The Attlee and Churchill administrations and industrial unrest, 1945-55

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The Attlee and Churchill Administrations
and Industrial Unrest, 1945-55

by

Justin P. Smith

Submitted in partial fulfilment of the requirements
for the award of

Doctor of Philosophy of the Loughborough University
of Technology

March 1986

by Justin P. Smith 1986
AUTHOR'S NOTE

I take full responsibility for the work submitted in this thesis and I declare that the original work is my own except as specified in acknowledgements or in footnotes.

J. P. Smith
March, 1986
Abstract

This study looks at the governments' handling of industrial unrest in the decade following the end of the Second World War. The period encompasses both the Attlee administrations of 1945-51 and the post-war Churchill government of the early 1950's.

The period of 1945-55 was characterised by a relatively low level of strike activity. Nevertheless, a number of large scale, unofficial strikes broke out, especially on the docks which caused severe economic dislocation.

In the first part of this study I focus on the re-establishment of an emergencies supply organisation after 1945 and on the use by the Attlee governments of the traditional strike-breaking instruments of the armed forces and civilian volunteers. I examine the role of the law in industrial disputes of the period and I analyse the pressure brought to bear on unofficial strikers through the withholding of state benefits. I also look at the attempts by the government to exert control over the coverage of disputes by the BBC. The study is placed in the economic context of the period and an analysis is also made of the effect of the Cold War on the government's attitude to strikes.

In the second part I look at the return of a Conservative administration, pledged to following a policy of industrial conciliation after the bitterness of the inter-war years. By looking at the period as a whole I am able to draw a comparison between the Attlee and Churchill administrations, to ascertain to what extent the consensus in economic policy was mirrored by a consensus in the industrial sphere.
For Julia
CONTENTS

Preface : vi
Abbreviations : xi
List of Figures : xiii
Introduction : 1

Part 1. The Labour Governments 1945-51

1. The Labour Governments and Emergency Planning:
   a) Re-establishing an Emergency Supply Organisation 11
   b) The Use of Strike-Breaking Troops 30
   c) Volunteer Strike-Breakers 73
   d) States of Emergency 91
   e) Neutrality of Emergencies Organisation? 108

2. Strikes and the Criminal Law 111

3. The Struggle for Control of the Air-Waves: The Government, the BBC and Industrial Unrest 178


5. Towards an Understanding of the Attlee Governments' Strike-Breaking Policy 232

Part 2. The Conservative Governments 1951-55

6. The Return of Conservative Rule 283


8. Strikes and the Law 324

9. Industrial Unrest and State Benefits 346

10. The Government, the BBC and Industrial Unrest 353

11. Conclusion: An Industrial Butskellism? 363

Bibliography 380
Until about ten years ago not a great deal of research had been undertaken on the history of industrial relations in Britain. This situation has now been rectified so far as the Nineteenth and early Twentieth Century is concerned but there remains a significant gap in detailed work on the post-Second World War period. This is particularly the case with the role of the government in industrial affairs.

The release of public papers under the Thirty Year Rule means the time is now ripe for a detailed study of the government's role in industrial relations in the decade following the end of the Second World War. In this study I attempt to provide just such an analysis.

Within the broad area of the government and industrial relations, 1945-55, I have chosen to focus, in particular, on the government's handling of industrial unrest.

This study is primarily concerned with government policy at national level, hence Cabinet and ministerial records have been central to the study. This information has been supplemented by private collections of well over fifty leading political and trade union figures of the period. I have carried out a thorough review of Hansard (both Commons and Lords) for the ten years under study and have utilized the records of the TUC and the Labour Party and various other political organisations. For contemporary comment I have turned to the influential newspapers and periodicals of the time.
whilst for personal reflection on important issues and events I have used a large number of published and unpublished autobiographies, memoirs and diaries. In addition I have made full use of the BBC written archives at Caversham.

Although I have focused mainly on government policy I have also been interested in examining the response of the trade union movement and consequently I have looked in some detail at the records and journals of individual trade unions. For rank and file comment I have turned to the provincial press and, in the case of certain groups such as the dockworkers, I have made use of the independent rank and file newspapers which emerged during the post-war period. Where participants in the events I am studying are still alive I have tried to arrange interviews with them and a number have agreed to see me. Thus, within the limitations of oral history, I have been able to supplement the various printed sources. In addition to providing colourful anecdotes these interviews have provided revealing insights into individuals characters, motivations and personal antagonisms to others.

The main problems encountered during this study in the use of data relate to the public records at Kew. Although the vast majority of records relating to the 1945-51 Labour governments and many of the records for the Churchill government of 1951-5 are now available for public inspection, I have found certain Departments, in
particular the Home Office, to be slow in transferring documents to the PRO. Moreover, I have discovered that certain groups of records relating to the period under study are often grouped with more recent documents which means that they remain closed well after the statutory 30 years has elapsed. In an attempt to overcome these problems I have, as I have already suggested, made full use of private papers and have supplemented this with oral evidence.

I am extremely grateful to a number of people for their help and advice during the course of my research. I should like, firstly, to express my thanks to the ESRC without whose financial assistance this study would not have been possible and the University of Loughborough which registered me for my Doctorate.

I should like to thank the staff at the Public Records Office, Kew at the British Library of Political and Economic Science, at the Bodleian Library Oxford and at the many other archives and libraries around the country which I visited over the past three years, who provided me with expert guidance on a wide variety of primary source material. The staff at the Labour Party and the TUC archives and at the BBC archives at Caversham have also been very helpful. I am especially grateful to the staff at Berkhamsted library who managed to locate a vast number of obscure out of print British and American books.
and who provided me with a complete run of Hansard (Commons and Lords) for the ten year period under study which I was able to consult in the comfort of my own home.

I owe a particular debt of gratitude to those individuals who played an active role in the events of the period and who were able to find the time to talk to me about their experiences and recollections. I am grateful also to those people who allowed me access to the private papers of relatives and close friends who were influential during the post-war years. A full list of these people appears in the Bibliography at the end of this work.

To those who have listened to the research papers based on this study which I have presented at various academic seminars and conferences around the country, I thank them for their helpful comments and their enthusiastic response which provided me with fresh ideas and gave me enormous encouragement.

The most important source of inspiration and advice during the course of my research has been my supervisor at the University of Loughborough, Dr. C.J. Wrigley. In addition to the expert guidance offered to me during the initial period of research he has kindly read each draft chapter and provided invaluable comments and criticisms of my work.

Many thanks go to Debbie O'Brien who typed the thesis and patiently deciphered my handwriting. I
should also like to say a particular thank you to my parents who have put up with me and my obsession for the past three years. Finally, my thanks to my fiancee Julia whose love and understanding has been crucial throughout the entire period of my study. I dedicate this work to her with love.
<table>
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<tr>
<th>ABBREVIATIONS</th>
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<tr>
<td>AEU</td>
<td>Amalgamated Engineering Union</td>
</tr>
<tr>
<td>ASLEF</td>
<td>Amalgamated Society of Locomotive Engineers and Firemen</td>
</tr>
<tr>
<td>BBC</td>
<td>British Broadcasting Corporation</td>
</tr>
<tr>
<td>BBA</td>
<td>British Electricity Authority</td>
</tr>
<tr>
<td>BEC</td>
<td>British Employers' Confederation</td>
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<tr>
<td>BTC</td>
<td>British Transport Commission</td>
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<tr>
<td>CLP</td>
<td>Constituency Labour Party</td>
</tr>
<tr>
<td>CP</td>
<td>Communist Party</td>
</tr>
<tr>
<td>CPGB</td>
<td>Communist Party of Great Britain</td>
</tr>
<tr>
<td>CSU</td>
<td>Canadian Seamen's Union</td>
</tr>
<tr>
<td>DLB</td>
<td>Dock Labour Board</td>
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<td>DLP</td>
<td>District Labour Party</td>
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<tr>
<td>DPP</td>
<td>Director of Public Prosecutions</td>
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<td>EC</td>
<td>Emergencies Committee</td>
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<tr>
<td>BTC</td>
<td>Emergency Transport Committee</td>
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<tr>
<td>ETU</td>
<td>Electrical Trades Union</td>
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<tr>
<td>FO</td>
<td>Foreign Office</td>
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<tr>
<td>GPO</td>
<td>General Post Office</td>
</tr>
<tr>
<td>HMG</td>
<td>His (Her) Majesty's Government</td>
</tr>
<tr>
<td>HO</td>
<td>Home Office</td>
</tr>
<tr>
<td>IEC</td>
<td>Industrial Emergencies Committee</td>
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<tr>
<td>ILP</td>
<td>Independent Labour Party</td>
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<tr>
<td>ISU</td>
<td>International Seafarers' Union</td>
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<tr>
<td>JCC</td>
<td>Joint Consultative Committee</td>
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<tr>
<td>MFGB</td>
<td>Miners Federation of Great Britain</td>
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<tr>
<td>NASD</td>
<td>National Association of Stevedores and Dockers</td>
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<tr>
<td>NAT</td>
<td>National Arbitration Tribunal</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organisation</td>
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xi
NCB National Coal Board
NDLB National Dock Labour Board
NEC National Executive Committee
NJAC National Joint Advisory Council
NUCHE National Union of Colliery Winders and Enginemen
NUGMW National Union of General and Municipal Workers
NUJ National Union of Journalists
NUM National Union of Mineworkers
NUPE National Union of Public Employees
NUR National Union of Railwaymen
NUVB National Union of Vehicle Builders
OMS Organisation for the Maintenance of Supplies
PAYE Pay As You Earn
PLA Port of London Authority
PLP Parliamentary Labour Party
POEU Port Office Engineering Union
POW Prisoner of War
PPS Parliamentary Private Secretary
RHA Road Haulage Authority
STC Supply and Transport Committee
STO Supply and Transport Organisation
TGWU Transport and General Workers' Union
TUC Trades Union Congress
VSC Volunteer Service Committee
WFTU World Federation of Trade Unions
LIST OF FIGURES

I Comparison of Trends in the Wages Index and the Cost of Living Index, June 1947 - May 1954. 378

II Industrial Disputes: Working Days Lost, 1945-55. 379
INTRODUCTION

The period 1945-55 is of particular interest to the student of British industrial relations. It is a period when Britain's relative economic decline, after the massive effort of the Second World War, became apparent. It is a period characterized by successive balance of payments crises, when industrial unrest appeared to weaken sterling and hamper national economic recovery. In the international arena the period saw the onset of a new Cold War between East and West after 1947 which was reflected at home by a rapid upsurge of anti-communist feeling and a growing hostility against strikes which were deemed to be communist inspired.

The period is especially interesting because it encompasses both Labour and Conservative administrations. The first part saw the election of the first majority Labour government and thus raises important issues concerning Labour's relationship with organised labour during a period of massive increased state involvement with the direction of the economy. The latter part of the period saw the return of a Conservative administration, under Winston Churchill, committed to achieving tranquillity in industrial relations after the bitterness of the inter-war years. By looking at the 1945-55 period as a whole an analysis can be made of the degree of continuity between the Attlee and Churchill administrations, to ascertain to what extent there was a 'Butskellism' in industrial relations related to that in economic policy.
The Second World War brought about a fundamental shift in relations between government and organised labour. The virtual freezing of contact between the government and the unions following the General Strike of 1926 and the failure of the Mond-Turner talks was replaced during the war by a period of close collaboration between government and the TUC. Throughout the war trade unions were represented on a large number of official committees and tripartite boards concerned with all manner of government policy. The coalition government under Winston Churchill which had been in power since 10 May 1940, finally came to an end on 23 May 1945. An election was called for 5 July and in the intervening period Churchill re-formed a caretaker Conservative administration. The General Election saw a landslide victory for Labour and on 26 July 1945 Clement Attlee formed the first majority Labour administration.¹

The election of a majority Labour government seemed likely to herald a new era in British industrial relations. Labour's 1945 election manifesto 'Let us Face the Future' promised far reaching social and economic reforms and the repeal of the hated 1927 industrial relations legislation which had been introduced by the Conservative government in the aftermath of the General Strike. In particular, the government's plan to take into public ownership large sectors of industry seemed likely to revolutionize industrial relations in Britain.
The presence of a Labour administration after 1945 certainly served to enhance the new found power and status of the trade union movement but it was the return of full employment, after the bitterness of the depression years of the 1920's and 1930's, that was perhaps most responsible for the rapid expansion in union membership which grew from 7,875,000 in 1945 to over 9,500,000 in 1951. Unemployment throughout the post-war decade stood at well below 2 per cent, apart from in 1947 when severe winter weather and a fuel crisis combined to paralyse large parts of British industry and push unemployment up to 3.1 per cent. The trend towards increased participation of the trade union movement in the affairs of the state was to continue under the Conservative governments of the early 1950's and by 1955 trade union membership stood at a record level of 9.7 million. The incorporation of the trade unions into the national political scene raised the fear in some quarters of the development of the Corporate State but, in reality, union power over the direction of government policy was to remain strictly limited. The nationalization programme of the Labour governments based on the Morrisonian model of the autonomous, public corporation, which rejected the concept of workers' control, failed moreover to bring the expected peace to the industrial scene.

