

The NGA dispute at Warrington was a major industrial event, with far-reaching implications. Here we present two rather different assessments of what it meant.

# The Unions: is There Life After Warrington?

## JOHN McILROY: *A Disastrous Course*

The vote by the TUC General Council on December 16 not to support the National Graphical Association constitutes Margaret Thatcher's greatest success this side of the June election.

The immediate consequences of the affair are already apparent. The NUJ which had voted to defy an injunction granted to newspaper proprietor David Dimbleby executed a *volte-face* in the aftermath of the General Council decision and disowned its members in dispute with Dimbleby who had sacked his own printers and transferred work to the non-union firm T Baily Foreman. Surer than ever of his ground, Employment Minister Tom King explained that he was considering bringing forward new anti-closed shop laws scheduled for October and speeding up measures to restrict strikes in essential services.

The NGA episode has both weakened union resistance to the anti-union laws and the TUC's bargaining stance with the Government. If the lady *is* for turning, it won't be through smooth talking by the TUC. Len Murray's pet project has produced not only no real changes in Tory policy. It has produced no real debate.

### Meaning of the legislation

The measure of the defeat for trade unionism the TUC decision represents, the extent of what has been given up in return for the mirage of productive talks, the inadequacy of any token bones which *might* be thrown to the TUC in return, can only be appreciated if we recall the role of the anti-union legislation in Thatcherite politics. The ambition of the Tories' legal strategy, its long-term consequences if successful in restricting the organisation, values and practice of British trade unionism, has commonly been underestimated even on the Left. The laws are not only intended to undermine the unique

organisational base of trade unionism, through the provisions which require an 80% vote before the closed shop is legal and to weaken bargaining power by rendering illicit most of the practices needed to make industrial action effective in today's recession. The banning of solidarity action and of picketing outside the employment unit in the 1980 Act, the outlawing of 'political' disputes such as the POEU fight against privatisation in the 1982 statute and the ballots on political funds in the new trade union bill are intended to reinforce and mobilise the sectional workplace tendencies of British trade unionism, its split between the industrial and the political, *against* its striving for unity and breadth as exemplified by the relative strength of the British union centre, the TUC, and its close identification with its own creation, the Labour Party.

The Taff Vale clauses used against the NGA, which make the union and its funds responsible for its members' activities, are intended to accelerate the shift of power from shopfloor organisation to head office, a shift prompted by the industrial relations reforms and stimulated by the recession. Whilst the provisions in the new bill for secret ballots on union elections and industrial action are intended to make unions less democratic and participatory.

Using the legal process to amplify and develop its weakness and curtail its strengths, Thatcherism's project is no more or less than the remaking of British trade unionism on a domesticated US model as a helpmate for, rather than a barrier to, economic transformation.

### Ambiguity

If the Tories' commitment to this strategy was apparent by the time of Prior's replacement by Tebbit so too were the problems confronting the unions' response. *The NGA debacle was no sudden betrayal. It is in the development of that response that we must look for explanations of what happened on December 16.* Heath's Industrial Relat-

ions Act had been despatched by action from below in a period of powerful shop steward organisation and rising militancy now eroded by half a decade of burgeoning unemployment and the demoralisation of the social contract which laid bare the limitations of shop steward politics. The swing in power within the unions and externally to the employers plus the greater likelihood of their using the law all dictated that support would not be semi-automatic. It would have to be mobilised from the top. Leadership and a unified response would be essential if the laws were to be immobilised.

The TUC's response sought to reconcile different approaches within the unions. The eight points adopted at the Wembley Special Conference in early 1982 explicitly grounded TUC policy in the experience of the early 70s. The only way to beat the law *was to break the law*. The key point five specifically gave the TUC General Council power to support an affiliate in legal difficulties including 'calling for industrial action against the employer concerned or more widely . . .'

