaces" include many offices and shared tasks which cannot be described as "industry": a workplace may be situated in a school or hospital, an insurance office or a shop, as well as a mine, mill or factory) can campaign effectively to prevent Tebbit realising his goals, unless they organise for that specific purpose. It will involve them in a multi-union, multi-plant campaign, wherever unions straddle enterprises or share representative roles. It will require sensitive co-operation with every tier of union representation, from shop stewards' committee up to national trade union office. But above all it will require a persistent, untiring effort of persuasion, which must be *organised* as we have never organised before.

The task will be plainly evident. While the new Bill is tabled, we have to group our forces. While it is debated, we have to be able to connect all the arguments so as to generate a hitherto unprecedented level of understanding of all that is involved. Once the Bill passes, we shall have to win a whole series of ballots in order to maintain any political funds at all, and every workplace will need to be canvassed as thoroughly as every estate in a key by-election. And, once we have reversed all the undoubtedly serious menaces to cut off the very existence of political levies, we then have to be ready to persuade everyone to contract into the fund, since it is almost certain that "contracting out" will be abolished.

No doubt this is a daunting agenda. But if it is approached with resolution, it can immeasurably strengthen the Labour movement. As we campaign, we can recruit individual Party members. We can bring workpeople from more and more enterprises into the innumerable battles to defence local democracy, welfare rights, and public services which are already shaping up. And we can re-open the argument, in non-affiliated unions, like NALGO and the NUT, to bring them into the Party framework, whilst extending our influence in the workplace Branches until those major new adhesions become possible.

When workplace Branches were first conceived, these new threats had not been uttered, and their rationale was therefore less evident than it now appears. That is why the track record of their establishment is up to now so poor. But now we are warned. We must organise new Branches, with a sense of burning urgency. We must provide a framework for them to exchange experiences and share problems, and begin to establish necessary research and back-up services. As soon as may be practicable, there should be the first of a series of conferences of workplace Branches.

How can I set up a Workplace Branch?

1. Find at least 9 colleagues who want to join.
2. Notify your Regional Office and ask them to make the arrangements to constitute the Branch.
3. Let us know at the IWC so that we can inform you of any consultations which may be helpful to you, and help you to exchange information with others.
4. Affiliate to any CLP in which you have 10 members, and ask all the local Parties to let you know of any possible recruits in your workplace.

Here follow the model rules for Workplace Branches, as agreed by the Labour Party National Executive Committee in July 1982 and ratified by the 1982 Annual Conference.

Rules for Workplace Branches

1. The Workplace Branch of the Labour Party will cover the (here insert the name of the factory, office, depot, or other place of work to be covered as agreed locally). In any dispute over the precise definition of area to be covered the National Executive Committee will have the final decision.
3. The objectives are;
 - i. to provide a firm base for recruitment to the Party and to encourage participation;
 - ii. to extend the influence of the Party to the widest audience and generate more interest in political matters amongst trade unionists;
 - iii. to provide opportunities for political education and propaganda for the Party;
 - iv. to propagate the principles and policies of the Party;
 - v. to reflect the strong links between the Party and the trade unions at national, regional and local levels in the co-ordination of campaigns and activities;
 - vi. to work with the Constituency Parties covered by the membership of the Branch.
3. **Membership**
The membership shall consist of individual members of the Party working in the, with a minimum of 10 members.
4. **Officers**
The Officers shall be Chairperson, Vice-Chairperson, Secretary and Treasurer, elected by



ballot at the Annual Meeting of the Workplace Branch. Other functional officers may be appointed as necessary.

5. Auditors

At the Annual Meeting there shall be elected two auditors, who shall audit the accounts for the coming year.

6. Delegation to Constituency Labour Parties

The Branch shall be entitled to one delegate to any Constituency Labour Party provided it has a minimum of 10 individual members of that Constituency Labour Party within the Branch. A Branch with fewer than 10 members from any one constituency shall be entitled to one delegate to the Constituency Labour Party with the largest membership in the Branch. The delegation is a nominal one for the Branch and is not proportional to membership.

7. Annual Meeting

The Annual Meeting of the workplace branch shall be held in the month of 14 days notice being given to each member, together with the agenda and request for nominations. The reports of secretary and treasurer together with balance sheet, duly audited, shall be presented.

8. Other meetings

Ordinary meetings of the workplace branch shall be held at such time as may be decided upon by the members at an annual meeting.