The post-war decade saw a steady rise in living standards for most sections of society, despite the fact that the immediate post-war years were characterised by
food shortages and the continuation of rationing; the term austerity was commonly used to describe the latter years of the 1940's. As Figure I reveals national wage rates did not on the whole manage to keep pace with the retail price index, especially during the period of wage restraint between 1948-50, but what this table fails to take into account is the important shift which was taking place in the process of collective bargaining which was moving away from nationally negotiated rates of pay towards plant-based bargaining. For example, between 1948-50 average basic rates rose in total by 9 per cent whereas average weekly earnings (which reflected the contribution of workplace bargaining and overtime payments) rose by 20 per cent. The growing influence of the shop stewards' organisation was a major feature of post-war industrial relations although the extent of the transition of power in the union structure from top to bottom was not to become fully apparent until the 1960's.

In comparison to the period immediately following the end of the First World War the period after 1945 was remarkably strike free. From VE Day on 8 May 1945 to September 1949 10½ million days were lost as a result of industrial disputes compared with 170 million days lost during the corresponding period after 1918. The situation after 1945 was also in contrast to the Second World War which had witnessed a sharp rise in the incidence of industrial disputes, the vast majority of which were unofficial due to the legal restrictions imposed on strikes.
under Order 1305. This official ban on strike action was maintained by the Attlee administrations with the result that there was an almost total absence of official strikes between 1945-51. There was, nevertheless, a rash of unofficial strikes after the war, especially in the docks, which caused grave concern to the new Labour administration, faced as it was with the daunting prospect of rebuilding a shattered and bankrupt nation after six years of total war. In numerical terms the coalmining industry saw the largest number of unofficial strikes between 1946-52. But the vast majority of these stoppages were small scale and short in duration. It is estimated that 90%, in fact, were over within six days. The docks, in contrast, saw a smaller number of very large and damaging unofficial strikes which caused severe economic dislocation.

An analysis of the causes of unofficial strikes after the war is beyond the scope of this study. It is suffice to point out that wage factors alone cannot be held responsible for the unrest. It has been estimated, in fact, that wage issues accounted for only 44.2% of stoppages and 44.6% of workers involved between 1946-52. An examination of the causes of post-war unrest would have to focus, amongst other things, on the development of tensions between the official union leadership and the rank and file, especially within the massive TGWU and on the growth of inter-union rivalry. My concern in this thesis is to examine how the Labour and Conservative administrations dealt with the unrest which broke out during the post-war years.
In the first chapter I focus on the re-establishment of a permanent emergencies supply organisation, along the lines of the Supply and Transport Organisation set up by Lloyd George after the First World War. Much of the initial planning for this organisation was carried out, not at ministerial level but at official level, and I have raised the issue of whether the continuity in policy between the Attlee governments and governments between the wars can be partly explained by the continuity in personnel at the Home Office; a 'Whitehall Embrace' mirroring the concept of a 'Parliamentary Embrace' which has been put forward by Ralph Miliband to explain Labour's moderation in office.

I focus in some detail on the Attlee governments' use during strikes of the traditional emergency instruments of the armed forces, of civilian volunteers and of formal emergency powers which were available to the state under the Emergency Powers Act of 1920. Several important issues are dealt with in this section, in particular the question of whether emergency planning can be seen as a legitimate function of the State in ensuring the maintenance of the essential supplies and services of the community or whether, in fact, such action is tantamount to strike-breaking. I draw heavily on comparisons with the two previous Labour administrations of the 1920's and on government emergency planning during the General Strike of 1926.

The next section of this study analyses the use by the Labour governments of the law, both criminal and civil, as a means of controlling industrial unrest. The
Attlee administrations retained in operation the wartime Order 1305, which prohibited strikes and lock-outs and, on two separate occasions, launched criminal proceedings against those engaged in unofficial strikes. By drawing comparisons with previous attempts to legislate against strikes, both in Britain and abroad, I address the important issue of how satisfactory is the law as an instrument for dealing with industrial disputes. Order 1305 also introduced a system of compulsory arbitration, which was retained by the Labour governments, and I examine the extent to which this was used to restrain wages in conjunction with the more direct freeze in wages which was introduced between 1948-50. There is also the question of the effect of the support for Cripps' wages policy on trade union bargaining at national and at local level and the extent to which, combined with the blocking of official channels of protest, it fostered rank and file unrest and the growth of unofficial organisation and action.

I then turn to an analysis of the less overt ways by which the Attlee governments attempted to exert pressure on unofficial strikers. I look at attempts made to influence the BBC over the coverage of industrial disputes, an analysis which raises issues of fundamental importance concerning the political neutrality and editorial independence of the Corporation. And I look at attempts by the governments to bring financial pressure to bear upon those on strike by the withholding of various forms of state benefit. Again I make comparisons,
wherever possible, with government policy in the interwar period.

The final chapter of the first part of this study seeks to provide an explanation for the tough stance adopted by the Attlee governments in confronting the problem of unofficial strikes after the War. I attempt to place the governments' policy in the context of the economic and political climate of the period and I analyse, in some detail, Labour's claim, which was used to justify its anti-strike policy, that the majority of disputes during this period were inspired and instigated by communists. I also look at the response of the trade union and Labour movements to the restrictions placed on strike action by the Attlee governments.

The second part of my research relates to the return of a Conservative administration, led by Winston Churchill, pledged to the removal of the remaining wartime controls and to following a policy of conciliation with the trade union movement in industrial affairs. I examine briefly the development of this new approach to industrial relations during the Conservatives' period in opposition after 1945 and I analyse the relative success of the Churchill/Monckton era of industrial conciliation. My main task in this section, however, is to compare and contrast the Conservative government's handling of industrial unrest with the preceding Attlee administrations. To facilitate this process I have found it useful to adopt a similar structure to that used in Part 1.
REFERENCES


5. The period from 1946-52 has been described as 'The Post-War Peace', as it was characterized by an historically low level of strike activity and a downward trend. See J.W. Durcan, W.E.J. MacCarthy and G.P. Redman, * Strikes in Post-War Britain* (1983), pp.26-36.

6. The economic problems facing the Labour administrations have been surveyed in some detail, most recently by Sir Alec Cairncross in Cairncross, *Years of Recovery: British Economic Policy 1945-51* (1985).

7. In industry, as a whole, strikes involving fewer than 100 workers accounted for 68.3% of all stoppages but only 9.9% of workers involved and 7.5% of days lost. Strikes involving 5,000 or more workers, on the other hand, accounted for only 0.5% of stoppages, but 31.3% of workers involved and 37.7% of days lost. It is clear, therefore, that long strikes were not typical during the post-war decade but were dominant in terms of workers involved and days lost. For a fuller discussion of strike trends after the war, see J.W. Durcan et.al., *Op.Cit.*., p.37.


9. For a full discussion of the causes of unrest after the war, see J.W. Durcan et.al., *Op.Cit.*.
Part 1

The Attlee Governments and Industrial Unrest, 1945-51
The Labour Governments and Emergency Planning:

a) Re-Establishing an Emergency Supply Organisation

The Attlee governments, like the previous two Labour administrations, found the existence of an 'emergencies supply organisation' a very sensitive area. It raised the controversial issue of a Labour government involving itself in an organisation which was bound, by its very nature, to be viewed as a strike-breaking body. The reasons why the Attlee government deemed it necessary to re-establish such an organisation will be dealt with in this chapter.

A government strike-breaking organisation had first been established in 1919-21 in response to the wave of militant industrial unrest which followed upon the end of the First World War. The Supply and Transport Organisation (STO), as it became known, was charged with the planning and co-ordination of emergency action in the event of large scale industrial disturbances. From the outset it was strongly denied that the organisation was a strike-breaking body, its stated purpose was the maintenance of the essential supplies and services of the community threatened by strike action. The distinction between strike-breaking and the maintenance of essential services, however, was extremely tenuous and was to prove a point of controversy throughout the history of the organisation. The STO was maintained in existence from 1919 to 1939. For much of the period the organisation was in a high state of preparedness, at other times it lapsed for a year or two and was then reconstituted. But throughout its structure remained substantially the same.¹

The STO was established on a tripartite basis: For the supervision of policy there was a Cabinet Committee,
known initially as the Industrial Unrest Committee and later as the Supply and Transport Committee (STC), under the Chairmanship of the Home Secretary. In order to co-ordinate activities under the Cabinet Committee there was a standing sub-committee of officials of various government departments which met, as necessary, under the chair of the Chief Civil Commissioner, as well as further sub-committees to deal with such questions as finance, communications, fuel and power, transport, protection and publicity. Dovetailing in with these was a regional organisation consisting of the Chief Civil Commissioner in London and eleven Civil Commissioners, to each of whom a division of England and Wales was allocated. Scotland had a similar organisation under the Scottish office. The function of the Commissioners was to co-ordinate the local services and the local operation of the national services and to stimulate local activity, particularly the recruitment of volunteers. The identity of the Commissioners was a closely guarded secret until such time as they were required. The entire emergencies organisation in fact, was shrouded in a cloak of secrecy throughout the inter-war years, reflecting concern that it might be viewed as a strike-breaking body. As we shall see, secrecy was to remain an important element in the emergencies organisation developed under the Attlee administration.

When it was first established the STO drew its authority for emergency action from wartime emergency powers which had remained in force after 1918. In 1920 the government introduced special peacetime emergency legislation which gave it full powers to deal with an industrial emergency. The
Emergency Powers Bill was introduced at the height of a miners' strike by the Prime Minister, Lloyd-George, on 22 October 1920. It received the Royal Assent on 29 October. The Act provided for the declaration of a state of emergency, which would last for one month, at any time when the action or threatened action of any persons interfered with the community's 'essentials of life'. Under a state of emergency the government was empowered to issue any regulations necessary to secure the supply of essential services, 'for the preservation of the peace' and 'for any other purposes essential to the public safety and the life of the community'. The main significance of the Act was that it removed from the government the necessity to rely on wartime legislation for the taking of emergency powers in peacetime.²

The first set of Regulations under the Emergency Powers Act were issued with the outbreak of further unrest in the coalmining industry in April 1921. It was not until 1926 that the emergencies organisation was given its first vigorous test and during the General Strike the STO proved extremely effective. In its post-strike report, presented in 1929, the General Purposes Committee of the STO declared overall satisfaction with its performance in 1926 and reported that no substantial modifications were required.³ During the 1930's, with no serious unrest affecting the life of the community, the STO was wound down to some extent, though a skeleton organisation was retained. The emergencies organisation was not maintained during the war. The last meeting of the STC was held in 1936. The Official Committee held its final meeting in November 1937.
Given the level of unrest which had followed the cessation of hostilities in 1918 it is, perhaps, not surprising that plans were afoot to reconstitute the STO in 1945. The initial steps to reform the STO at the end of the war were undertaken by leading civil servants at the Home Office. An important feature of the STO, both in its formative years and in its reconstituted post-war years, was the large degree of control exercised by civil servants over its form and structure. The continuity of the strike-breaking organisation between successive administrations owed much to this Whitehall embrace.

On 4 June 1945 Sir Alexander Maxwell, Permanent Under Secretary to the Home Office, wrote to leading heads of various Whitehall departments suggesting that the time had come to consider the question of resuscitation of the STO. Maxwell had been closely involved with Sir James Anderson and with emergency arrangements during the General Strike. A meeting was held at the Home Office on 19 June at which it was agreed that it was desirable to revise the organisation and that the general structure should be on the same three tier basis that had existed before the war. A memorandum was prepared for submission to the Home Secretary after the General Election.

There was no suggestion that difficulties might arise with the election of a Labour government. After all, previous Labour administrations had shown themselves committed in principle to the maintenance of an emergencies organisation. Perhaps, it was that the prospect of a Labour victory was unthinkable. In the event, Labour's victory was to make little difference to the Home Office plans.

Historically, the Labour Party's attitude towards the STO was somewhat ambiguous. There was a general antipathy
towards the emergency organisation from the left wing of the movement who tended to view it quite simply as a strike-breaking body and who were unimpressed by claims of its neutral base. During the passage of the Emergency Powers Act there had been fierce opposition from the Labour Benches led by two miners' leaders, William Adamson and Stephen Walsh. On the other hand there was general acceptance amongst many PLP figures of the need to safeguard the essentials of life during industrial unrest. J.R. Clynes, the Vice-Chair of the PLP in 1920, had approved in principle the Emergency Powers Bill on the grounds that 'provisions must be made in an exceptional way to meet the life needs of the nation'. Labour's first excursion into office in 1924 revealed a general acceptance of the need for an emergencies organisation. A transport strike in London in March 1924 led Macdonald to declare a state of emergency, though the strike was settled before the regulations were issued. Nevertheless, there was bitter opposition from within the Labour movement and the General Council of the TUC and the Executive of the Labour Party passed a resolution deploiring the resort to the Emergency Powers Act. The second Labour government of 1929-31 was not called upon to take emergency powers to maintain services, but the STO was kept in existence. During the Second World War senior Labour figures, such as Ernest Bevin, took action to counter the threat of unofficial action and, although the STO was not retained, troops were used on several occasions to break strikes. In July 1945, therefore, there was plenty of evidence to suggest that the incoming Labour government would reconstitute an emergencies organisation. It was also clear that any such
move would be fiercely resisted by sections of the party.