Nonetheless comfort for the TUC Right lay in the small print. Before supporting a threatened affiliate the General Council would have to feel that the union's illegal action was both necessary and *justified*. Its advice on the form and *continuation* of the action would have to be accepted. If point five contained the dynamic for confrontation, this rubric gave the General Council room for manoeuvre, the ability to pick the right terrain for confrontation, the loopholes for a get-out. The formula represented a compromise between Left and Right and provided legitimacy for a range of responses making the outcome of any set-piece dependent on the balance of forces in the movement then prevailing.

If the law was to be broken, the TUC accepted the necessity for a propaganda offensive to counter Thatcher's own assault. The resulting campaign was insufficient.

To be effective, to win minds, ideological struggle has to be anchored in a perspective for action. But the thousands of union representatives who attended the TUC's campaign workshops during 1982 could see little will to resist the law in practice from their leaders. The divorce between campaign rhetoric and industrial reality could only strengthen demoralisation and cynicism. In a series of cases under the 1980 Act at Chloride, Aire Valley Yarns and the Liverpool Docks, TGWU officials accepted injunctions and urged their members to call off action. Hot on the heels of the TUC's failure to support ASLEF came the very favourable terrain of the NHS dispute. Yet when in August 1982 the Newspaper Proprietors Association obtained an injunction against officials of the print unions involved in organising a 24 hour stoppage in solidarity with the hospital workers, both SOGAT and the NGA called off the action.

#### June 9 and 'new realism'

The inadequacies of this response, the blows the unions were suffering on the wider front and the falling membership figures played their own small part in the June 9 election defeat which in its turn strengthened demoralisation at the base of the unions. The Left had failed to stop the retreat. June 9 represented not the conversion of Len Murray and the TUC Right but their opportunity. It is not to personalise unduly to dwell on Len Murray. In the tangled politics of the TUC, the full time general secretary possesses tremendous potential power, particularly to initiate. The TUC's policy of 'neither war nor peace', a militant posture but evasion of confrontation in practice, had not succeeded. The posture over the legislation, the alternative economic strategy, the close identification with the Labour Party, were all barriers to what Murray saw as the recipe: an aura of responsibility and closer collaboration with the Tories. Responding to the demands of the TUC Right — Gavin Laird, John Lyons and Alistair Graham — Len Murray soon had TUC research staff writing up the justifications for the new turn. The TUC Congress in Blackpool, in its acceptance of talks with Tebbit, its rejection of a tougher line on the legislation and with the election of a right majority on the General Council, proved a victory for the 'new realism.'

While the Wembley policy formally remained intact, Len Murray felt sufficiently emboldened by the time of the POEU dispute in November to inform the union's executive that 'Congress has not yet

decided that any union obeying an injunction would be contravening Congress policy . . . there was no question of the TUC setting out to break or encourage members to break the law.' The road to December 16 lay clear ahead. A matter of weeks later, Murray's desire to subvert Congress policy in pursuit of his chimera of concessions from the Tories had led to his unprecedented public condemnation of a TUC committee acting within that policy.

#### Favourable terrain

If Wembley and TUC opposition to the law was to have any meaning, the terrain for a conflict offered by the NGA dispute could not have been bettered. The NGA is a powerful composite disciplined organisation. It was fighting for its life. In the face of new technology, its survival depends on maintaining the closed shop and utilising industrial practices which are now illegal. It had the overwhelming support of its members. Its leadership stood firm even in the face of sequestration of the unions' assets. Industrial disputes are still won by power, not public opinion. Nonetheless, active opinion-makers across other unions widely appreciated the purpose and importance of the NGA's stand and its relevance to their own future. Picketing, secondary action and the closed shop are vital to trade unionism in other industries besides print.

Had the TUC placed itself squarely behind the NGA, these strengths could have been developed. The shennanigans in Fleet Street on 5 December when the Newspaper Proprietors Association was split down the middle on whether to confront or ignore the NGA and Maxwell's

attempt to buy up Shah were small but significant signs that much of print, let alone wider industry, had little stomach for a confrontation over a small scale parvenu.