9 Meeting Place

The meeting place as may be decided upon by the members at an annual meeting, should not be such as to preclude an official of the Party attending.

10. Finance

The funds of the workplace branch shall consist of donations, collections and receipts from activities undertaken by the Workplace Branch, and other means as might be agreed locally and approved by the National Executive Committee. In the event of the dissolution of this Branch, its funds and properties shall belong to the Constituency Party/Parties covered by the membership of the branch, in proportions to be agreed with the Regional Office.

11. Branch business

The business of the Workplace Branch shall preclude any industrial matters that are properly the responsibility of the appropriate trade union organisation.

12. The general provisions of the Constitution and Standing Orders of the Labour Party shall apply to this Workplace Branch.

13. 20 per cent of the membership or eight members whichever is the larger shall be present for a meeting to be quorate.

14. Alteration of Rules and Standing Orders

Alterations can only be made at the annual meeting or at a specially summoned meeting, a fortnight's clear notice of the proposed alteration having been given.

Proposals for Legislation on the Political Activities of Trade Unions

Issued by the Department of Employment, 12 July 1983.

11. In the Green Paper the Government made clear its commitment to the principles of the Trade Union Act 1913:

- i. that trade unions should, if they so choose, be able to pursue their members' interests through political organisations and to give financial support to such organisations;
- ii. that no trade union member should be obliged to support financially any political organisation if he does not want to, and that he should not suffer so far as his union membership is concerned by refraining from giving such support.

The responses to the Green Paper have confirmed the Government's view that these principles are no longer adequately safeguarded.

12. Under the 1913 Act unions are required to hold an affirmative ballot of their members only in order to authorise the setting up of a political fund. There is no statutory requirement ever to hold a further ballot on the issue (unless a union amalgamates with another which has no political fund). The Government believe it to be indefensible that political funds should be operated on the basis of decisions taken up to 70 years ago. They propose to provide that the continued operation of a political fund must be submitted to the test of an affirmative ballot of the whole membership of a union (in accordance with the procedure laid down

in the 1913 Act) every 10 years. The Government believe that this step is necessary to safeguard the right of successive generations of trade union members to determine whether or not their union has a political fund and engages in political activities.

13. It is also intended that the definition of "political objects" in Section 3(3) (see Annex) of the Trade Union Act 1913 should be brought up to date so as to cover expenditure on television, radio and other forms of publicity, on elections to the European Parliament and the printing of political literature.

14. In respect of the second principle referred to in paragraph 11, the consultations on the Green Paper have confirmed that there is a widespread disquiet about the way in which the right of individual members not to pay the political levy operates in practice through the system of "contracting out". The Secretary of State for Employment is therefore inviting the TUC to discuss the steps the trade unions themselves can take to ensure that their members are freely and effectively able to decide for themselves whether or not they pay the political levy.

CONCLUSION

15. The Government intend to reintroduce a Bill to give effect to these proposals when Parliament reassembles in the autumn. They would welcome comments on the proposals by the end of September. Any comments should be sent to the Department of Employment, Caxton House, Tothill Street, London SW1H 9NF.

The Trade Union Response to the Osborne Judgement and the 1913 Act

Before the Osborne Judgement of 1909, it was generally assumed that trade unions were legally entitled to engage in all forms of activity, consistent with criminal and common law, which furthered their purposes. Trade unions had sought parliamentary representation at least since the 1860s, the miners' union being the first to achieve the direct election of "sponsored" MPs. The law only began to take a hostile interest after the formation of the Labour Party in 1900. Thereafter, anti-Labour moves to outlaw the union connection developed to the point when, in 1909, a Mr Osborne of the Amalgamated Society of Railway Servants (forerunner of the NUR) took a legal action to prevent his union from financing the Labour Party. This was eventually upheld in the House of Lords and the unions and the young Labour Party faced a crisis that was widely compared in gravity to the Taff Vale case. After a major debate and campaign, the unions won from the Liberal government the 1913 Trade Union Act, which restored the unions' right to engage in political activity involving financial expenditure only after the membership had approved this in a ballot, and

providing also that individual members had the right to contract-out of paying that part of their union contributions which went to finance political activity. With the exception of the period 1927-46, during which a Tory law substituting contracting-in for contracting-out, and barring civil service unions from political affiliations, prevailed, this is the law which has governed trade union politics to the present day, and which Tebbit is intent on amending.