The Home Office memorandum, advocating the reconstitution of the STC, was prepared on 2 August 1945 and submitted to the new Home Secretary, Chuter Ede. On 22 August Ede wrote to Attlee recommending government acceptance of the proposal. In his letter Ede laid down the basic principles that were to govern Labour's attitude towards emergency planning for the next six years. It was, he said, the clear duty of the government in times of large scale industrial disturbances to maintain essential services. Moreover, he argued, 'the performance of that duty is liable to be gravely hampered unless some planning is done beforehand and a skeleton organisation is ready to start work whenever the need arises'.

The two main elements of emergency planning before the war: the acceptance by the government of a duty to maintain essential services during strikes and the realisation of the need to develop an official organisation to carry out this purpose had been accepted, without question, by the new Labour Home Secretary. Ede suggested to the Prime Minister that the matter should be brought to the immediate attention of the Cabinet. Attlee, however, recognising the potentially explosive nature of the proposal was determined that the matter be dealt with in the utmost secrecy. He therefore refused Ede's request to bring the matter before Cabinet and instead summoned a meeting of three of his most senior ministers - Ernest Bevin, the Foreign Secretary; Herbert Morrison, the Lord President; and Arthur Greenwood, the Lord Privy Seal - to discuss the implications of Ede's letter. At this meeting on 3 October the decision was taken to re-establish
the emergencies organisation but to limit it in the first instance to an official committee of civil servants. A committee of ministers, under the Home Secretary, was established to consider the scheme. It was stressed that no publicity was to be given to the matter. This preoccupation with secrecy was to remain an important element in Labour's emergency planning and reflected, above all, concern that any contingency planning, no matter what the government might say to the contrary, would inevitably be seen as strike-breaking.

The creation of an emergencies organisation was given the necessary impetus with the outbreak of unrest in the Liverpool docks in October 1945. Troops were brought in to move perishable supplies and a decision was taken in Cabinet to convene a committee of ministers, under the Chancellor of the Exchequer, to handle questions of wages policy and to authorise action to maintain essential services in time of industrial unrest. Although Dalton's committee never met, emergency planning continued apace.

The Cabinet Committee, which had been set up under Chuter Ede to review the matter, held its first meeting on 29 January 1946. Ministers present included Stafford Cripps, the President of the Board of Trade; George Isaacs, the Minister of Labour; Aneurin Bevan, the Minister of Health and the Minister of Food, Ben Smith. Before them lay a memorandum from Ede recommending the immediate establishment of an emergencies organisation along the three tier, pre-war model. It was the first time that many senior government figures had been given the opportunity to discuss the proposals, first raised by the Home Office in June 1945, and it was immediately apparent that some ministers had serious misgivings. There was general
agreement that it was the duty of the government of the day to take action in times of severe industrial unrest to ensure the maintenance of essential supplies and services. Disagreement largely centred around the need for an emergency organisation to be made in advance and the extent to which outside bodies, in particular the trade union movement, should be brought into the preparations. Discussion of these points ranged over several meetings.

Aneurin Bevan headed the group opposed to the re-establishment of a permanent emergencies organisation. He argued that the conditions in which the 1920 Act was passed had now disappeared and that it would be a mistake to build up an elaborate organisation to deal with strikes which might never occur. Moreover, he argued, it would be politically embarrassing for the government if it became known that at the same time that it was preparing to repeal the 1927 Trade Disputes Act, which made a general strike illegal, the government was preparing plans for defeating a general strike if one occurred. It would be far better, he said, to deal with individual cases as and when they arose. George Isaacs strongly disagreed. Whilst conceding that the risk of a general strike was more remote than during the 'heady days' after the First World War, it was his belief that there was still a risk of major disputes affecting single industries which could cause widespread dislocation and, for this reason, he favoured the re-establishment of the STO. There was disagreement also over the extent to which emergency planning should be kept secret. Attlee, as we have seen, was anxious that there should be no publicity. Ede, however, argued in his memorandum that it would be both impossible and unwise to maintain a secretive approach. In order that
plans could be drawn up to deal with an emergency some measure of outside contact was deemed essential, primarily with regional officials, but also with certain bodies outside the government arena, such as railway companies, motoring organisations and dock authorities, as had been the case before the war. Such consultations ran a high risk of the plans being leaked, which would inevitably lead to claims of strike-breaking. There might, therefore, Ede suggested, be positive advantages in making the plans known from the outset. They would prove 'less provocative if made in a time of comparative tranquility than if made at a time when an emergency is imminent'. A similar proposal had been made by Sir John Anderson in the 1930's. Stafford Cripps also supported a more open approach to emergency planning. Discussions, he felt, should be held with all sections of the community affected, including the TUC. This would help to give the organisation a national rather than a sectional base. 'Only in this way', he argued, 'would it be possible to ensure that the organisation was not regarded as a strike-breaking body on the lines of the organisation for the Maintenance of Supplies.'

A substantial body of opinion thus existed against the creation of an official strike-breaking organisation along the lines of the pre-war STO. At the same time there was general acceptance that in times of widespread industrial unrest the government had a duty to the community to maintain the essentials of life. A solution which went some way towards resolving these disparate views was advanced by the Committee. The Government was to take no action at regional level to establish an emergencies organisation during the passage of the Trade Disputes Bill, but the Committee would formulate a statement
of the broad principles on which any such organisation should be based, which would be submitted to Cabinet. If it was subsequently decided to go ahead with the Home Office plans there would be open discussion with both sides of industry to enlist their cooperation. An organisation based on consensus would not, it was hoped, be misconstrued as a strike-breaking body.

This compromise, if it had been implemented, would certainly have marked a break with the past. It would have provided a socialist government with the middle way between the desire to maintain the essentials of life and the desire not to be involved in strike-breaking. A similar attempt to restructure the STO had been made during Ramsay Macdonald's government of 1924. Josiah Wedgwood, as Chief Civil Commissioner, had then argued that 'a plan more appropriate to a Labour Government' should be devised. An open, straightforward policy with less secrecy would, he had argued, 'end a great deal of the hostility and dispel the 'fascist: atmosphere' which had characterised previous efforts at recruitment for essential services.'14. Wedgwood's proposals were not carried through. A similar fate was to befall attempts to reform the STO in 1946.

Whitehall was strongly against tampering with the structure of the emergencies organisation. Norman Brook, the Chief Secretary to the Cabinet, who in the late 1930's had been Assistant Secretary in charge of civil emergencies at the Home Office, advised Attlee on 7 March that the proposed changes were 'impractical' as the trade unions would never agree to help in the preparation of what they regarded as a force for strike-breaking. Rather than consulting the TUC he argued.
that it would be preferable to make no prior arrangements at all and to rely instead on improvisation when the need arose. This advice was to be accepted by the government.

On 8 March 1946 the Cabinet considered the question of the STO for the first time. Attlee again stressed the need for secrecy. 'The Prime Minister', the Cabinet Secretary wrote, 'asks that Ministers receiving copies of the Paper should take special care to safeguard its secrecy.' A short statement of principle had been prepared by the Home Secretary's Committee. Clearly, it stated, the duty of the Government is to ensure that the country is not deprived of the essentials of life. 'It follows that if the normal means of supporting these essentials break down, whether as a result of industrial disputes or as a result of an attempt by a political faction to coerce the community, the Government must provide alternative machinery of its own. This fact is recognised by the Emergency Powers Act, 1920.'

The memorandum concluded with a reaffirmation that the object of any action would not be to break strikes, and to ensure that there would be no misunderstanding as to the function of the organisation, the cooperation of all relevant parties was to be sought in the preparation and operation of the emergencies organisation. The Cabinet, with a few dissenters, approved in principle the reconstitution of the STO. Incredibly, however, Ministers agreed to waiver the stipulation that representatives of employers' organisations and trade unions should be brought into consultation in advance. Ironically, it was Ernest Bevin, who had been so critical of Macdonald's recourse to emergency legislation in 1924, who was responsible for this volte-face. The trade unions, he argued, whilst willing
to accept that the government must maintain essential services would clearly regard any prior consultation in establishing emergency plans 'as an invitation to assist in building up a strike-breaking organisation.' The Cabinet decided there was to be no discussion with outside bodies, either employers or trade unions, and no planning on a regional level. Instead the preparation of emergency plans was to be confined to senior officials in Whitehall. Before long, however, this stipulation was to be modified to allow consultation, first with regional officials, and later with representatives of industry. The ban on discussion with the TUC, however, was to remain. The Attlee administration thus threw away a golden opportunity to widen the base of the emergencies organisation and to help reduce the fears of the trade union movement that it would be used to break strikes. The emergencies organisation which was to develop under the Labour government was to differ in no appreciable way from the STO, first established between 1919-21 and used to devastating effect to break the General Strike in 1926. On 17 May 1946 officials at the Home Office set about to implement the Cabinet's decision. The emergencies organisation was to consist in the first instance of a co-ordinating committee of officials and various sub-committees covering labour supply; protection; transport; food and essential supplies; communications; finance and publicity. Throughout the summer of 1946 these sub-committees carried out detailed work on the preparation of emergency plans. 19.

In January 1947, during an unofficial strike of road haulage workers in London, the government took the decision to establish a ministerial committee to oversee the official emergencies committee. 20. The Industrial Emergencies Committee
(IEC), which had been set up in October 1945 with the Chancellor of the Exchequer in the Chair, was convened for the first time during this dispute. On the 29 January its terms of reference were changed. From now on the function of the committee was to be confined to supervising the preparation of plans for maintaining services in an emergency arising from an industrial dispute. The IEC was to serve a similar function to the STC between the wars. In line with this change in function the Chairmanship of the committee reverted to the Home Secretary.\textsuperscript{21}

By January 1947 two tiers of the old STO had been re-established: An official organisation to draw up detailed emergency plans and a ministerial committee to supervise major policy decisions. The development of a skeleton organisation in the locale (tier three of the STO), however, had been ruled out by the Cabinet decision of 8 March 1946 which had confined the preparation of emergency plans to senior Whitehall officials. During the road haulage strike troops were introduced to move perishable supplies of food but the lack of a regional organisation severely limited the effectiveness of the emergency arrangements.

In the aftermath of the strike Ede circulated a memorandum to the IEC recommending that restrictions on the development of a regional organisation be removed.\textsuperscript{22} Except for Chief Officers of Police consultations, he assured ministers, would not be necessary with people outside government service, 'though limited unofficial consultations would be useful.' The extension of consultation to the regional level greatly increased the risk of plans being leaked. This was precisely the reason why the Cabinet had decided to restrict emergency planning to Whitehall, but Ede now suggested that this danger could be
averted by extending the terms of reference of the IEC to include all emergencies, rather than just those arising out of strike action. Troops had, in fact, been introduced during several emergencies unconnected with strikes. In January 1946, for example, over 1,000 servicemen and 500 Italian labourers were employed in gas undertakings in London due to a shortage of men caused by the slow rate of demobilisation. During the severe winter of 1946/7 troops and POW's were used extensively to ensure that coal supplies reached power stations. By widening the scope of the emergencies organisation to encompass such non-controversial use of service labour Ede believed there was less chance of it being portrayed as a strike-breaking body. The IEC accepted the Home Secretary's recommendations and on 17 April the Cabinet reversed its decision of 8 March and authorised the establishment of a regional, skeleton organisation and the widening of the scope of the IEC. On 28 April the committee, in line with its changed function, was reconstituted as the Emergencies Committee. On 13 May Ede reported that regional government officials and chief officers of police had begun to prepare plans for their regions. The emergencies organisation now took on its familiar three-tier structure. Labour had sought to stave off criticisms of strike-breaking, not by a radical overhaul of the emergencies organisation, but by tampering with its terms of reference. It was clearly a cosmetic change only. The full thrust of emergency planning was still to be directed at industrial unrest.
Between the wars industry had played a central role in the development of detailed strike-breaking plans and it was not long before pressure was being exerted to extend the area of consultation to bodies outside the sphere of government. On 27 October 1947 the Chairman of the Official Committee submitted a memorandum to the ministerial emergencies committee pointing to the difficulties being experienced in the drawing up of emergency plans due to the restriction on consulting with non-government organisations, and recommending that this restriction now be removed. The problem was, perhaps, most acute on the railways where before the war the Railway companies had drawn up plans for maintaining services during a strike. The report of the Transport Sub-Committee of the emergencies organisation concluded that no progress was possible in planning for an emergency until permission was given to consult with the Railway Executive and to urge them to bring these pre-war plans up to date. Maxwell suggested that discussions could be confined to a small number of leading representatives of vital industries and services and to the Chairmen of local authorities in an attempt to maximise secrecy and, with the Home Secretary's assurance that secrecy by industry before the war 'was faithfully observed', the proposals were accepted. From this point onwards industry was to play a leading role in emergency planning. In July 1948 the National Coal Board and the oil companies were represented at meetings of the Fuel and Power Sub-Committee and in September 1948 ministers gave authority for an approach to certain non-government organisations representing the employers, to appoint representatives to serve on all committees set up by the Emergencies Co-ordinating Committee.
Government and industry thus worked hand in hand in the preparation of emergency contingency plans. The Fuel and Power Sub-Committee, for example, in December 1948, drew up a list of precautionary measures which could be taken at the first sign of unrest in the coal or transport industry. These included the building up of coal stocks of important public utilities, the making of provisional arrangements for importing coal and arranging for the gas and electricity supply industries and the railways to reduce services without giving reasons for such action, thereby forestalling criticisms of strike-breaking. Detailed plans were also drawn up to combat strikes in the electricity and gas industries and in all other major public utilities and industries.