The NGA could have taken the dispute no further in isolation. Faced with the dilemma, obedience or bankruptcy, it had little alternative but to take the issue to the TUC. The balance of forces on the General Council showed itself far more fluid than generally supposed. The 29-21 vote was only assured through the support given to Len Murray and the right wing by figures such as John Morton of the Musicians Union, Les Wood of UCATT, Bryan Stanley of the POEU, and John Daly and

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Ada Maddox of NALGO, all voting against the letter or spirit of their own union's policy on the issue. It is pointless to conjecture as to whether or not an escalation of the dispute by the TUC could ~ have been successful. No guarantees can be offered in any dispute in 1984. Still less one involving a direct confrontation with the state. What is clear is firstly, that the direct independent action from below of a decade ago was simply not there. And secondly, that the debate between Left and Right was never about pulling the troops out — the only way the dispute could have been won — or even attempting to try.

The battle on the General Council was formally about whether the TUC should offer the NGA good wishes and token help,



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which would by no means be sufficient to win the dispute but would act as a basic gesture of solidarity and sound an end to the retreat; or, whether the NGA should simply and indecently be thrown to the wolves. *In substance it was about whether the TUC would accept that it could not break the law with the corollary that the Wembley policy would crumble and the TUC would in practice accept the new legal edifice.*

### Crisis of ideas

The historical importance of December 16 is that the TUC voted to do precisely this. It is a watershed in the sense that it represents a desire to lay the memories of Pentonville and the miners overturning Heath to rest, to accept a new more limited role in society, pursuing the shadow of a tripartitism whose substance is simply not on the political agenda. The view that what happened was that the NGA just did not have a good enough case and that the next union threatened by the law will get a fair hearing is pure whimsy. What the TUC decided was that no support of any kind can be given to an affiliate if it could attract legal action. No other union is likely to put its head in the noose. Most union leaders will do their best to ensure that illegal practices do not even occur. And that is a big nail in the coffin of effective trade unionism.

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There is a crisis of political ideas at every level in the unions. The strategy of the TUC General Council in dealing with legislation which raises basic questions about the very *nature* of trade unionism has exacerbated that crisis. It is the long term lack of political vision of the majority leadership of British trade unionism rather than some act of betrayal which is responsible for the important defeat of the NGA. Nonetheless, if a rebuilding of trade unionism cannot take place within the confines of the TUC's 'new realism', the inability of the Left to provide alternatives has contributed to that philosophy's present dominance.

A simple recreation of the limited postwar syndicalism will not suffice. The reconstruction of strong workplace organisation *is* central but this time it has to be developed on an explicit political basis. And that requires an ideological fight by the Left to redefine the purposes and methods of trade unionism in Thatcher's Britain. It

is because the NGA affair places a discussion of such basic issues on the agenda that it is an opportunity as well as a defeat for socialists in the unions. •

## JOHN LLOYD: *Flabby Muscles*

The industrial dispute between the National Graphical Association and the Stockport Messenger — which is still, at the time of writing, going on — has illuminated (rather than changed) very much: the nature of the changes in industrial relations law by the 1980 and 1982 Employment Acts, the effect of the new electoral system on the TUC general council, the rapid and profitable spread of the giveaway newspaper industry, among others.

All of these have been at least touched on by the extensive coverage which the dispute attracted. Little mentioned, though, was a matter of particular concern to the Left: the role of *leadership* — and the response of the *led*.

The main events of the dispute will be well remembered: Mr Eddie Shah, a successful freesheet publisher, expanded his operations from its Stockport base to new plants at Bury and Warrington. Negotiations to duplicate the Stockport NGA closed shop at the new plants broke down — the NGA says Shah reneged on an agreement, Shah says the union wanted too much — and picketing of the plant began in the middle of last year. The issue became one of national significance once Shah successfully took out injunctions against the union: its refusal to obey these injunctions attracted heavy fines, still outstanding.