It is very largely forgotten in Labour and trade union circles today that the 1913 Act was regarded by the whole movement as an unfair restriction on trade union freedoms, at the time of its passage. It was only accepted as an interim measure on the road back to the total legal abstention on this issue which had prevailed before Osborne. The intense debates on the question in the TUC between 1910 and 1913 reveal this very clearly.

Following the Osborne Judgement, the TUC President addressed Congress in 1910, describing the Judgement as "the most important subject you will have to consider . . ." and went on to trace the history of trade union struggles to obtain parliamentary

Winston Churchill defended the unconditional right of trade unions to support political activities in this contribution to a debate in the House of Commons on 30 May 1911.

"I should have no hesitation in saying that it is quite impossible to prevent trade unions from entering the political field. The sphere of industrial and political activity is often indistinguishable, always overlaps, and representation in Parliament is absolutely necessary to trade unions, even if they confine themselves to the most purely industrial forms of action, and the moment you touch representation you reach the very heart and centre of political life, because the disputes as to representation raise every



question of general politics and party politics which can be imagined . . . in the great majority of cases workmen do not feel injured even if their very small contributions are taken to support trade union politics with which they do not agree. They do not in the great majority of cases object. Many of them do not think very much about it. Very few workmen, luckily for them, are cursed with logical or theological subtleties of mind. They do not mind, in practice and as a general rule in the great majority of cases, pay for their union politics, which they regard as advancing the interests of their class, then voting for a different political party which they regard as advancing political affairs upon another road at the same time. There is a great deal more sense and deep reason and sagacity in that lack of logical subtlety than might appear upon the surface. . . It is not good for trade unions that they should be brought in contact with the courts, and it is not good for the courts. The courts hold justly a high and, I think, unequalled prominence in the respect of the world in criminal cases, and in civil cases between man and man, no doubt, they deserve and command the respect and admiration of all classes in the community, but where class issues are involved, it is impossible to pretend that the courts command the same degree of general confidence. On the contrary, they do not, and a very large number of our population have been led to the opinion that they are, unconsciously no doubt, biassed. . . . We know perfectly well that the trade union movement ought to develop, ought not to be stereotyped, ought to have power to enter a new field and to make new experiments. . . We wish to set the trade unions free to develop their efforts, to build up in this country a minimum standard of life and labour, and to secure the happiness of the people."



W. V. Osborne

representation. From the 1860s, he affirmed, “the Trade Union world had no other idea than the one that it was one of their objects, not only to work for, but to maintain in Parliament, Labour men (*sic*) representing the Trade Union forces of this country and from 1874 onwards the funds of Trade Unions have been applied to the purpose of returning and paying Members to the House of Commons.”

The successful Motion debated at that year’s Congress declared:

“While welcoming any Bill which provides for payment of members (of the House of Commons), this Congress cannot recognise such a measure as a solution of the difficulty created by the Osborne Judgement, regarding it as essential that Trade Unions should enjoy *absolute freedom* to engage in political action” (italics added).

In the debate, speakers constantly and unanimously demanded “the right of our members to vote their money for what purposes they liked”.

In the following year, Congress had before it the government’s proposals for a new law (embodied in the “Trade Unions No.2 Bill”) which included the provision for individual contracting-out of the political fund. The Railway Clerks’ union moved the following motion:

“That inasmuch as the Trade Unions (No.2) Bill denies them the right to exercise the elementary principles of self-government, this Congress regards it with great dissatisfaction, reaffirms previous decisions claiming liberty of political action, and urges the Parliamentary Committee to give strenuous opposition to the Bill unless it is so amended as to restore completely the political freedom enjoyed by Trade Unions for over 40 years prior to the Osborne Judgement, as demanded in the Bill previously promoted by the Labour Party.”

In 1912, the Trade Unions (No.2) Bill was still wending its way through parliament, and the TUC President told Congress, that although some amendments had been accepted by the government, “the Bill in no way concedes the right of Trade Unions to use their own money in their own way, as may be provided for in their rules and subject to a majority of their members being in favour”. In the same year, the government sought to mitigate trade union opposition by instituting the payment of members of parliament: a

salary of £400 a year was provided. Congress declared that this concession in no way obscured the issue of trade unions’ political freedom, (although some speakers remarked caustically on the waning of enthusiasm for the subject by some Labour MPs, following on their receipt of a salary!). The argument against contracting-out reached its high point in the 1912 debate at Congress.

