

Trade Unionism— the TUC's View

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THAT the TUC's evidence to the Royal Commission on the Trade Unions and Employers Associations¹ should have evoked condemnations of being "negative" from the press, and "disappointing" from the C.B.I. is a clear indication of the extent to which the Establishment is determined to undermine the Trade Union Movement of this country.

The reluctant acquiescence in practice which has characterised the role of the TUC during the attack on the trade union movement in the past three years should now apparently be underwritten by acquiescence in theory. Since this is only partially conceded in the TUC's evidence, it is likely that intensified efforts will be made to introduce restrictive legislation in an attempt to perpetuate the defensive position into which the Trade Union movement has retreated during recent years.

The Labour correspondent of *The Times*, Mr. Eric Wigham, who is himself a member of the Royal Commission, states "the negative character of the TUC evidence may strengthen the case of those who regard legislation as the only solution" (*The Times*, November 24th, 1966). In only two aspects of the evidence is this "negative" character discernible. Firstly in placing its evidence in a historical perspective the TUC has inevitably had to demonstrate that such rights as trade unions have today were established out of bitter struggle and were never granted by the benevolence of the employers, the judiciary or the State. The reality of the class struggle which quite clearly emerges from the paragraphs dealing with this aspect may well induce trade unionists to ask why, if the basic relationship between employer and employee has not changed, this process of struggle should not continue. Secondly the traditional and well-founded hostility of trade unions to interference by the law in the field of industrial relations is reiterated. In an effort to improve such legislation as does exist, specific proposals are contained in supplementary evidence which seek to eliminate differing interpretations of the 1906 Trades Dispute Act as a result of the Rookes versus Barnard case in 1961.

¹ "Trade Unionism: the Evidence of the Trade Union Congress to the Royal Commission on Trade Unions and Employers Associations", TUC, 1966.

Apart from this the evidence is "positive" in that it is a detailed plan for class collaboration. It is clearly implied, if not stated directly, in the chapters entitled "Trade Unions and the State", and "Trade Unions and the Economy", that such collaboration should take place and it should be in a modern capitalist state. The future role of the Unions is seen as pressure to bring about that modernisation with a voice for the TUC at national level in the overall economic planning of the country and increased industrial "democracy" for the lower echelons, on the factory floor.

The anticipated result is a fairer share in the national wealth for all. The irreconcilable conflict between the interests of capital and labour which by their very nature must deny those who work the economic and social advancement they demand, is ignored. A socialist state in which the working class control the means of production, distribution and exchange is clearly not envisaged as a prerequisite to meet the demands put forward elsewhere in the evidence.

Historical Background

It is in dealing with the historical reasons for the existence of trade unions that the evidence is at its best, "the individual contract between an employee and an employer does not reflect a position of equal strength on the two sides. Equality before the law is only relevant to the observance of the contract and not to the terms or to the procedure by which it is made". (Page 29) The traditional manner by which the individual worker has sought to redress this inequality is clearly stated:

"whilst the position of the individual employee, both in law and in practice, is one of subordination, individual employees together recognise that it is through combination that they can develop a means, the essential means which they possess, to harness their own potential strength. It is in the nature of the employment situation that working people readily identify themselves with their fellows in groups. This feeling of collective identity enhances the economic freedom of the individual, a freedom which rests on the knowledge that unity is strength". (Page 30)

There is in this section of the evidence a clear class recognition that the rights of workers are established

from a position of strength and is not as a result of either intellectual or moral argument:

“These rights which employed people claim cannot be recognised and conceded on the theoretical or abstract plane and then not recognised and not conceded when they are translated into trade union practice. That they are recognised in this country is not due to intellectual or moral force of the argument advanced above, but to the efforts of working people in asserting and exercising them.” (Page 30)

This argument which is supported by all the experience of the working class in the struggle for improved conditions and basic rights is in glaring contrast to the arguments advanced elsewhere in the evidence where there is a preoccupation with consultation by the Government and participation on Economic Development Councils. No satisfactory arguments are advanced anywhere in the evidence to demonstrate that the traditional methods of trade union struggle are now outmoded and are incapable of further advancing the interests of the working class. Experience during the years of the Freeze indicates beyond any doubt that when the traditional methods of industrial struggle are abandoned the living standards of the working class deteriorate.

Only through the so-called “wage drift”, the direct industrial struggle at local level, has it been possible for the working class to offset the worst excesses of the monopoly capitalist system.