The Attlee government wholeheartedly accepted the necessity to develop an emergencies organisation to deal with the effects of serious industrial unrest. Suggestions that a more open structure be adopted, based on agreement with the trade unions rather than upon secret negotiations with industry, were rejected as they had been in 1924, and Labour's emergency organisation differed in no appreciable way from the STO established after the First World War. For all the government's denials it was open to the same charges of strike-breaking that had been levelled against governments between the wars.

The emergency measures adopted by the Labour governments during strikes after 1945 also revealed no sharp break with the past. The traditional instruments for dealing with serious industrial unrest - the deployment of troops, the recruitment of civilian volunteers and the taking of emergency powers under the Act of 1920 - were adopted by the Attlee governments. In fact,
the most noticeable difference between the inter-war and the post-war use of emergency measures was the level to which they were resorted to after 1945. The introduction of troops became a routine practice during dock strikes of the period and a state of emergency was proclaimed on two separate occasions in 1948 and in 1949, the first time since 1926. Although volunteers were not deployed in significant numbers plans were drawn up and their introduction was given serious consideration on a number of occasions. Neither was the repeated use of emergency measures to break strikes a consequence of great labour unrest. In numerical terms the days lost to strikes between 1945–51 was considerably less than those lost in the similar period after 1918. An attempt will be made to explain Labour's handling of industrial unrest in a subsequent chapter. For the moment we must look in some detail at each of the three main emergency instruments used by the government during the unrest of this period.
REFERENCES


This was the organisation of the Committee as a result of the review of STO in 1923 by Sir John Anderson (Permanent Under-Secretary of State at Home Office). The original STO organisation was slightly different. See K. Jeffery and P. Hennessy, Op. Cit., pp. 72-73.


4. Maxwell to Bridges, 4 June 1945; T. 221/19.

5. Minutes of meeting in Home Office, 19 June 1945; T. 221/19.


8. Ede to Attlee, 22 August 1945; PREM 8/673.

9. Attlee was influenced by Norman Brook (Chief Secretary to Cabinet). See Brook to Attlee, 31 August 1945; PREM 8/673.

10. PREM 8/673.

11. Cabinet 46(45), 26 October 1945; C.P. (45)252.


Statement of principle, C.P. (46)87. Prior to meeting of this committee Ede had convened an official committee, with Maxwell in Chair, to consider the setting up of STO; Minutes of meeting in Home Office, 10 November 1945; T. 221/19.


15. Note to Attlee from Brook on C.P. (46)87, 7 March 1946; PREM 8/673.

17. Note by Secretary of Cabinet, 28 February 1946; PREM 8/673.
19. Maxwell Committee, 17 May 1946; T. 221/19.
26. Emergencies Committee of Ministers, 13 May 1947; CAB 134/175.
27. Emergencies Committee of Ministers, 27 October 1947; CAB 134/175; Memorandum by Sir Frank Newsam, EC(47)4.
28. Emergencies Committee of Ministers, 21 September 1948; CAB 134/175.
b) **The Use of Strike-Breaking Troops**

In taking the decision to reconstitute the STO Labour had accepted the principle that the maintenance of the essential supplies and services of the community was a primary duty of the state. During periods of severe industrial unrest the Attlee governments, like successive administrations between the Wars, looked to the armed forces to discharge this duty. Between 1945-51 troops were deployed during strikes on no fewer than eleven separate occasions.

Prior to the passage of the Emergency Powers Act in 1920 authority for the deployment of servicemen, 'in aid of the civil power', had been derived from wartime emergency regulations which had been kept in force after 1918, although troops had, on occasions, been used during strikes before the war. It soon became apparent after 1918 that there was a need for permanent legislation to cover this matter. For one thing, the use of the Defence of the Realm Regulations to employ troops in civilian duties during peace-time was of doubtful legality. During a miners' strike in October 1920 the First Lord of the Admiralty observed in Cabinet that naval ratings could not be legally used as a replacement for the men on strike. Moreover, servicemen, anxious not to be used as strike-breakers and aware of the legal doubts, had shown increasing reluctance to obey orders in the event of a strike.¹ The Emergency Powers Act successfully relieved the government of its reliance upon wartime emergency legislation and provided the means by which servicemen could be employed on non-military duties during peacetime.
The Attlee governments, however, for the most part chose not to use the powers embodied in the 1920 Act but to rely instead on the emergency defence regulations which had been introduced during the Second World War and kept in force by the Supplies and Services (Transitional Powers) Act of 1945. The powers available to the Labour government under the Defence Regulations were extensive and many were maintained until the end of 1950. Regulation 6 of the Defence (Armed Forces) Regulations, 1939 which gave the government power to employ troops on essential work was kept in force until 1964 when it was finally placed on a permanent footing. As Jeffery and Hennessy have pointed out, when this Regulation was introduced it was not intended that it should be used during industrial disputes, but to deal with shortages of labour due to the war. But both during the war, to a limited degree, and throughout the lifetime of the post-war Labour governments, on a more extensive scale, Regulation 6 was used for the purpose of replacing strikers with troops.

As had been the case after the First World War there was some concern as to the legality of relying on wartime regulations. In January 1947 the Air Ministry reported that the deployment of troops during the strike of road haulage workers had been technically illegal and consideration was given to the introduction of special peace-time legislation dealing specifically with the deployment of troops during strikes. These plans were eventually dropped on the grounds that they were too
controversial and Defence Regulation 6 was maintained, instead, on a year by year basis.

The use of Wartime Defence Regulation 6 by the Labour governments for the deployment of troops during strikes, in preference to the Emergency Powers Act, made sense in both practical and political terms. Clearly it would not have been feasible to have declared a state of emergency on every occasion troops were moved into the docks during the immediate post-war years. Moreover, the wartime regulations were more extensive than the powers available under the 1920 Act. In particular D.R. 58A empowered the Minister of Labour to direct an individual to perform any service he was capable of performing, whereas the Emergency Powers Act expressly prohibited the issuing of regulations imposing any form of compulsory military or industrial conscription. More importantly, however, in a society still dominated by rationing and controls and with the economy still very much on a war footing, there was every chance that the deployment of troops under war time regulations would be seen by the trade unions as a necessary measure and not as strike-breaking. A state of emergency, on the other hand, evoking memories of 1926, was far more likely to provoke unrest. This, as we shall see, was largely the case. On the whole the governments' use of troops did not arouse any great opposition, whilst the taking of formal emergency powers under the 1920 Act, in 1948 and 1949, aroused the hostility of much of the Labour movement.

The Attlee governments were insistent that the
use of troops to maintain essential supplies and services could, and indeed should, be separated from strike-breaking. In October 1945 after troops had been introduced into the London docks Isaacs informed Members that 'it has not been and will not be the policy of the Government to use the military for strike-breaking; in the recent dock strike the military were used only for the purpose of safeguarding vital supplies.'

This attempt to draw a distinction between strike-breaking and the maintenance of essential services was a familiar theme during the early development of the STO. The issue had, in fact, been raised as early as 1919. During the General Strike in 1926 the code of emergency regulations drawn up under the Emergency Powers Act provided for the employment of forces upon only those services deemed to be 'of vital importance to the community' and, although when stokers operating the Admiralty central heating system struck they were at first replaced by naval personnel, these were later withdrawn by the Permanent Secretary to the Admiralty on the grounds that their use 'was deliberate strike-breaking and really could not be tolerated'. In 1942 an agreement was reached between the War Office and the Ministry of Labour over the procedure for the use of service labour in industrial disputes. Under this agreement requests to the War Office for military assistance were to be made only with the personal approval of the Minister of Labour and the minister in charge of the Supply Department concerned, and were to be granted only for the purpose of maintaining
essential services. Approval was not to be given for maintaining production and not for strike-breaking. This procedure was later endorsed by the Attlee government.⁷

There remained, however, the question of what constituted essential services. Governments before the Second World War had contemplated the use of troops for two purposes only: To maintain supplies of electricity by operating the boilers at large generating stations and to operate dock machinery essential to the working of the docks by volunteer labour, although troops had often been introduced beyond this limited framework.

In January 1946 the Home Secretary, Chuter-Ede, laid down the conditions which were to govern the use of troops by the Labour governments in aid of the civil power. Service labour was to be used during strikes only to maintain essential services such as water, gas and electricity and the supply of food. Troops were not to be engaged in strike-breaking. Ede suggested, however, that in the present economic circumstances the movement of 'vital export cargoes and the discharge of incoming supplies of important raw materials' might also be regarded as essential and, despite the Minister of Labour's assertion that the use of troops in the export trade would be seen as strike-breaking and should not, therefore, be countenanced, they were to be used in this way on a number of occasions over the next five years.⁸ The definition of 'essential services' adopted by the Labour governments, I will argue, marked an important break with past precedent and successfully blurred any
distinction which may have been possible in the past between the legitimate functions of the state and strike-breaking.

During several major disputes between 1945-51 troops were introduced to safeguard essential services and supplies. In October 1945, for example, troops were brought in to the Liverpool docks to unload cargoes of perishable food. A strike had begun in September in the port of Birkenhead, over the rate of pay for handling pit props, and by the beginning of October it had spread to the ports of Liverpool, Manchester and London. By the weekend of 13/14 October over 6,000 troops were working at Merseyside, Humberside and London. Troops were similarly introduced into electricity generating stations in London in December 1949 and into gas works in the Capital in September 1950 to safeguard essential supplies. In September 1950, whilst those hardest hit by the strike of gas workers were the domestic users, hospitals and food suppliers were also affected.

On other occasions the use of troops by the government was less easy to justify. Just five days after the General Election the Labour government sent between 3-4,000 soldiers into the Surrey docks to break a ten week old go-slow by dockers demanding a 25/- a day basic rate. The servicemen in this instance unloaded timber and other non-perishables as well as food. Similarly, during the dock strike in the autumn of 1945 Cabinet authority was given to extend the tasks on which servicemen be employed.
from the unloading of perishable foodstuffs to the loading of cargo for export and for unloading all ships irrespective of their contents.\textsuperscript{12} The strike had delayed the unloading of 175 ships, including 22 timber ships deemed vital for the government's housing programme and had delayed the loading of a further 50 vessels. Although the decision of the Cabinet was not implemented, as the strike began to falter, it, nevertheless, marked an important watershed in government policy and represented a clear reversal of the principle that troops be deployed only on the maintenance of essential supplies. In future troops were to be used for the movement of many non-essential commodities.

An unofficial stoppage of road transport workers in East London began on 6 January 1947 over delays in dealing with a claim for a shorter working week and an increase in paid holidays. The Minister of Labour recognised that the men's claim was strong and that there had been a serious delay in dealing with it, but argued that they had put themselves in the wrong by striking.\textsuperscript{13} The strike was especially solid amongst drivers working at Smithfield meat market. Outside London the numbers out were fairly small although there was some disruption in Manchester and Liverpool. The strike posed a serious threat to food supplies. In the first week of the stoppage London's meat ration was cut by one third and on 13 January troops were brought in to move the meat supplies.\textsuperscript{14} This led to the dockers striking in sympathy and by 15 January 20,000 men were out in London and 8,000 were out in the provinces.
The movement of perishable foodstuffs by military labour was covered by the stipulation regarding essential supplies. There was, however, a shortage of supplies other than food which could not be regarded as essential. The national newspapers, for example, were reported to have only enough newsprint to last a week and in Cabinet on 15 January it was agreed that military assistance be offered to enable the newspapers, which were applauded for having supported the government in its handling of the strike, to continue publication. This was despite the reservations of the Home Secretary who argued that it would be difficult to hold that the publication of papers was essential to the life of the community. The strike ended on 18 January and the troops were withdrawn. A Court of Inquiry was held on 23 January and its report was largely favourable to the workers.

Troops were often deployed during this period, not to safeguard essential services or supplies, but to help minimize the economic dislocation resulting from strikes. It is certainly the case that dock strikes, in particular, had a damaging effect on trade and on the balance of payments. In November 1945 the Minister of War Transport estimated that, largely owing to the dock strike, United Kingdom imports for the year would be a half million tons down, whilst an unofficial strike which began in the Salford docks in April 1951, over the suspension of two men for refusing to work overtime, resulted in a loss of trade of £100,000. A strike in the London docks in June 1948, by delaying the turn around of ships, seriously impeded the nation's export
drive and, although basic rations were estimated to be safe until mid July, troops were called in from 28 June to work all food ships. Isaacs told Barrett, the General Secretary of NASD, which was supporting the strike, that the government would use troops 'as might be necessary to safeguard the economic life of the community'.

The government adopted a similar line during a strike which began in the Glasgow docks on 24 March 1947 over the proposal to make 800 men redundant, a proposal which had been accepted by the National Joint Council for the Industry. Troops were brought in to unload a cargo of oranges on 3 April and by 9 April several other ships with perishable goods were being unloaded by a small contingent of Royal Engineers. On 16 April troops began to unload all types of goods from the docks in order to maintain rations. At the peak of the operation 700 military personnel were involved in the unloading of 2½ thousand tons of foodstuff per day. George Isaacs was keen to stress in the House of Commons the need to 'differentiate between a strike-breaking movement and a food supply movement'. However, when the strike spread to London on 28 April arrangements were made to move 7,000 troops into the London docks to unload shipments of coal, timber, paper and other materials seen as vital for economic recovery as well as perishable foodstuffs. It was only a return to work on 2 May that prevented the troops from being so deployed.