Mr T. Shaw, (Amalgamated Weavers), for example, said:

“They want to prevent us from using our money in our own way and time in defence of our own interests; and if we speak of the rights and wrongs of the case, surely a union which has been straightforward in the matter has the right to say that the majority shall rule. Are we to have this objection forced upon every other part of our work? (‘No.’) Well then, a man has no more right to refuse to pay his Parliamentary levy definitely voted on by the majority of the members than he has to decline to pay any other part of his subscriptions. And look at the unfairness of the proposition, that he should have the right to vote equally with the majority while refusing to pay his portion of the contributions. Talk about morality!”

And Mr G. Barker (Miners’ Federation) reinforced this stance:

“I look upon the man who refuses to pay his Parliamentary levy and takes all the benefits from the Labour movement, as a sneak and a blackleg. The Minimum Wage Act was also got chiefly through the Labour members, and the reason the Labour Members voted against the third reading of it was because it did not contain the schedule the men were asking for. Through that Minimum Wages Act tens of thousands of the miners had their wages raised 8s., 4s., and 5s. Are those men entitled to refuse to pay the Parliamentary Levy? We have the right to exact the Parliamentary levy out of every man until they contract themselves out of the benefits which are derived from our Parliamentary action” (Cheers).

By the time of the 1913 Congress, the Trade Union Act had become law. Arthur Henderson, fraternal delegate to Congress from the Labour Party, spoke as follows on the subject:

“... our success has been of a qualified nature, as not being all that we have desired in that direction, but the partial success we have achieved imposes upon every Trade Union, and especially upon every Trade Union official, a



Lord Halsbury, a former Conservative Lord Chancellor, who was one of the Law Lords responsible for upholding the Court of Appeal’s Osborne Judgement.

great responsibility. The ballots that we are about to take under the new Trade Union Act will, in our opinion, determine the measure of our political activity for some time to come . . . those ballots must be carried to a success . . . to defeat the political fund resolution at the forthcoming ballots of the unions will do more than strike a blow at the Labour Party. It will make practically impossible, so far as the unions are concerned, political action in any shape or form."

The 1913 Congress also received and approved a report of a Special Conference convened by the TUC, the General Federation of Trade Unions, and the Labour Party, which had been held on the subject (at the Memorial Hall, Farringdon Street, the venue of the 1900 founding conference of the Labour Party) in June. This report, signed by all three organisations, concluded with the following paragraph:

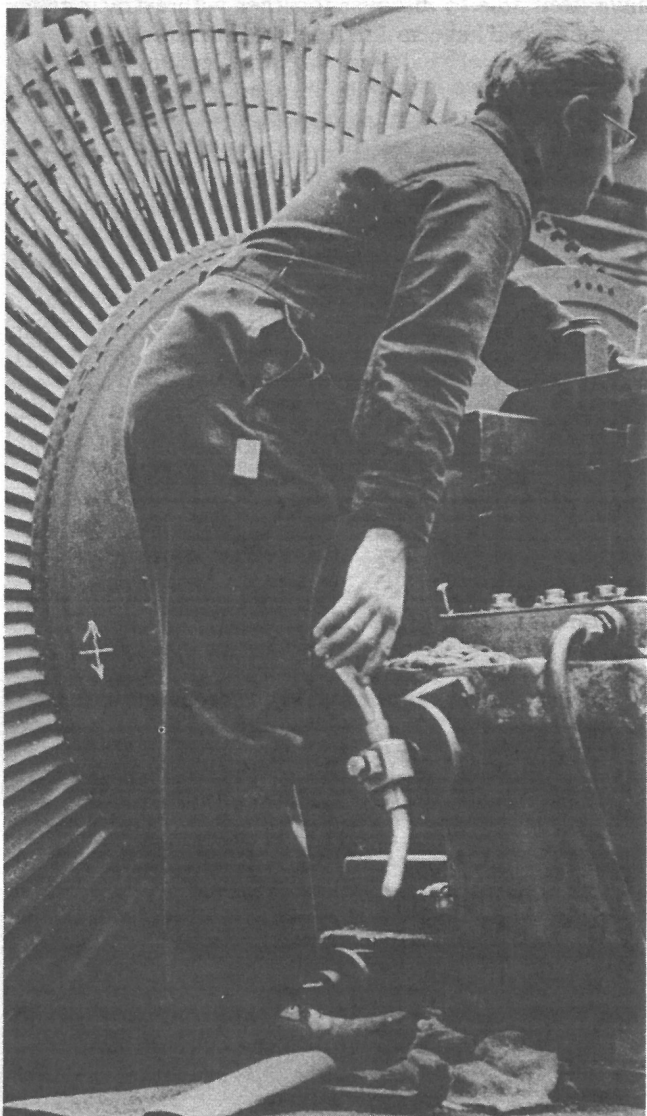
"We cannot but express our deep regret that the Government have made themselves responsible for a Bill