The State

In that section of its evidence dealing with “Trade Unions in Society”, the TUC demonstrates the hostile environment in which trade unions have got to operate. The instigators of hostility are shown to be the property owning minority:

“This minority, in whose hands have hitherto been concentrated the ownership of capital, and therefore authority and economic power, have naturally been distressed at both the prospect, and later in some measure the fact, of authority and economic rewards being shared more equally. Their’s was not and could not be the perspective of working people and it is not surprising that they have never seen the case for trade unionism which instinctively commends itself to working people.

“These differences in perspective continue to shape the external circumstances within which the trade unions operate. For example, the roots of English common law, comprehending the rights of property and the rights of the individual but not that of groups, unless they be corporations, naturally reflects the norms of an earlier society.” (Page 62)

It is unfortunate that when the state and its functions are analysed, the role of this minority is ignored in the development of the modern state, which could be regarded only by the naive as being neutral. The state is described as “the personification

of these Statutes, made by Parliament and the administrative framework of existing law, including common law, and as the functions which are performed, generally under statute by Government agencies, or by Government departments”. In considering the role of the State it is pointed out that society comprises plural institutions, groups and individuals “with authority naturally distributed amongst them”.

The Government through Parliament, it is stated, can mobilise the authority of the State in accordance with the wishes of the people to exercise a counteracting public power over that of private interests. Since the state reflects in the first instance the dominance of one class over the other, it will not act in the objective manner the evidence suggests. When the Government through Parliament mobilised the authority of the state in operating its Prices and Incomes Policy, this could by no stretch of the imagination have been seen as a counteracting public power over private interests, although, upon the interpretation of the TUC, this is what it said, and the TUC accepted it as such in practice. It was the authority of the state mobilised in the interest of the minority already mentioned.

The increasing State Legislation of wages should be seen as an attack on the trade union movement and not a development in which the TUC should seek to have a representative voice. Indeed even by the arguments set out in its own evidence, the TUC should be opposing this development:

“It is where trade unions are not competent, and recognise that they are not competent, to perform a function, that they welcome the state playing a role in at least enforcing minimum standards, but in Britain this role is recognised as the second best alternative to the development by work-people themselves of the organisation, the competence, the representative capacity to bargain, and to achieve for themselves satisfactory terms and conditions of employment.” (Page 69)

There is no indication in the evidence that the TUC is setting itself the task of establishing such an organisation, or developing such bargaining strength as would prevent the State regulating the wages of the entire labour force, although they do so under the guise of catering for the interests of low wage workers.

Industrial Democracy

Class collaboration at national level, if it is to be truly effective, must be based on a structure of class collaboration at local level. The form that this should take locally is set out very clearly in the paragraph dealing with industrial democracy:

“In some of the most successful enterprises, it is already the custom for regular meetings of depart-

mental managers to include work-peoples' representatives in the discussion of current problems and the developments at the place of work." (Page 101)

By successful is meant, in this context, the achievement of the criterion which monopoly capital sets itself. Such success can never be in the long term interests of those who work. The object is to eliminate the class struggle at the point at which it is highly successful, the point of production.

By the involvement of trade unionists in managerial decisions, it is possible to undermine or totally neutralise the Trade Union resistance to the effects of these decisions when it is finally seen that by their very nature they are contrary to the interests of the workers. This, the evidence spells out very clearly:

"The advantage of having work-peoples representatives actually taking part in the week by week meetings of the management, is that many developments can be launched on a mutually satisfactory basis without them ever becoming contentious issues between the work-people and management, leading to each side taking up an entrenched position." (Page 101)

In this section of the evidence, trade unionists are told that they must seek out the areas of co-operation with management and not exaggerate the differences which exist between them. Thus we find "apparent conflicts of function should not be exaggerated to become insurmountable obstacles as a result of pressing arguments to the logical conclusion". (Page 103)

Clearly they should be pressed to an illogical conclusion or not pressed at all. Having set out in considerable detail the methods by which trade unions can be represented at all levels of management, both in nationalised industries and in private industry, the evidence goes on to consider representation of Unions at board level. In order to achieve this it believes that legislation of a "discretionary character" would be widely welcomed and concludes:

"compulsory legislation on a question of this character would prove very difficult to draft and although legislation has been used in precisely this field in other countries, it should be remembered that the real object is to encourage companies to recognise and to take advantage of the mutual benefits to be obtained from more active participation by trade union representatives in company policy and day to day practice." (Page 107)

There is nothing new, enlightened or progressive, in the proposals in this section. It is straightforward class collaboration at enterprise level, and is already in operation, in almost identical form to that proposed, in West Germany. Yet it cannot be argued that the German worker employed by Krupp or I.G. Farben enjoys greater rights at the point of production than does his British counterpart, who

asserts those rights through the strength of his trade union organisation.