The alleviation of public inconvenience and the movement of any supplies seen as vital for the recovery
programme does not fit clearly into the definition of essential supplies and services adopted by successive governments in trying to draw a distinction between strike-breaking and the legitimate use of service labour in aid of the civil power. It could be argued, in fact, that the ability to cause a degree of public inconvenience is an indispensable weapon of the trade union movement and that the government, by diminishing the effectiveness of the strike in this way, serves to weaken the bargaining power of the unions. According to Harold Laski:

When trade unions seek for what they regard as justice, one of their most powerful sources of strength is the awakening of the slow and inert public to a sense of the position. Effectively to do this, in a real world, it must inconvenience the public; that awkward giant has no sense of its obligations until it is made uncomfortable. When it is aroused, if, for instance trams do not run, or coal is not mined, the public begins to have interest in the position, to call for action. 24.

If this is the case then the accusation of strike-breaking can be legitimately levelled against the Labour governments.

There is also, however, some evidence to suggest that the Labour governments used troops as a means of smashing the unofficial organisations which had developed during this period.

In June 1948 a strike began in the port of London as a protest against the disciplinary action taken by the local dock labour board against eleven men, who had refused to unload a cargo of zinc oxide on the grounds that it was
'dirty' and thus warranted a piece rate of some 50% above the rate agreed between the employers and the TGWU. By 18 June there was an almost complete stoppage in the London docks which posed a serious threat to food supplies. On 23 June 300 troops moved in to Poplar docks to unload perishable foodstuffs. The decision was taken to limit the work of troops, in the first instance, to such essential commodities. In Cabinet Committee on 24 June Ede revealed that the police had advised that if troops were used for any other purpose the strike was likely to spread to the meat markets and cold storage depots and that 15,000 servicemen would then be required to maintain rations. The Foreign Secretary, Ernest Bevin, did not accept this argument. The government, he demanded, should show 'no sign of weakness'.

.... They should not be deterred by threats that, if their troops were employed, the strike would spread to the meat market's. If the strikers got their way, the Government would be at the mercy of unofficial strikes for many years to come. Whether the strike continued for one week or five, no concessions should be made by the Government until the men had returned to work. 27.

Bevin was triumphant. On 28 June, with almost 20,000 men out in London and with 140 ships held up, including 60 food ships, the decision was taken to extend the work of the troops and 5,000 servicemen with 900 lorries began to move wheat and other non-perishable goods from the London docks. Plans, in fact, were drawn up to work up to 13,000 servicemen by 4 July and a scheme codenamed 'Operation Zebra'
was devised by the Admiralty to supply technical ratings to operate cranes, tugs and lighters. The introduction of troops caused an extension of the strike to the ports of Liverpool and Birkenhead and the dislocation was such that Ede wrote to Attlee suggesting that the use of servicemen to load export cargoes be considered. A state of emergency was declared but the regulations were not invoked and the following day, 29 June, the strike was called off.

In December 1949 the government was, similarly, divided between bringing the electricity strikes to a swift conclusion and crushing the unofficial strike movement. Hugh Gaitskell, the Minister of Fuel and Power, wrote in his diary of a 'fundamental difference of view between the BEA and ourselves on the one hand and the Ministry of Labour on the other. The latter were concerned almost wholly with ending the strike, whereas we were concerned with smashing the strikers'.

It was during the series of stoppages which broke out in the docks up and down the country between May and July 1949, however, that the government's claim of using troops merely to safeguard essential supplies was brought most sharply into question. The stoppages were the most important during the post-war period and deserve to be looked at in some detail. They were unique in that they arose, not out of a dispute over wages or conditions of employment, nor out of a dispute in Britain at all, but in sympathy with Canadian merchant seamen, members of the militant Canadian Seamen's Union, who, as part of their fight for union
recognition and to resist wage cuts, had called a strike of seamen throughout the world. \(^{32}\).

The dispute in Britain began on 14 May 1949 when a Canadian ship, the *Montreal City*, arrived in Avonmouth worked by a strike-breaking crew of the International Seafarer's Union. Dockers at Avonmouth immediately declared the ship 'black' and refused to handle her. On 16 May the port employers threatened disciplinary action against those dockers who had refused to unload the ship and this brought the whole dock labour force out, although work was resumed the following day on all but the black ship. The employers then announced, with government approval, that they would not take on labour for any ships until the Canadian ship was worked, a decision which was tantamount to a lock-out. \(^{33}\). The dockers struck again and on 22 May 600 men at Bristol docks came out in sympathy.

The government took no immediate action. A meeting of the Emergencies Co-ordinating Committee on 24 May heard that the ports affected were 'not of great importance to the export trade', the only immediate concern being a cargo of bananas at Avonmouth which, it was hoped, would be unloaded by volunteers from the local TG\(\text{i}U\). \(^{34}\). When the union call for volunteers failed the government introduced 400 troops to unload *The Bayano*. \(^{35}\). Government concern intensified when, on 27 May, the dispute spread to Liverpool as a result of the suspension of 45 men for refusing to handle a black Canadian ship which had been diverted from Avonmouth. On 30 May troops in Avonmouth, having dealt with the consignment of bananas, began to unload less perishable foodstuffs. \(^{36}\).
The General Secretary of the TGWU, Arthur Deakin, who throughout the dispute made a concerted effort to get the men to return to work, warned the Minister of Labour and the Home Secretary that attempts to get the whole port of Avonmouth running would inevitably be seen as strike-breaking and might lead to a rapid extension of the dispute. This fear appeared to be well founded when on 31 May crane drivers at Avonmouth refused to work with the troops. Ministers, however, were unmoved by such arguments. Ede told his colleagues that 'there was no sign that Mr. Deakin had any control over the strikers or even expected them to pay any attention to what he said'. It was his opinion that 'the Government had never had a better case for dealing thoroughly with the elements which fomented these continual strikes'. Clearly, in this instance, troops were to be used with the primary objective of strike-breaking as opposed to safeguarding essential supplies. On 1 June instructions were given to the 800 soldiers at Avonmouth to unload all ships in the port irrespective of their cargo.

Meanwhile, the dispute had intensified on Merseyside. By 31 May 6,000 dockers were out in Liverpool and by 3 June over 11,000 men were out. On 7 June Ede told Attlee that he proposed to send troops in to unload perishable foodstuffs in Liverpool from 10 June, but these plans were postponed through fear of spreading the dispute further. On 13 June dockers in Liverpool returned to work but still refused to handle the Canadian ship. On 15 June Avonmouth dockers returned to work on a guarantee of no victimisation, but they too refused to handle black ships diverted from other ports.
The dispute now spread to London. Two Canadian ships, the Beaverbrae and Argamont, had been lying isolated in the London docks since 1 April whilst work in the rest of the port had continued normally. On 20 June the PLA called on dockers to work the Canadian ships and, when they refused, 300 men were suspended from employment. Three days later the employers, mirroring the stance taken by the employers in Avonmouth, announced that they would requisition no labour until the Canadian ships were unloaded. On 24 June 4,000 men walked out in London and by 5 July 8,500 men had stopped work. Again, no support was forthcoming from the TGWU.

The government's immediate response was to do nothing. On 4 July the Emergencies Committee was told that food rations were unlikely to be endangered until the end of the month and that to send in troops 'purely for strike-breaking, and for handling cargoes other than food, would.... undoubtedly cause the trouble to spread widely'. On 5 July Lord Ammon, Chairman of the NDLB, wrote to Attlee stressing the danger of inaction and arguing that 'the matter should be fought to a finish'. Bevin and Alexander echoed this view and told Isaacs that troops should be sent in at once even if there was no danger of food supplies deteriorating. Ministers were greatly concerned about the damage to the export trade and the loss of dollar earnings due to the hold up of ships and evidence was provided that the news of industrial unrest at home was deterring possible purchasers in dollar countries. Nevertheless, troops introduced on
7 July were confined initially to the safeguarding of food supplies. At first ministers agreed that the troops should unload all food ships, including the two Canadian vessels at the heart of the dispute. This would have quickly brought about an end to the dispute as dockers were anxious to work all other ships in the docks. Unfortunately the government changed its mind, with disastrous consequences.

The dockers claimed that they were not on strike but were being locked-out, that they were fully prepared to work any ship in the port except for the two black Canadian ships and that they were being prevented from so doing by the port employers. The Attorney General expressed, in private, his belief that it was in fact a lock-out. Given the economic dislocation being caused by the dispute the logical step would have been for the government, either to isolate the two ships (as had been the case for two months) and wait for a settlement of the dispute in Canada, or, alternatively, to use troops to unload the black ships and enable the British dockers to return to work. A group of 'lock-out' leaders, including Jack Dash, who shot to prominence in the seamen's dispute in the mid-Sixties, went as a delegation to Phil Piratin, the Communist MP for Mile End, to appeal for the removal of the two black ships, and, the following day, Piratin and Willie Gallacher, the other Communist Member in the House, raised the question in the Commons. Support for this line of action came from Left Wing MP's such as Sydney Silverman, Platts Mills and S.O. Davies, but also from the columns of The Times.
The government, however, consistently refused to allow troops to work the Canadian ships. As Attlee told MP's; 'If that were done it would concede the claim made by the unofficial strike leaders, that they are to decide what ships should be worked. It is quite impossible for any government to concede that claim. It is quite impossible for the responsible authorities in the docks to concede that claim.' The government's action can be interpreted in only one way: that it was prepared for the dispute to continue, with all the resultant damage to trade and industry, so it could smash the unofficial, militant organisation which had developed in the docks during the post-war period. In fact the truth might be even more damning. There is evidence that the dispute in London was, not only prolonged, but deliberately engineered by the Labour government.

During the stoppages in Bristol and Avonmouth the port employers in London had left the Canadian ships isolated. For almost three months the PLA did not press for the ships to be worked. It seems clear that this decision was taken after consultation with the government. On 7 June officials from the Ministry of Labour told the London port employers that no action should be taken to risk spreading the strike.

The government, clearly, did not want a stoppage in London simultaneously with trouble in Avonmouth. Early on in the stoppage the Emergencies Committee had stressed that with only limited service assistance available, the armed forces would be unable to deal with a complete stoppage at more than one port at a time. Once the dispute in the provinces was settled employers in London moved on to the offensive.
Again, it appears that this was the result of government pressure. On 13 June work began in Liverpool and on 15 June men returned at Avonmouth and Bristol. On the same day the NDLB was informed that the government no longer wished to influence the Board in its judgement as to the steps they should take in connection with the Canadian ships in London. This was clearly an invitation to the employers to reverse the policy of isolation and to force a stoppage. Isaacs was strongly in favour of taking a firm line. In a note on the strike, he wrote that 'If we miss the opportunity of the collapse of the Liverpool and Avonmouth strikes it will be some time before another opportunity occurs'. The Prime Minister agreed. The NDLB, informed of the government's view, issued the ultimatum to the dockers to work all the ships or none at all and the port of London came to a standstill.

The introduction of servicemen to work food ships on 7 July provoked further stoppages in London. By 8 July 10,000 men were out in London and 100 ships lay idle. On 11 July a state of emergency was proclaimed. Additional troops were brought in and began to unload cargoes of all kinds. By 14 July over 14,000 men were out and 2,500 servicemen were at work. On 20 July preparations were made for the introduction of 35,000 troops to keep the docks open if the strike continued. On 22 July the CSU announced it was terminating its dispute in Britain and on the 25th dockers in London returned to work, with the unofficial leaders claiming a great victory. Troops were withdrawn over the weekend of 23/24 July.
The dispute of May-July 1949 was important in that, for perhaps the first time, there was clear evidence that the Labour government had brought in troops for the purpose not of safeguarding essential supplies but of breaking a strike. If the government's intention was to smash the unofficial movement in the docks it was singularly unsuccessful. Not only did the strike remain solid in July 1949 but the unofficial movement continued to expand its influence throughout the nation's docks in the following years.

Strategic considerations governing the use of service labour in industrial disputes.

The reasons advanced by the Labour government for deploying troops during strikes were to safeguard the essential supplies and services of the community and to minimize economic dislocation. The government strongly denied that it was engaged in strike-breaking, but the available evidence suggests otherwise. Apart from the question of strike-breaking, tactical considerations played an important part in whether or not troops were deployed. As Viscount Jowitt, The Lord Chancellor, commented during the July 1949 dock strike:

If we rush in too soon, we are apt to do more harm than good. On the other hand if we delay in taking action, I agree that we create the impression of weakness, and that is bad. It is all a question of timing. 52.

On a number of occasions the government deferred from introducing troops for fear of extending the strike.
An unofficial strike of 10,000 passenger traffic workers in the Midlands and in the North broke out in June 1947 in support of a wage claim, against the findings of an arbitration tribunal. The strike threatened to disrupt coal production by preventing miners from getting to and from work. In Nottinghamshire coal was being lost at a rate of 10,000 tons a day. Emanuel Shinwell, the Minister of Fuel and Power, requested 100 troops and vehicles to meet the emergency. Isaacs, however, advised against it. Whilst there was a possibility of the unions getting the men back to work it was 'essential', he told Attlee, 'to avoid a short sighted action calculated to exacerbate the position'. The Prime Minister agreed, although preparations were made 'behind the scenes' so that the troops could be introduced if the situation deteriorated. By 23 June, in fact, Isaacs had become convinced of the necessity for troops to get the men to work and 200 military vehicles and drivers were placed on standby. An improvement in the situation by 25 June meant that the troops were not needed. It was later revealed that the dislocation had not been as severe as was feared as in many regions the local colliers had provided their own transport for workers.