The TUC's role became ever more critical as the story unwound. Once it became clear that mass picketing could not halt production, the NGA approached the TUC for support: while the full extent of the support likely to be demanded never became clear, it was on the cards that it would have extended to co-ordinated industrial action, even a general strike.

The critical period was from 12-14 December. The TUC's employment policy and organisation committee meeting of the 12th produced a statement expressing a 'supportive attitude' to the NGA's call for a one-day national print strike on the 14th: Mr Len Murray, the TUC general secretary, appeared before the TV cameras in the early hours of the 13th and repudiated the statement.

On the 13th, the NGA Council called off

the strike, saying that Murray's 'divisive' remarks had put in doubt the united support they had previously said they must have. On the 14th, the General Council, on an initial vote of 29 to 21, backed Murray, much to the disgust of the NGA (Mr Joe Wade, its general secretary, called it 'tea and sympathy') and most of the TUC's left wing. In taking the decision it did, the Council not only scrapped any prospects of TUC-organised support for the print union, but implicitly underpinned a 'within the law' policy of reasoned opposition to the Conservative government and to its legislation.

### Legitimacy

One further point needs to be made, as a gloss to the brief rehearsal of facts. The debates in and around the TUC — and they were the sharpest heard for some years — revolved round two opposing poles, both of which claimed democratic primacy. The Left based its case for supporting the NGA on the decisions taken by the special TUC conference at Wembley in April 1982: in particular, resolution five, which committed the TUC to give support to unions combatting the Employment Acts (providing their cause was good).

The Centre and Right argued that times had changed since Wembley, and that the decisions of the 1983 Congress, which together prescribed a policy of negotiation with the Government rather than confrontation, effectively superceded all else. Because, in the way of the TUC, both sets of resolutions were still extant (though both in effect contradictory) both sides could and did argue *de jure*: and once the Left lost, it could and does claim that the majority reneged on decisions solemnly taken and commitments fervently made. It is, of course, correct to do so: as correct as the Right would have been had they made the same claims in the event of a reverse decision. The *de jure* point, it is clear, has more to do with the untidy habit which the TUC has of leaving contradictory resolutions extant than with the hard facts of the case.

We thus come to the core of the matter: irrespective of either set of decisions, what were the prospects for labour movement support for the NGA? And was it a failure of leadership by the TUC majority in failing to provide it? There are a number of points which can be made in answer to these questions, but two are particularly powerful: one specific, one general.

### The closed shop

First, and specifically: the core of the

NGA-Shah dispute was an argument over the closed shop, and that argument was not one on which a convincing campaign could be based.

The closed shop, or more politely, the union membership agreement, is at its strongest in the print. There, it is a system, a way of life, with more than two centuries of tradition to support it. Linking in with the apprenticeship system for craft printers, the NGA runs pre-entry closed shops and enforced unionisation in peripheral printing areas by refusing to accept work originating from non-union houses. It represents one of the most complete and successful forms of workers' — or more accurately, union — control in the country, and has been accepted as such by employers.

The 1980 and 1982 Acts were clearly going to make life difficult for the print above all other industries, because of their concentration on the closed shops and their bans on secondary action. Unions can no longer enforce unionisation in suppliers' shops, nor can they picket to force a company to conclude a closed shop (from this November at the latest, only those closed shops which gain at least 80% support from their members will remain lawful).

The NGA-type shops, which probably enjoy very strong support where they are well established (as in the national newspaper industry), can carry on 'business as usual' only when an employer does not challenge them. Where one does — like Shah — and where, like Shah, he can show that the employees to be covered by a *new* closed shop would prefer not to, the law makes the union position a difficult one. Either it resorts to mass picketing to force the employer to conclude by damaging his business, or it declines the fight, and sees a wedge being driven deeper and deeper into the national system. The particular instance of the freesheet industry, establishing itself as a national industry in leaps and bounds, and already, in one or two very quiet instances, managing to evade unionisation is one where a burgeoning sector meets traditional practices and is sooner or later bound to collide.