The Economy

The essence of Britain's economic problem is defined in the evidence as how:

"to reconcile a range of objectives which are interdependent, but often in apparent conflict—sustaining full employment, restraining inflation, balancing overseas payments and preserving the value of sterling, at the same time as sustaining the rate of economic growth" (page 77).

In reviewing the historical background to the present economic situation the TUC recognises that the legacy of imperialism in all its facets, "both positive and negative", has a continuing influence on the economic situation. It refers to the exploitation of the British workers in the nineteenth century to provide a surplus for investment overseas and the subsequent exploitation of those overseas countries which reflected the economic power of Britain at that time. It is a serious omission in evidence as detailed as this, that no analysis is made of the effect of imperialism upon the development of the trade union movement in Britain.

The fact that British trade unions, operating in a metropolitan economy, have been largely able to resolve their most acute problems by industrial action alone, is ignored. The effect this has had upon the role of the trade unions in Britain and the posture in which they find themselves today is of immense political importance. Although it is pointed out in evidence that "Britain's economic problem ever since the war can in a phrase be said to be the balance of payments problem" (page 78), no analysis is made of the relationship of this problem to Britain's imperialist past and present role. Overseas military expenditure is not considered although this turns the balance of payments surplus of some £300,000,000 per year into a deficit. In the past when the British army was in India, the Indian people were forced to pay for it, when today there are British forces East of Suez it is the British worker who is forced to pay for it. Thus some of the exploitation which Britain could export in the past is now coming home and being borne upon the shoulders of the British working class.

There is no recognition, even today with the increasing tempo of the national liberation movement, that a break with imperialist policies and the economic and social institutions that support them is a prerequisite for the more equitable society that the TUC expresses itself to be in favour of. Nor is the distribution of wealth which is referred to as "grossly unfair" related to Britain's imperialist past, although the level of distribution has remained almost unchanged since 1880.

Prices and Incomes Policy

To maintain this situation internally, in the face of fundamental external changes, has meant the necessity for the ruling class to introduce sophisticated methods to offset the logical demands of the working class, hence we have the Prices and Incomes Policy. In reviewing its attitude to the Prices and Incomes Policy since the joint Statement of Intent on Productivity, Prices and Incomes, in April 1966, the TUC points out that it has attached great importance to the fact that, as part of a plan for general recovery, emphasis will be laid on the need for increased output and the relationship between output and incomes as a whole. This is recognised as "a desirable shift from the previous tendency of governments to concentrate on the incomes aspect of the relationship and, within incomes on wages". It also expressed its dislike of compulsion stating "it must be based on a voluntary but also collective effort, both sides of industry working with the Government" (page 79).

Yet in practice, while the TUC reluctantly acquiesces, the emphasis has been on wages, and the measures introduced last July were such as to take from trade unionists the most elemental rights established out of generations of struggle. It is stated in the evidence, that Britain's trade problems "do not derive from the fact that wages in Britain are high" (page 77) and "the influence which working people have on the rate of economic growth can be grossly exaggerated" (page 76), yet nevertheless they see the Prices and Incomes Policy as "constituting a double challenge to trade unionists, not merely to limit their wage demands in accordance with the agreed criteria, but also to review the traditional practices and attitudes towards productivity it issues".

Frequently, in the evidence, the need for full employment is emphasised, yet the TUC apparently fails to accept that many of the traditional practices and attitudes to productivity issues which it now asks the trade unions to ignore, have historically played an important part in limiting the level of unemployment. Although the incomes policy is posed as an alternative to the "stop-go" with its attendant unemployment, the fact that in practice the incomes policy, with its deflationary aspects, has resulted in over half a million unemployed is not dealt with.

In attempting to operate a voluntary wage-vetting system, the TUC is merely acting as a Government agency. In practice, it is evident that the only basis on which the Government will accept this collaboration is if it can be shown that the TUC would be more successful and ruthless in holding down wages than is the Government. As the TUC increasingly occupies itself with wage-vetting committees, productivity and economic development councils, it

cuts itself off from the source of its real strength, the power of the industrial working class at the point of production. The very structure of the trade union movement is being modified to cater for this increasingly bureaucratic role. Thus we find references to trade union competence as depending "on unions developing specialist services, such as research, in order to take full advantage of, and to make a real contribution to, new fields of responsibility such as economic planning" (page 46).