In the London dock strike of April 1950 troops were initially confined to those areas where the strike was solid. It was felt by the government to be unwise to introduce troops into docks where a substantial number of men remained at work and run the risk of extending the strike. The strike had resulted from the action of the TGWU in
expelling 3 dockers for their part in the CSU strike of 1949. By 21 April 9,000 dockers were out. The strike was most solid in the Royal group of docks and on 24 April 1,000 troops began to unload perishable cargoes from ships berthed there. It was only when the strike spread to other groups of docks that the work of the troops was extended. By 28 April 14,000 dockers were on strike in London and 5,000 troops were working. There was a general resumption of work on 1 May and the troops were withdrawn.

During a strike of road haulage workers in May 1951 the government similarly decided against the use of troops due to the risk of dockers taking sympathetic action. The stoppage was in protest at the decision of the Road Haulage Executive to extend the system of road patrols to supervise drivers. Five such patrols had been operated by the companies before nationalisation and the Executive now proposed to bring a further eleven into operation. The TGWU raised no objection to the scheme. The strike involved ninety per cent of drivers in London and the Home Counties and posed a serious threat to perishable goods in the London docks. Instead of deploying troops the government diverted freight to the railways and issued permits to private hauliers to enable them to travel more than the twenty five miles stipulated in the Nationalisation Act of 1947.

Government concern that the use of troops might prove counterproductive and lead to an extension of the stoppage was well founded.

On 24 June 1950, for example, an unofficial strike
of drivers employed by the Meat Transport Organisation began, involving 1,500 drivers in London's Smithfield Market.
The strike was in protest against long delays in the settling of a claim for an increase of 19 shillings a week. 61.
Initially, in order to prevent a sympathy strike by the Smithfield workers, it was decided not to send troops into the market but on 28 June, in order to maintain London's meat ration, troops began to distribute canned corned beef from the meat storage depots to the butchers. On 3 July they moved into Smithfield market itself so that by 5 July 640 service vehicles and 3,000 servicemen were at work.
Immediately, the meat porters at the cold stores came out as did the drivers and warehousemen employed by the wholesale provision merchants in the Smithfield area. 62. The situation was critical. So long as the strike continued the meat ration could be maintained only by using troops to bring essential foodstuffs from the cold stores in the docks or from the ships themselves. Such action would almost certainly have provoked a major dock strike and over 20,000 men would then have been required to run the docks completely. Ministers agreed that alternative sources of labour should be investigated but, that if this proved to be unsuccessful, troops should be brought into the docks from 10 July. 63. In Cabinet on 10 July, however, ministers again deferred on tactical grounds. 64. The strike appeared to be on the verge of collapsing. Attempts to bring out all workers in London's road haulage industry in sympathy with the Smithfield drivers had proved unsuccessful and the government, anxious to do
nothing to inflame the situation, decided not to introduce troops into the London docks. The majority of strikers returned to work on 12 July and the troops returned to military duty. This was, in fact, the last major use of strike-breaking troops by the Attlee government, although about sixty servicemen were introduced into the London gasworks for a brief period in October 1950. The government's reluctance to use troops during industrial disputes after 1950 was due primarily to the growing inability of the armed forces to keep up with the demand for replacement labour.

The repeated demands made upon the armed forces during industrial disputes were opposed by the War Office. As early as May 1947 the Secretary of State for War produced a detailed report outlining the damaging effects of intervention upon the Army.65. Trainees, it was revealed, were losing, on average, two weeks work and vital repair work was being delayed due to the use of army vehicles for civilian duties. 'The physical ability of the Army to meet these extra tasks', the report concluded, 'is rapidly diminishing'. Despite criticism, from some quarters, of the slowness of demobilisation the armed services were run down appreciably, between August 1945 and December 1946, from over 5 million personnel to just over 1 million and by March 1949 the figure was just above 700,000.66. In June 1948 ministers were informed that the services would have great difficulty in coping if the strike in the London docks spread to the provinces.67. In February 1951 it was
estimated that if, as a result of the introduction of troops into Merseyside docks the London dockers struck in sympathy, about 40,000 men would be required to keep the docks open, which was way beyond the resources of the armed forces. 68. Concern had also been expressed after the First World War that demobilisation and the pressure of upholding British garrisons in Ireland and overseas might result in the army being unable to cope with civilian commitments. 69. During the miners' strike of April 1921 the shortage of military personnel led the government to establish a 'Defence Force' in which ex-servicemen and Territorial Army volunteers were invited to enlist. In all, about 80,000 men signed up, but problems arose when Labour controlled local authorities refused to cooperate in the scheme. An attempt by Churchill in May 1926 to resurrect the 'Defence Force' was unsuccessful and the matter was not raised during the Attlee administration.

With a deterioration in the international situation after 1947 and with Britain's overseas commitments showing few signs of decreasing concern over the use of troops in civil emergencies spread. Earl Winterton told the House of Commons in December 1949 that the unprecedented use of armed forces in industrial disputes posed a serious threat to the training of National Servicemen. 70. During the strike of drivers of the Meat Transport Organisation in the summer of 1950, preparations for the employment of 5,000 troops and 1,000 vehicles drew criticism from the Service Departments. 71. The War Office, similarly, opposed the use of troops to work the Liverpool docks in February 1951 on the grounds that
an agreement had been reached that the defence programme should take priority over other claims on manpower.72.

The problems associated with the deployment of service labour in civil emergencies led the government to seek alternative sources of replacement labour and plans were drawn up for the call-up and deployment of civilian volunteers. As we shall see the drawbacks in using volunteers outweighed any possible advantages and troops remained the first choice in times of industrial unrest. One alternative to the deployment of troops, which was considered by the government during stoppages on the docks, was the diversion of ships from strike bound areas to strike-free ports. In March 1947, for example, a ship was diverted from Glasgow to Liverpool, but after a warning from the TGWU that the ship had been declared black in Liverpool and that its unloading there would lead to a general stoppage in the port, the ship was sent back to Glasgow. A suggestion was made that diversion to Swansea, where unemployment was high, might cause less trouble but this was not implemented.73.

The problem of using service labour to replace strikers was not, simply, one of numbers. Whilst troops could be successfully deployed on relatively unskilled, manual tasks such as the unloading of cargo during a dock strike, the same was not true of more skilled operations. The loading of ships, for example, was beyond the capability of the services and during the dock strike of June 1948 the port employers made their own preparations for loading
export cargoes. In April 1950 troops were employed in discharging cargoes into loaders alongside the ships in the London docks. When the lightermen and tugboatmen came out in sympathy with the dockers the Navy was called in to replace them, but it was estimated that only 30 out of 350 tugs could be worked due to the lack of skilled ratings. At a meeting of the Emergencies Committee on 26 April 1950 it was agreed that the Admiralty should arrange for the 'unobtrusive' training of naval personnel in these skills.

It was in the power stations, however, that the problem of finding sufficiently skilled replacement labour was most acute. In December 1949 about 400 servicemen were introduced into electricity power stations in London due to an unofficial strike, but they managed to maintain only 30% of capacity. 'It proved impossible to get the stations to anything like full capacity' Hugh Gaitskell, the Minister of Fuel and Power, wrote in his diary, 'owing to the inexperience of the troops and the shortage of people to train them'. In a letter to the Prime Minister after the dispute, Gaitskell raised the question of what steps should be taken to provide the necessary training for troops and the matter was discussed at a meeting of top civil servants and, later, at a Cabinet Committee meeting. The conclusion reached was that troops could not be trained in preparation for emergency work. Such training would have to take place at generating stations and the staff, it was felt, would be reluctant to cooperate in what they would regard as preparations for strike-breaking. One suggestion was for
the inclusion in the services educational programme of lectures on electricity generation, but the course favoured by the government was to seek the assistance of the British Electricity Authority. The Authority would be placed in direct contact with the service authorities and would be encouraged to train instructors from the higher technicians at the power stations, which would allow the maximum use to be made of service labour.

There were also considerable technical difficulties to be overcome if troops were to operate gas works. In some respects the position in the gas industry was more difficult than in the electricity industry as there was no 'gas grid', corresponding to the electricity grid, to enable gas to be conveyed from one area to another to meet demand during an emergency. Also, it was not possible in an emergency to limit the supply of gas to essential consumers, as even in small works sufficient pressure had to be maintained to prevent damage to retorts and to guard against explosions. In May 1950 discussions were held between Whitehall and the Area Gas Boards on the arrangements necessary for the introduction of servicemen in the event of a strike. No reciprocal approach was made to the unions which might have allayed fears that the government was building up a strike-breaking organisation. 78.

One final problem surrounding the deployment of troops in civil emergencies should be noted: That of providing sufficient accommodation for large numbers of servicemen. During the General Strike it had been necessary
to house troops in specially enclosed barracks to prevent confrontation with strikers. During the London dock strike of June 1948 the need for forward planning on this matter was clearly illustrated when a party of naval ratings had to be put up in disused stables and harness rooms. By the spring of 1950, however, arrangements had been made to accommodate troops, brought into the London docks during the strike, under canvas, and plans had been drawn up for the requisitioning of large buildings such as Earls Court and Olympia to house the men.

**Troops as Strike-Breakers: Response from the Labour and Trade Union Movement.**

The Labour movement has traditionally been hostile to the use of troops during strikes. It has mattered not that troops have often been deployed to safeguard essential supplies and services rather than with the overt aim of strike-breaking. The net result, in both cases, has been a strengthening of the power of the employer over the organised working class by a lessening of the impact of the strike. Harold Laski, writing in 1930, argued that 'it (the use of troops) is a form of industrial servitude since it means, ultimately, that the worker must labour on the employers' terms lest the public be inconvenienced'. In 1924 the first Labour government introduced troops during several industrial disturbances and was severely censured by the trade union movement.
How did the unions respond to the re-adoption of this strike-breaking weapon after 1945?

The trade union leadership, on the whole, accepted that it was the duty of the government to safeguard essential supplies and services in time of widespread industrial unrest. Tom Williamson of the NUCMW told delegates at the TUC Congress in 1948 that 'no government can stand aside and see the ordinary progress of its economy interfered with', whilst Arthur Deakin informed ministers in June 1948 that there was no alternative to the introduction of servicemen to safeguard essential supplies in the docks. Even some union leaders on the Left, such as Bob Edwards of the chemical workers, gave tacit approval to the use of troops. The readiness of the union leadership to accept the deployment of service labour was, no doubt, partly due to the unofficial nature of the majority of the disputes of the period. Union leaders were as anxious as the government to stamp out unofficial organisations and reaffirm union discipline. In the mining industry, where troops were of little use, Sam Watson, supported by the union's President, Arthur Horner, an open Communist sympathiser, agreed in January 1948 that the NUN would introduce its own 'strike-breakers' to replace striking enginemen from the breakaway NUCWE.

Amongst the strikers themselves there was evidence too of an acceptance of the use of troops. There was, for instance, in contrast with the General Strike, little hostility shown towards servicemen sent in to replace
the men on strike. During the October 1945 dock strike the discipline of the strikers was noted by the press and, whilst it was reported that the men resented the threat of civilian blacklegs, no attempt was made to interfere with the troops used to unload the ships. During a strike in the Glasgow docks in April 1947, a strike supported by the Scottish TGWU, the Chairman of the Glasgow docks branch of the union stated that the dockers 'will not interfere and no picketing will be carried out. We recognise that the soldiers will be carrying out orders'. The Regional Industrial Relations Officer for Scotland confirmed that 'there has been no indication of hostile attitude towards the troops'. In January 1947, during a stoppage of road haulage drivers, the Home Office issued a circular to regional police officers requesting daily reports on the position of the strike in their regions and, in particular, of any trouble arising between strikers and the military or the police. No serious trouble was reported throughout the entire dispute. In London and Hatfield there were reports of tyres being deflated but these were civilian vehicles rather than military.

Contemporary commentators were keen to stress the lack of hostility between strikers and troops. On the strike of lightermen and meat porters in June 1948 Margaret Cole wrote:

In the strike of London lightermen and meat porters .... the Government used the military to shift the cargoes. 'Strike-breaking by soldiers' has always been a red rag to the British movement;
at any other time, under any other
government, the appearance of a
soldier at Smithfield or the docks
would have brought out the whole
Port of London. As it was, the
strikers, while standing by their
demands and their strike, received
with barely concealed relief the
intimation that the Army was to see
that London got its food; and one
journalist even found a strike picket
showing an inexperienced soldier how
to hump a side of frozen beef.....89.

There has been criticism of the historians of
the General Strike who played down the conflict between
strikers and troops in 1926, and one must be careful not
to over-emphasise the degree of harmony during strikes of
this period. The absence of overt hostility towards the
troops should not be seen as indicative of an acceptance of
government policy, but simply, a recognition that the
servicemen were carrying out orders and that, if opposition
was to be voiced, it should be directed against the Labour
government. In April 1947 a telegram was sent by the
Scottish TGWU to Mr. J. Rankin, MP for Tradeston in Glasgow,
directing his attention to the use of troops and urging
that he should submit the facts to other Glasgow MP's so
that they could register their protests against 'this grave
contravention of trade union principles'.90. At the Scottish
TUC Congress strike-breaking by troops formed the basis of
condemnatory resolution.91.