### Problems of defence

New technology adds a further complicating element. Computerised typesetting and make-up is not the panacea for the industry it is held to be by equipment producers and some printing companies: the old hot metal, for example, is probably at least as efficient in national newspapers on the present state of the art. But it does offer

scope for reductions in labour and it does render the apprenticeship system anachronistic; overnight, it equates the (considerable) skill of a young woman secretary with the (considerable) skill of a typesetter. The secretary's question — why should I earn anything between a half and *a tenth* (in Fleet Street) for a job which is much more than keyboarding compared to a man who is merely keyboarding? — becomes quite legitimate.

In research on the closed shop soon to be published, Professor John Gennard and Steven Dunn show (a) that the closed shop is on the wane, largely because of unemployment and (b) the 'softer' closed shops, concluded in the last 20 or 30 years by agreement between management and union officials without the active participation of the membership, are clearly threatened by the soon-to-be-enacted provision that they must secure at least 80% support. It is possible, in short, that *individual choice* — the ideology which informs the present trade union bill — will cut down the closed shop population to half or even less of its presently estimated 4.5m total.

All of this means that defence of the closed shop is and will become even more difficult: and that a head-on insistence that workers must join one, like it or not, is unlikely to succeed. It is perfectly right to argue, as union officials have done, that industrial negotiation is a hard business and that some coercion must be used by unions on workers for their own ultimate good and to counter the much greater coercion (of redundancies, for example) which "the employer can bring to bear — but such an argument depends on success. The benefits of the closed shop are apparent to some workers in them, but not to all; and not to very many at all who are outside of them. Further, to dismiss individual choice as merely a cynical rhetorical prop used by a hostile government to destroy unions is to ignore the fact that everyone wishes to exercise choice, and that some at least will choose against unions not because they are right wing stooges but because they have been given no reason to choose for them. Mr Mick McGahey has at times inveighed against the checkoff system as being one which stripped the unions of necessary contact between members and activists. That system can have the same effect as the closed shop (to which it is often linked in agreements): it makes unions lazy about their members.

### Lack of general support

The general point is this. Democracy in

unions or in society is a hard taskmaster. Assent to a particular line, or a particular candidate, is not won once and for all — it must constantly be renewed and refreshed. It depends, more and more, on responsiveness to often contradictory demands, and a willingness to reshape structures to accommodate them. Crucially, and especially when the unions are under great strain, it demands on the part of union officials and activists a close attention to the real needs and desires of their members and prospective members, rather than a dogmatic assumption about their interests.

## the closed shop makes unions lazy about their members

Luciano Lama, the general secretary of the Confederazione Generale Italiana del Lavoro (CGIL) tends to stress this latter point in speeches and articles. Unions, he says, have no use for the ideal worker, the perpetual militant of a social realist poster: they must confront the real person, with all the given prejudices, conservatism, awkwardness and contradictory desires a real person has.

For the present, the union movement is in retreat: the permanent or temporary nature of that fact is to a very great extent in the unions' own hands. In very difficult circumstances, they must regain assent for their programmes and philosophies from a very broad section of workers who are either indifferent or even hostile to their activities. There are no guidelines for those activities, and certainly a simple reliance on old muscles which have now gone flabby will simply lead to embarrassing collapses.

Thus the Left's assumption that all that was lacking for a successful prosecution of the NGA dispute was firm, militant leadership is very wrong indeed, wrong because of the specific cause of the dispute and wrong because of the general approach. The active assent of the majority to militant action of the kind proposed was not and is not available, and the Centre and Right of the TUC saved the NGA and the Left from the considerable embarrassment of asking for it. Before it can tackle such massive tasks as attempting to render legislation inoperative, the union movement must set about the more humble business of making sure its members do not melt away in major industrial areas and ensuring that its activists do not become dispirited and cynical. A recognition that something like the outcome we witnessed of the NGA dispute was inevitable would do much to assist these humble and necessary tasks.