The concept of ending the free-for-all of capitalism and replacing it with economic planning will appeal to most trade unionists. However, economic planning is only acceptable if it serves the interests of the working class. The belief that it could do so in an economy in which 80 per cent of industry is in private hands and that concentrated within the powers of 40 or 50 monopolies, is not facing up to the reality of the political situation. The February 28th meeting of TU executives this year, showed that only a slight majority of those affiliated to the TUC now support its voluntary wage vetting system. However, so long as those who oppose State (or TUC) regulation of wages, limit their opposition to mere verbal belligerence, the Government's Prices and Incomes Policy presents a real threat to the whole of the British trade union movement.

Trade Unions and the Law

There has been an unfortunate tendency in recent months for trade unions, otherwise regarded as being progressive, to go to the courts to have agreements and contracts between themselves and their employers enforced. This reflects in the first instance a basic industrial weakness, exposing the inability of the union to enforce the agreement by its own strength. In almost all those cases arising from a breach of an agreement as a result of the Prices and Incomes Policy, the Government has, in any case, intervened if the court has found in favour of the union, and the desired result is not in any case achieved.

This process however, does the whole of the trade union movement a disservice in that if a court enforces an industrial agreement for the union, it will by implication, enforce such an agreement for an employer. This brings the whole question of industrial relations within the orbit of the courts, and is something which trade unionists have historically resisted. It is encouraging therefore, to see that in its evidence, dealing with industrial relations and industrial disputes, the TUC strongly advocates no interference by the law. Of the procedure agreement, it says for example "to order and require the parties to conform to the procedure in the circumstances, would be misguided in principle,

quite apart from being impossible to enforce. It cannot be the object of industrial relations to achieve conformity without regard to the underlying causes of the conflict" (page 117). Its recognition of the class role of the courts is frankly expressed, "trade unionists have always been, and continued to be, very suspicious of the law and the judges who appear to make the law in their own image" (page 125).

Rank and file trade unionists have always advocated the use of traditional industrial methods to establish recognition in that it establishes a relationship of trade union strength at the point of production. The TUC in its evidence generally supports this concept. "Trade unions have not been granted privileges, they have fought for what they have achieved. If they had been granted privileges, it may well be logical to argue that the right to bargain has been granted by the Government and the Government could take it away" (page 133). In respect of the famous case of *Rookes versus Barnard*, the evidence suggests that "the judges had usurped their function in making such a devastating attack on the intention of Parliament" (page 124).

The intention of Parliament in question, was that contained in the 1906 Trades Disputes Act. This case, as finally decided in the House of Lords, showed that Sections 1 and 3 did not mean what they had always been thought to mean. It was typical of British law, that the judges, in playing their class role, were able to seek out a precedent which had been established in entirely different circumstances. The key to the judgement was the discovery of the tort of civil intimidation to a trader for firing his cannon near to the canoes of customers off the Cameroon coast, in order to scare them from trading with his rival. In supplementary evidence, the TUC have put forward a suggestion for a new law which would make the breach of a contract no longer unlawful for the purpose of the law of tort, or the criminal law. This would thereby, also abolish the tort of civil intimidation in its new form. Such a law would enable trade union officers to do their job as negotiators free from the fear that each time they warn of industrial action, they may be taken to the courts for interfering with business, for conspiracy or on other grounds which the 1964 *Rookes versus Barnard* case gave rise to.

The Royal Commission

The evidence as a whole reflects the serious degeneration of the whole of the British trade union movement. The Trades Union Congress has been in continuous existence since it was founded in 1868. Its first Congress was attended by 34 delegates who represented 118,000 trade union members. The 1966 Congress was attended by 1,048 delegates from 170 unions with 8,867,522 members. That this tremendous potential force of working class strength has degenerated into the mere peddler of the "planned torism" of the Labour Government is a condemnation of the whole of the labour movement. In the introduction to the evidence it is stated "the trade union movement in Britain is fortunate in having only one national centre". But unity in a class sense is only positive if it promotes the interests of that class. In any case, individual affiliated unions, even in a minority position, have a responsibility to their members and a constitutional right within the TUC to pursue industrial policies in accordance with their own Conference decisions. Such progressive minorities could act as a stimulus to the whole of the movement.