which allows men to remain full members of the unions and accept benefits, both industrial and political, without recognising or meeting their full obligations. In view, however, of the fact that the Bill does allow Trade Unions to engage in political action under conditions which, though unfair, can nevertheless be made immediately operative, the Conference would, in our opinion, be securing the immediate future of the political Labour movement if it accepted the measure under protest, and regarded it as an instalment, and not as a final settlement, of Labour's demands."

In 1983, as we prepare to join issue again with government and law on this ancient question, we would do well to realise that, for 70 years, trade unions have in fact been restricted in a quite unique way over their right to engage in political activity; we should ask ourselves why what was once the source of a sense of burning injustice has become accepted as a fair and reasonable norm.

Setting up a CND Workplace Branch

Allen Ashmore has worked at Raleigh Industries, Britain's major bicycle manufacturer, for almost 20 years. For much of that time he has also been a very active member of the Labour Party. Here he talks to Tony Simpson about the CND group, formed with colleagues in his workshop, that has been meeting regularly for more than six months.



TS: How did the CND group at Raleigh come into existence?

AA: It was about 2 months before the June General Election, when Cruise and Pershing were very much on the main agenda for public discussion. My colleague Pauline had joined her neighbourhood CND group. They wanted to reach more factory workers, so they asked Pauline to start this group in Raleigh. Pauline produced a programme of events, then we together did a mass leaflet of our shop, announcing a meeting at the Social Club on Raleigh's premises on a Friday lunchtime, starting at 12.45 and finishing at 1.15, so we only had half an hour. The mass leafletting was confined to our own department of about 200 people. Following that we got something like 35 people to the initial meeting. We had speakers from CND come to discuss the issues. That went on for several weeks. Just having interesting speakers, trying to hold peoples' attention, introduce them to the ideas of nuclear disarmament.

TS: Your chairwoman is in the Labour Party, are any of the others?

AA: Yes, she's a Party member. None of the others are, apart from me. We seem to attract mainly the under-25 age group. It's disappointing that we can't attract more older people as well. They're not interested in taking part, and I don't know why. There's more women than men. Nearly all the men are black. About half the women are as well. The teenage girls are very interested. We do get some older women, in their 30s, who are very highly motivated. Much more active than men of a similar age.

TS: Are there any lessons in all this for the establishment of Labour Party workplace branches?

AA: Yes, there are. One is that it's difficult to cross boundaries. We've been unable to spread out beyond our shop. We don't know why. They know about us, they know we're active. We thought about doing another leaflet drop. But we decided it would be difficult to organise on a Raleigh basis, with three to four thousand people. We can only organise as shop stewards organise within the confines of their small area. We haven't got the equipment to do otherwise.

Workplace Branches: A Survey

In June 1983 we wrote to all Constituency Labour Parties to enquire about the number of workplace Branches which had come into being. The relevant part of the enquiry read as follows:

"The Government's proposals for legislation to undermine trade union political funds means that it is doubly necessary for us to pay attention to organising our Party members in factories, mines, offices and other places of work. If the law is changed in order to compel unions to invite their members to 'contract in' instead of permitting individuals to 'contract out', then we may be sure that it will be necessary to wage a major campaign in order to maintain the Party's affiliated membership. I have taken a preliminary census among a number of trade union colleagues, and they offer a variety of estimates of the numbers of persons who might be expected to contract in if the new legislation ever comes into force. These estimates vary, but all are extremely pessimistic. Yet there can be no doubt that a group of Labour Party members, organised in an Industrial Branch, could put up a most effective campaign to persuade their workmates to take the trouble of contracting in. It seems to me that this is a key area of Party organisation during the next 12 months.