If the trade union movement was deeply divided
over its response to the use of troops, the Labour Party was
scarcely more united. It is certainly the case that the
use of troops did not raise the same degree of opposition
within the Party that was seen over the declaration of a state of emergency in 1948 and 1949, or over the prosecution of strikers under Order 1305 in 1950 and 1951. No condemnatory resolutions of government policy were moved at meetings of the PLP, the NEC or at Labour Party annual conference. Support for the government came from a number of 'left' wing journals: Socialist Commentary, on occasions New Statesman and Nation, and in January 1947 even Tribune declared that recourse to troops to maintain essential supplies was 'unavoidable'. Yet there was unease amongst many Party members that the government had deemed it necessary to resort to this strike-breaking weapon and this unease was to develop into more open opposition as the frequency with which troops were deployed increased.

One aspect which did cause particular concern was the role of conscripts on national service. In May 1947, during the Committee stage of the National Service Bill, Lord Farringden moved an amendment that no person subject to national service should be required to undertake duty in aid of the civil power in connection with a trade dispute. The amendment was moved, no doubt, to reassure workmen that they would not be required to blackleg former colleagues and it would have left unaltered the law allowing regulars to intervene in industrial disputes. The Earl of Airlie, however, denounced it as 'an extremely evil amendment and it was defeated, the opposition voting with the government.'
The most vitriolic attack on the government came, not surprisingly, from the Communist Party of Great Britain (CPGB). An article in Labour Monthly in July 1949 described Labour's policy in the docks as the work of 'scabs' and 'strike-breakers'. In Parliament the two communist MP's, Willie Gallacher and Phil Piratin, kept up the offensive. Gallacher, in April 1949, inquired of Isaacs whether the government's action was not 'a somewhat mean and contemptible method of strike-breaking?'. Opposition, however, was not confined to the official communist party. The Labour Independent Group, formed by those Members who had been expelled from the Labour Party purportedly for fellow-travelling between 1945-50, was equally strong in its denunciation of the use of service labour, as was the Independent Labour Party. When Sir Herbert Williams asked the Minister of Labour in April 1950 'what is the difference in principle between sending soldiers to the docks and soldiers to Tonypandy?', he was surely echoing the view of many within the Parliamentary Labour Party.

By the end of 1950 the government had called in troops to maintain essential supplies and services on no fewer than eleven separate occasions and, not surprisingly, opposition from the more militant unions began to surface with increasing vigour. The deployment of troops during the electricity power station strikes in London in December 1949 had provoked an angry response from local union branches and trades councils. The ETU dispatched the following message to the government:
Of course we would expect a Tory Government to do this sort of thing, but it is the last thing we would have expected from the present Government to do. We appreciate that it is the responsibility of the Government to see that services are maintained but surely it would have been far better to have consulted with the men concerned in the dispute rather than calling in the troops. 98.

At the 1950 annual National Committee of the AEU, a composite resolution was moved condemning the use of troops in industrial disputes as strike-breakers and instructing the National Executive to seek support from the Confederation of Shipbuilding and Engineering Unions and the TUC to put an end to the practice. Under pressure from the President, Jack Tanner, the National Committee agreed to the insertion of the word 'official' into the resolution and the motion was then carried. This was an extraordinary state of affairs, with the union condemning the Labour government only in relation to official strikes of which there had been hardly an instance since 1945.99. But criticism was mounting. In 1949 a new, Left opposition to the government had been formed, the Socialist Fellowship, which held its founding conference in London on 27 November 1949 and, at the first London Regional Conference in 1950 a motion was passed roundly condemning the use of troops in industrial disputes.100.

The growing clamour of criticism was, not simply, a product of the frequency in which troops were being deployed. There was also concern that the Labour government had adopted a separate policy of non-intervention with
respect to lock-outs by employers. At the TUC Congress of 1950 a delegate of the London Society of Compositors, which was in dispute with the printing employers, suggested that 'if this had been a strike instead of a lock-out the Minister would have acted with greater speed', adding that 'I recognise he is in a quandary: troops in the employers' printing houses are not nearly so effective as in a meat market, but they would have been officer class only'.

Opposition to the use of troops in industrial disputes was not confined to the strikers and their supporters. Ironically, the employers, who stood to gain most by their deployment, were often highly critical. In June 1949 with the removal of troops from the docks of Liverpool, Avonmouth and Bristol, it was noted that 'the employers were glad to see the troops go as there had been many accidents and much damage to machinery'. There were also those within the government machine who doubted the wisdom of the policy. According to one senior official at the Minister of Transport in 1950, the introduction of troops '..... gave the strikers an exaggerated idea of their own importance and made them feel that they were in a position to bring ..... pressure to bear upon the Government'.

A similar view had been expressed during a strike of road passenger drivers and conductors in Birmingham in the Autumn of 1947.

On 2 November an unofficial strike broke out over claims for a wage increase of one pound a week, which paralysed Birmingham's transport system. The dispute had
begun as an overtime ban in October and, although an agreement was reached between the union and the Corporation, the men struck unofficially at the beginning of November. By 4 November fifteen hundred buses and trams were immobilised. The general manager of the city transport department requested that the Ministry of Transport introduce military vehicles and authorise military personnel to run the transport department's vehicles. There was some support at the Ministry for the use of military labour. 'There is not much public sympathy with the strikers', wrote one official, 'and it would have a good psychological effect upon the people if they had visual evidence that something was being done to help them'. This represented the traditional government line. Scribbled on the bottom of this memorandum, however, another official at the Department had written:

I always feel there is a counter-argument to (this). So far as possible strikes whose main impact is in the form of inconvenience or nuisance to the general public should not, I think, be mitigated. I'm all for the general public getting sick to the teeth of strikes, like the present one, in which no one suffers but themselves (including the strikers wives and friends). 104.

It is not known how influential was this view but, for one reason or another, troops were not brought in. Arrangements were made by the Ministry of Transport and the Ministry of Fuel and Power for the special issue of petrol to private motorists to carry people to and from work and with extra trains running most people got to work.
By 5 November the situation had eased considerably and the strikers resumed normal working on the 10th under the old conditions but with the promise of further negotiations.

One important question still remains unanswered: Could the Labour government have safeguarded essential services and supplies without resorting to the strike-breaking weapon of troops?

One possibility would have been for the government to have made an appeal to the strikers to maintain the essentials. This had been contemplated in 1924 when, during a stoppage in the docks in February of that year, the Labour government had agreed to seek the co-operation of the strikers for the transport and distribution of essential foods and fuel. Similarly, during the General Strike the TUC had issued permits enabling union members to distribute essential supplies, but although Labour controlled local authorities co-operated in the issue of food permits, the government refused to recognise the scheme.

The situation after 1945 was complicated by the fact that the majority of strikes were unofficial. The government was not prepared to negotiate directly with the unofficial leaders on the maintenance of essential supplies and services and appeals by the unions for volunteers from among the strikers to move perishable goods were, more often than not, ignored. This was
especially true during the dock strikes of the period as it was in the TGWU that divisions between the executive and the rank and file were at their most strained. The TGWU, however, was anxious not to widen the gulf by active participation in strike-breaking. Before the war it had been common in unofficial transport strikes to ask the union concerned to issue permits authorising 'loyal' members of the union to undertake the work of the strikers. But during the strike of meat transport drivers in the summer of 1950, when the Cabinet considered issuing such permits to those members of the TGWU not on strike, Arthur Deakin came out strongly against the scheme on the ground that it would undermine the cohesion of the union.\(^{107}\) Despite lack of agreement with the government or the unions the strikers often volunteered to move essential goods. In July 1949 during the unofficial strike in the London docks strikers worked certain food ships and donated the money they earned to the Manor House Hospital.\(^{108}\) Likewise, during an unofficial stoppage of 600 meat drivers on 10 July 1946, over the employment of three non-union men, the strikers agreed to move the small supplies of meat in the market without pay in order to maintain the rations for the public.\(^{109}\)

Given the unofficial nature of the strikes and the fact that the government policy of deploying troops to maintain supplies had the backing of the union leadership, it is perhaps not altogether surprising that attempts to devise a policy of safeguarding essential supplies, which was more in keeping with a Labour government, were unsuccessful.
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6. Ibid., p.123.


8. Memorandum by Ede, GEN 116/1, 22 January 1946; PREM 8/673.


11. The Times, 24 and 31 July 1945.


17. C.P. (45)276, 8 November 1945.

18. Cmd. 8375.

19. LAB 10/783.
20. On background to strike see LAB 10/735.


23. Ibid., Cols. 1730-4, 29 April 1947; Emergencies Committee of Ministers, 1 May 1947; CAB 134/175.


25. Cabinet 41(48), 23 June 1948; Emergencies Committee of Ministers, 23 June 1948; CAB 134/175.

26. GEN 240, 24 June 1948; CAB 130/38.

27. Ibid.


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35. Cabinet 39(49), 30 May 1949; Emergencies Committee of Ministers, 30 May 1949; CAB 134/176.

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47. BK 2/76.

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49. For decision on this see Isaacs to Attlee, 14 June 1949; PREM 8/1081. This was communicated to NDLS on 15 June; BK 2/76.

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59. Cabinet 38(51), 29 May 1951.

60. Meeting of Official Emergencies Committee, 29 May 1951; CAB 134/179.


63. Cabinet 43(50), 6 July 1950; Memorandum by Ede, C.P. (50)158.

64. Cabinet 44(50), 10 July 1950.

65. Memorandum by Secretary of State for War, 20 May 1947, EC(47)3; CAB 134/175.


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75. Emergencies Committee of Ministers, 26 April 1950; CAB 134/177.


78. Meeting of Official Emergencies Committee, 16 May 1950; CAB 134/178.


82. TUC Annual Congress Report, 1948.

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85. LAB 10/737.
87. LAB 10/735.
88. H.O. 45/23174.
90. LAB 10/735.
91. Ibid.
98. 17 December 1949; LAB 10/856.
102. June 1949; LAB 10/833.
103. Meeting of Official Emergencies Committee, 13 April 1950; CAB 134/178.
104. M.T. 33/460.
106. Ibid., pp.111-12.
107. Cabinet 43(50), 6 July 1950 and Emergencies Committee of Ministers, 6 July 1950; CAB 134/177.
c) Volunteer Strike-Breakers

The trade unions were, on the whole, willing to accept the use of service labour in maintaining essential services threatened by strike action during the immediate post-war years. The deployment of volunteer strike-breakers, however, was a different matter altogether. The experience of the General Strike had shown the introduction of civilian volunteers to be extremely unpopular and, throughout its periods of office, the Attlee administrations adopted the principle that volunteers should be called only in the last resort, if and when the military proved unable to meet the needs of the situation. The realisation that troops would be unable to cope with a widespread, national stoppage, coupled with increasing concern at the interruption being caused to military training, led to the drawing up of detailed plans for the recruitment and deployment of civilian volunteers. In the event, however, volunteers were not to be used.

The first dispute where the recruitment of volunteers was given serious consideration by the government was the unofficial strike of London road haulage drivers in January 1947. Service labour and vehicles had been brought in to move perishable foodstuffs but, at a Cabinet Committee meeting on 10 January, the Minister of Food, Ben Smith, informed his colleagues that if the strike spread beyond London the military would be unable to cope and the enlistment of volunteers would have to be considered if rations were to be maintained. Ministers, fearful of extending the strike, were reluctant to sanction such action. Isaacs argued that 'such a move would almost certainly be followed by outbursts of industrial unrest all over the country, and the situation might deteriorate almost to the extent of a
general strike.\(^1\) It was agreed, however, at a meeting of the Industrial Emergencies Committee on 15 January that a plan for the recruitment and utilisation of volunteers be prepared by officials, under the chairmanship of the Minister of Transport, which could be put into operation if the need should arise.\(^2\) The following day the Cabinet was informed that the situation had worsened.\(^3\) The strike had extended into Tilbury docks and certain provincial districts and, although the service departments could provide up to 4,500 lorries with drivers and a further 500 drivers without vehicles, which was at present sufficient, any further extension of the strike, it was stressed, would necessitate the use of volunteer drivers. Ministers turned their attention to the mechanism of recruiting such labour.

During the General Strike government recruitment of volunteer labour had taken place through the Volunteer Service Committee's (USC's), which had been organised around a Chief Civil Commissioner in London and eleven Civil Commissioners throughout England and Wales. The USC's, 114 in all, consisted of representatives of government departments and other organisations most likely to require volunteers, under the chairmanship of a person of local influence, often the Mayor. The entire organisation was, in theory at least, secret until the proclamation of an emergency under the 1920 Act, when the Civil Commissioners were dispatched to offices which had been prepared for them in their districts. From 1926 until the outbreak of hostilities in 1939 the list of suitable chairmen of the USC's was kept in constant review by the Civil Commissioner's Department and periodic reports were submitted on the position from the regions. With the end of the war the question of the reconstruction of the STO, including the recruitment of volunteers,
was raised. Discussions held at the official level in the summer and autumn of 1945 pointed to the need for an early revival of local USC's but Ministry of Labour officials, though sympathetic in principle, ruled out any early approach to local chairmen, fearing that 'If such a move was made now and became known, it might provoke a crisis'. In January 1947, therefore, the question of how volunteers should be recruited was one which required urgent attention. From discussions held at both official and ministerial levels it appears that, apart from the USC's, there were three main options for the recruitment of civilian volunteers and little measure of agreement as to which would best serve the government's purpose. In fact difficulties over official schemes were to lead Labour, increasingly, to look to industry to play the central role in any recruitment programme.