When the Royal Commission reaches its final conclusions, it will do so on the basis of the relationship of the class forces that exist at that time. They will see a trade union movement whose vigour and energy has been damped to the point of retreat by a class collaborating national leadership, a movement which has had imposed upon it and accepted, restrictive measures which were not even imposed during the emergency of the last war. They will take fully into account that the body which should have co-ordinated the resistance to the current attack has acquiesced.

The evidence is extremely comprehensive, and is well presented and detailed within the premise the TUC has set itself. However, a much shorter statement which indicated clearly that the TUC would not stand by and watch the destruction of rights established out of generations of struggle and sacrifice by working people, would have been far more effective and appropriate. Such trade union rights as do remain when the Commission finishes its work, will not result from fear of the TUC in its chosen role as the Government's Industrial watchdog.

Marshall McLuhan—Genius or Fakir?

Sidney Finkelstein

We reprint below an article from the American Dialog of autumn 1967, by Sidney Finkelstein author of Art and Society, How Music Expresses Ideas and other works on music, art and society. The sub-heads, apart from the four main divisions of the article, are ours.

PROPHETS once cried out in a wilderness, but this is not true of the brilliant Canadian, Marshall McLuhan. His theory that a revolution has been taking place under our noses without our awareness of it, namely, the “media” revolution of radio and television, and his novel way of writing about this “revolution”, a style known as “McLuhanesque”, have made him today perhaps the most quoted personality in American cultural life. There is hardly a publication dealing with either the fine arts or the mass media in which he is not regularly mentioned or quoted. He has added phrases and terms to popular currency such as “the medium is the message” and his description of all “media” as either “hot” or “cool”. A magazine cartoon shows a store with a sign in the window, “McLuhanesque spoken here”.

The book in which McLuhan develops his theories most fully, *Understanding Media: the Extensions of Man*,¹ made a sensation in hard cover and is a best seller in paperback. Some reasons for its appeal seem obvious. Here is a professor, formerly of English literature, who not only embraces the whole field of “popular culture”, including radio, TV, comic strips and newspaper ads, but also declares this to be the real, important art of today. All the other traditional arts which do not fit the requirements of the “new media” are moribund hangovers of the past. He seems to be crying: Let us be bold, let us welcome the new dawn!

True, there are unco-operative readers who suffer from an old-fashioned prejudice which asks a professor who writes non-fiction to pay some attention to whether what he says is true or not. But according to McLuhan’s theory of “media”, such complainants are only hopelessly addicted to the laws of the “Gutenberg” or “print” medium, with its “linear structure of rational life”. Translated out of McLuhanesque, this means that the old book or print “medium” involved statements that had some agreement with reality and were put in rational sequence. McLuhan’s is a new kind of book. An apt foreword to it would be: *No statements in this book*

¹ Marshall McLuhan—*Understanding Media: the Extensions of Man*, Sphere Books Ltd., London, 10s. 6d.

are necessarily to be taken as true. The author is not concerned with whether they are true or not. Any agreement between what this book says about history and what happened in history is purely coincidental. McLuhan has accomplished the brilliant feat of writing a book which raises the discussion of the arts, cultural sociology and history to the level of a TV commercial.

MC LUHANESE HISTORY

Just as a TV commercial devotes only a small fraction of its time to describing its product, using the rest to soften the viewer’s mind, so McLuhan devotes only a fraction of his book to his real subject, the modern electronic “media”. For most of it he zigzags up and down, back and around the whole history of human society and culture, spilling out theories which have an effect on the real knowledge of history something like that of an aviator defoliating the Vietnamese forests. He offers a “media” view of history and for this purpose he designates as media the most disparate phenomena, such as languages, alphabets, arts, crafts, machines, books, printing, clocks, computers, sciences, technological inventions, radio and TV stations. Here is a sample of his history:

“The alphabet was one thing when applied to clay or stone, and quite another when set down on light papyrus. The resulting leap in speed and space created the Roman Empire.”

Comment: Does McLuhan mean that the Roman Empire was built not on military conquest and slaveholding but on an early paperback industry? And why did the Romans beat the Greeks, who had both the alphabet and papyrus? Why didn’t the Greeks, or the Egyptians, who also had both, create a Roman Empire before the Romans?

However, to McLuhan, not only did paper create the Roman Empire, but the lack of it destroyed the Empire:

“With the cutting off of the supplies of papyrus by the Mohammedans, the Mediterranean, long a Roman lake, became a Muslim lake, and the Roman center collapsed. What had been the margins of this center-margin structure became independent centers