"For this reason, I am seeking to take a census of Industrial Branches which already exist. I really would be very grateful if you could tell me how many such Branches have been formed in your Constituency, and what membership they have obtained.

"I should also be very grateful if you could tell me of any outstanding successes in this field, or any important

obstacles which you may have had to overcome in order to organise in this way."

It took only a few days for this argument to be outdated: when the Tebbit proposals were published on July 12 they were far more radical than had been feared, especially in that they had homed in, laser-like, on the potentially lethal objective of the "affirmation" of the political fund. This "reform" has a sure and remorseless killer instinct. If we were to seek an analogous threat to the employers, perhaps this might be found in a proposal to rescind the principle of limited liability for all companies which could not file a certificate of satisfactory labour relations, signed annually by the appropriate trade union representatives.

When we went to press we had received replies from 51 Constituency Parties of which only nine had associated workplace branches. Quite a number of CLPs showed interest in developing such branches and some told us of the difficulties they had experienced or foresaw in their creation.

We print below a list of the workplace branches we have been able to discover together with extracts from the replies we have so far received from the enquiry.

Some Workplace Branches

Newcastle on Tyne — Newcastle Polytechnic.

Bradford — West Yorkshire road car company; Renolds engineering.

Sheffield — Firth-Brown steelworks (long established); Davy-Lowry; BSC; Stocksbridge; Shardlows.

Huddersfield — ICI.

York — West Yorks bus branch; Hospitals branch.

Scotland — Kyle and Carrick district council; Rolls Royce, Hillington, Glasgow; Inverclyde district council; Timex, Dundee; Rosyth dockyard.

North-West — Coopers Hill Post Office, Kirby; Edge Hill College, Ormskirk; Calderstones Hospital; Liverpool Postal Employees.

South-West — Rolls Royce; BAC.

London and South-East — Camden Libraries Arts Department; Hornsey Town Hall; Hackney Town Hall; Fords, Dagenham and London PTE; Haringey Council; Royal Free Hospital; Hackney Downs school.

"We started the organisational work in October of last year and had our inaugural meeting in February of this year. We are at present consolidating the Branch and at the same time expanding our membership. To date we have recruited a minimum of 60 people into the Party."

*Rolls Royce, Hillington
Glasgow Workplace Branch*

"I am sorry to say there are no Industrial Branches in this Constituency. The idea of forming one at British Aerospace (Welwyn Hatfield Constituency) has been very informally mooted. I think the main problem is a widespread lack of awareness of the possibilities of Industrial Branches."

St Albans CLP



"I regret to say that we have no industrial branches in our constituency; the main obstacle being that we have very little industry, and all that there is, is on a small scale."

North West Leeds CLP

"... we have no industrial branches but we do have two workplace branches; one in Hackney Town Hall, and one at Hackney Downs School."

Hackney South and Shoreditch CLP

"I am afraid we took the decision some time ago not to form Workplace Branches as we felt members should be involved in the community in which they live."

Banbury CLP

"In Central Leeds CLP, there are currently no workplace branches, but, we are in the process of establishing a branch at the Leeds Public Works Depot, and at the Central Bus Depot."

Central Leeds CLP

"There are no workplace branches in the Isle of Wight CLP, though various attempts have been made to organise them. The problems seem to be that although the NEC has issued model rules, they have not really given any useful indication of the kind of rôle they see such Branches playing in the work of the Labour Party; that, to the extent that they have, that rôle is seen by some as an attempt to supplant the traditional Branch structure of the party and of the unions themselves; that little or no support for this move has come from union head or regional offices; and that such branches would have problems in fitting in meetings (this is perhaps more of a problem in some areas than in others — for example, most workplaces in this constituency are situated some distance away from the homes of their workers: the not unnatural desire is to get away from the factory or office as soon as possible, and there are no opportunities to hold meetings during the working day)."

Isle of Wight CLP

"The Haringey Employees Labour Party — Hornsey Town Hall Branch (Hornsey and Wood Green CLP) has existed now formally for over a year and is starting to become active.

"Membership is soon to be finalised but is at present approximately 25. Most of these are NALGO members from the Council's 'Borough Architects Service'. Of the remainder, most are NALGO members from other technical services; building crafts unions are also represented.

"Given the above, the Branch has taken a particular interest in the proposals being considered by the Labour-controlled Council to reorganise its Architect's Service and the design-and-build part of its DLO as a means of equipping them to provide a better and more efficient service and thus maintain the credibility of the Party locally and better resist the threat of privatisation."

Bob Malz

"No Industrial Branches have been formed in our Constituency. Some attempts have been made to organise Branches but where employees in a particular industry are represented by several different Trades Unions, disagreement between these Unions has resulted in the failure of such attempts."

South Derbyshire CLP



"There are presently no workplace Branches within the constituency. Due to the largely residential character of the constituency I can't envisage that any will be established in the near future. Following the decision at 1982 conference, and the subsequent circulation of model Rules by the NEC, we did discuss the subject briefly at a General Committee meeting but without agreeing to take any specific action.

Having said that, I am currently co-ordinating an attempt by the Birmingham District Party to establish one or more workplace branches for employees of the District Council. As 'we' employ about 50,000 people, I have every hope that this will be successful."

Edgbaston CLP

"I am sorry to inform you that at present we have no Industrial Branches in this constituency. It is a very large rural constituency and the Labour Party struggles to survive here. The idea of starting workplace branches was mentioned about two years ago, but our industrial members were already overburdened with Trade Union

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responsibilities and did not feel they could run workplace branches as well. I will, however, raise the subject again with the General committee."

Ludlow CLP

"After a promising start the Ford branch seems to have hit a bad patch, I like to think this is due to members being involved in election activities in their own constituencies and it being the holiday period.

"The branch was formed in December 1982, we have some 25 members turn up at meetings though not all at the same time. I've passed on to Walworth Road about 15 membership applications.

"We do have obstacles, the wide area over which Ford workers live, and, the many different types of shifts worked makes it difficult to get people to meetings.

"We are determined to keep at it and make it a success, I'm convinced the potential is there."

Fords, Dagenham Workplace Branch

"I am afraid to say that we have as yet no Industrial Party Branches in this area. In the old West Lothian CLP, we had begun to think about this matter very seriously but before we had time to organise, the boundary changes came along and this did not materialise."

Livingston CLP

"Writing as the secretary of a non-industrial workplace branch I am happy to report that the Newcastle upon Tyne Polytechnic arm of the Labour Party has a little influence and strength. We were formed late last year and we now have over 50 paid-up members. The branch sends a delegate to three local Labour Party General Committee's (GMCs) (Newcastle East, Newcastle Central and Hexham) in each of which we have 10 or more members.

"The workplace branch managed to lobby the local (Labour) city council over projected cuts, and upset the Polytechnic management a little by getting their plans amended. This link between Labour Party employees and Labour Party employers through the branch and

the Labour Party machinery has proved to be very effective, and the branch now has a rather over-inflated reputation of its power and influence. The branch has developed good working relationships with local councillors and the local Labour Party."

Geoff Hodgson

"Our Branch is going very well now; out of a department of about 300 we have about 30 members — and that's without doing any aggressive recruiting. We now plan to have a major membership drive very soon. Our main problem, of course, has been finance — or rather, lack of it.

"At our last meeting, we discussed the role of workplace branches, now that we've had a few months to consider the advantages and disadvantages. I know from contact with other members of workplace branches that there is considerable frustration about the rather vague constitutional position of workplace branches. To give you an example of this, we recently sent a resolution to our Council's Labour Group and were told that they couldn't consider it since it had to go through the CLP — at the same time we were told that we couldn't vote on the leadership question since we weren't a Branch of the CLP.

"With this in mind we agreed the following points:

"Workplace branches are essential in re-building the mass Party, and should therefore be as free as possible from bureaucratic disincentives. We are therefore in favour of greater autonomy for workplace branches, including independent delegates and resolutions to Conference. In order to preserve and strengthen links with residential parties we propose that all workplace branches should be able to send delegates to the GMCs of any CLP that has members in the Branch, and comes within the Branch's catchment area. We believe Walworth Road should organise and finance a regular newsletter for workplace branches and an annual conference for them. Finally, we feel that workplace branches should keep a proportion of subs, to give them an independent, regular income."

*London Borough of Camden Libraries and Arts
Department Workplace Branch*

We are grateful for everybody who has responded to our enquiries and would like to mention particularly the help given by Geraldine Hackett and Ken Fleet in compiling the survey.

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