The most obvious centre for recruitment was the Employment Exchanges. They had the advantage of covering the whole country, but politically they were far from suitable. As early as November 1945 Sir Alexander Maxwell of the Home Office had argued that, given the conciliation functions of the Ministry of Labour, it would be 'politically and socially undesirable' to recruit volunteers through the Employment Exchanges. Isaacs, similarly, in January 1947 strongly opposed use of the Labour Exchanges, insisting that 'their reputation in the eyes of organised labour would be irreparably damaged'. Similar fears had been expressed in 1909 when they were set up and the trade unions had then been assured that they would not be so used. An alternative method of recruitment was to use the offices of local authorities. As with the Employment Exchanges they covered the entire country, but concern was expressed that 'some
may be of doubtful reliability'. This concern was largely the legacy of 1926. Recent local studies of the General Strike have revealed a marked discrepancy between Labour and Conservative controlled local authorities in their enthusiasm to implement government emergency schemes and a review of the STO in the light of the experience of the General Strike, presented in 1929, recommended modification of the arrangements for dealing with recalcitrant local authorities. In March 1947 the Home Secretary submitted a memorandum to the Industrial Emergencies Committee on the political independence of local authorities. Apart from Defence Regulation 54B which required local councils to undertake work in connection with the establishment and carrying on of community feeding centres, the heat treatment of milk and the provision and maintenance of transport services, no other powers existed to compel them to carry out duties on behalf of the central government, including regulations made under the Emergency Powers Act of 1920, although under D.R. 58A individual members of local authorities could be directed to perform certain tasks. The IEC agreed with the Home Secretary's recommendation that powers should be taken to impose duties on local authorities in connection with action required in an emergency and authorised Ede to arrange for the necessary legislation to be drafted. It was of vital importance, the Committee concluded, that in time of civil unrest full use might be made of the organisation of local government and that action should not be held up by 'legalistically minded authorities or their officials'.

The third option considered by the government for the recruitment of volunteer labour in January 1947 was to utilise the District Transport Offices of the Ministry of Transport,
but these provided only about 100 centres and were deemed insufficient to cover the country effectively. There was little agreement as to which of the three options was the most suitable. The Committee of officials which sat during the strike concluded that the Employment Exchanges remained the most suitable centres for recruitment whilst the Cabinet felt that on balance, local authorities should be used. However, a memorandum from the Ministry of Transport to Regional Transport Commissioners highlights the confusion which existed, as it was suggested that 'if the Ministry of Labour felt it undesirable to use the Employment Exchanges for this purpose, it would probably be necessary for the Ministry of Transport to undertake this task .....' On 18 January the road transport workers ended their strike and the immediate crisis passed. The Labour government, during the course of the strike, had reaffirmed its commitment to the maintenance of essential services through the use of service labour and, as a last resort, through recourse to civilian volunteers. But deficiencies in the machinery for the recruitment of civilian labour had been exposed.

In April 1947 a strike broke out in the Glasgow docks and a limited degree of service labour was introduced to move perishable foodstuffs. Plans to work the whole of the docks with troops, however, encountered stiff opposition from the War Office, which had become increasingly alarmed at the repeated demands being made on service labour during industrial disturbances, and for the first time there was questioning of the policy of using volunteers only as a last resort. At a meeting at the Ministry of Food on 8 April Brigadier Tuck, from the War Office, stressed that he was 'anxious not to create the impression that the Army would be used as blackleg labour.
in any industrial dispute that arose', and he asked whether
volunteer labour could be used as an alternative. Another
senior official at the War Office wrote to Godfrey Ince at
the Ministry of Labour on 9 April pointing out that any further
work by troops could only be arranged at the expense of
essential military services such as ammunition dumping, and he
expressed the desire that every effort be made to find labour
for the Clyde without again calling on the army. Concern
was also expressed that any further use of troops in this
instance would result in men being sent to Palestine without
their full training. The government was unimpressed by
such arguments. Ince replied to the War Office on 11 April.
'I am sure you will appreciate that the use of non-service
labour could not fail to aggravate the position and probably
result in an extension of the stoppage.' On 14 April the
Cabinet sanctioned the introduction of further military
personnel to run the Glasgow docks. The seriousness of the
situation increased when the strike spread to London. The
Emergencies Committee of Ministers considered on 1 May what
steps should be taken if there was no return to work in the
Capital. An estimated 7,000 troops would be available by the
end of the week to deal with perishable foodstuffs but they
could only be expected to hold things for a fortnight. There-
after other arrangements would have to be made. 'It might be
necessary', the Committee concluded, 'to consider the declaration
This amongst other things would enable civilian labour to be
recruited.' A return to work on 5 May, however, again removed
the necessity for such controversial action.
In the summer of 1947 a number of reports were prepared for consideration by the Official Co-Ordinating Emergencies Committee. The 'Labour Supply' Sub-Committee looked at, amongst other things, the question of the recruitment of volunteers. Previous discussions had pointed to the political and practical deficiencies of the Employment Exchanges, Ministry of Transport Offices and local authorities as centres for recruitment, and it was now recommended that in a dispute affecting only one industry the industry itself, in consultation as necessary with government departments, should assume the responsibility. As well as overcoming the administrative difficulties such a scheme had the advantage of removing the highly provocative action of recruiting civilian strikebreakers from governmental control. In cases of a more general emergency it was felt that a national organisation would still be required and plans were prepared to revise the old USC scheme. Recruitment was to take place through 'Regional Labour Supply Committees', established in each of the ten regions in England and Wales, and chaired by a non-official of some public standing. Responsibility for setting up the enrolment centres was to rest with the local authorities and if they refused to co-operate the Regional Committees would be authorised to take over suitable accommodation. In some localities it was felt it might be an advantage to appoint Sub-Regional Committees, composed of local people of influence such as the Mayor and trade union officials, to organise local appeals for volunteers. By June 1948, however, it was clear that the Home Office had abandoned these plans to set up a special organisation for the call up of volunteers. Responsibility, in future, despite
earlier reservations, would lie with the Ministry of Labour which would carry out recruitment through its local offices. 19.

The shift in official policy towards industry playing a leading role in the organisation of volunteers was apparent in the London dock strike of June 1948. Troops were drafted in to move perishable foodstuffs on 23 June. On the following day representatives of the London Port Employers visited the Ministry of Labour and requested leave to recruit volunteers from the universities to help in clearing the ships lying idle in the docks. The minutes of the Cabinet Committee meeting recall that the employers were 'dissuaded' from making such an appeal. 20. The government, however, was seriously considering calling on civilian assistance. A memorandum from Ness Edwards, the Parliamentary Secretary to the Minister of Labour, to Isaacs on 27 June argued that 'it is impossible to expect that sufficient troops can be found to enable all the work that needs to be done to proceed', and 'we must therefore consider the question of finding additional volunteer labour.' 21. He dismissed the option of the government taking direct responsibility for recruitment, as this 'would create a situation of great delicacy', and he outlined other possible lines of action. Under the Dock Labour Scheme of 1947 the National Dock Labour Board was empowered to recruit unregistered dock workers where the local board was satisfied that dock work was urgently required to be done and where insufficient registered dock workers were available. But the NDLB through its Chairman, Lord Ammon, had made it quite clear that it was not prepared to follow this course. The Board consisted of equal numbers of representatives of the unions and the employers and any suggestion that 'the union representatives on the Board were party to the recruitment of blackleg labour would', it was
argued, 'only serve to embitter the situation'. The alternative, Edwards suggested, was to suspend the Dock Labour Scheme, thus making it possible for employers to recruit unregistered volunteers, 'a move which should bring home to the men forcibly that if they will not submit to the obligations of the Scheme they must resign themselves to losing its advantages.' Two days after the memorandum had been submitted the strike was called off. The government was clearly less than wholehearted in its support for Edward's proposal. In April 1949, during another dispute in the London docks, the Port employers demanded an immediate 'abrogation' of the dock scheme in London if there was no return to work, thus enabling them to obtain assistance from the London dockers not on strike. Ministers turned down the appeal on the grounds that they could not risk alienating the TGWU, which was firmly opposed to the strike and against the suspension of the Scheme, although papers in the PRO do suggest that, privately, the government did give serious consideration to its removal.

In addition to the docks the government looked to other industries for assistance in the preparation of contingency plans for the call up and deployment of volunteers, especially those industries which required highly skilled labour. The railways was a case in point. During the General Strike the disastrous consequences of using unskilled civilian labour for highly skilled work was illustrated when in Loughborough a train driven by a volunteer was derailed. Over the course of the nine days four people were killed and thirty five injured due to locomotive crashes involving volunteer drivers. As a result of the experience of 1926 the railway companies developed their own arrangements for recruiting volunteers.
during an emergency. In June 1947 the Sub-Committee of the revised STO, charged with the preparation of plans for the maintenance of transport during an emergency, stressed the need to consult the Railway Executive Committee and to urge them to bring up to date their pre-war plans for recruiting volunteers. Up to this point, as we have seen, emergency planning had been kept within the confines of Whitehall. Once this stipulation had been removed the way was clear for the industry, once again, to play a major role in the recruitment of volunteers and lists of retired railwaymen were drawn up by the Railway Executive for this purpose.

Government plans for the recruitment of volunteer crews to maintain services during a dispute of seamen, similarly, involved consultation with the industry. At a meeting of the Emergencies Organisation, attended by representatives of the Shipping Federation and Chamber of Shipping on 8 December 1948, it was agreed that the Federation, which had successfully handled the recruitment of volunteers for shipping in 1926, should again assume responsibility for this task.

Responsibility for the recruitment of strike-breakers in the gas industry and in the electricity power stations was also to rest with the industry. The most fruitful source for volunteers in the power stations was felt to be from the operating and testing staffs of turbine and boiler manufacturers and from third year students at universities and technical colleges, which had supplied many strikebreakers in 1926. Government scrutiny of all volunteers was to take place, however, to ensure that subversive elements did not gain access to power stations. The case of road transport was slightly different.
Here, the lack of any high degree of co-ordination in the industry made it undesirable that the responsibility for recruitment should be placed upon the industry. Instead, volunteers in this industry were to be organised by the Ministry of Transport which was to arrange for the establishment of recruitment points up and down the country.29.

In 1926 the government had not been dependent on the recruitment of volunteers on either official contingency plans or on plans drawn up by industry. Independent recruiting agencies were established such as the Organisation for the Maintenance of Supplies (OMS), and the Chambers of Commerce also played an important role. During the General Strike liaison between the OMS and local authorities and government officials had caused much political embarrassment. From the evidence available it appears that the Attlee administrations could not count upon the assistance, during an emergency, of an 'independent' body to rival the OMS in significance. Nevertheless, offers of outside help were forthcoming during strikes in this period. In January 1947, on the occasion of the road transport stoppage, the Road Haulage Association offered 1,000 volunteer drivers for London, whilst the Automobile Association informed the Ministry of Transport that they had 850 volunteers listed. The view from the Ministry of Transport was 'that if it came to a question of requiring volunteers we would not overlook these two lists'.30. The A.A., incidentally, had provided volunteer drivers during the General Strike. There is some evidence, therefore, to suggest that close consultation between government and strike-breaking bodies took place after the war, as it had in 1926.
In time of widespread industrial unrest the government, for all its tactical reservations, was fully aware that ultimate responsibility for organising volunteer labour would rest with it. Between May and July 1949 a series of strikes broke out in the docks throughout the country in support of the Canadian Seamen's Union. Faced with a situation where the services were unlikely to be able to provide sufficient alternative labour the government proclaimed a state of emergency which, amongst other things, provided for the recruitment of volunteers. Detailed plans for the recruitment and deployment of civilian labour were drawn up by the Ministry of Labour in close consultation with the Port Industry, but once again, on strategic grounds, the government refrained from implementing the proposals. Whilst the unrest was confined to the provinces sufficient military personnel was available to meet the needs of the situation but, once the dispute spread to London in July, the recruitment of volunteers became a very real possibility. The declaration of a state of emergency on 12 July enabled volunteers to be employed who were otherwise barred from employment in the docks from not being on the dock register. Ministers also hoped that the moral effect of proclaiming an emergency would be considerable, not least in supporting the 18,000 London dockers who remained at work and those of the strikers estimated at 5-6,000, 'who were out only because of their almost pathological fear of being blackleg, and might well be prepared to volunteer to work in the national interest'.

On 12 July an Emergency Committee was established under the chairmanship of Sir Alexander Maxwell and charged with the responsibility of discharging the duties set out in the Emergency Regulations. On 14 July the Committee discussed the
recruitment of civilian volunteers. Antagonism between strikers and volunteers was seen to be inevitable so it was suggested that recruitment centres should be established away from the dockland, possibly at Westminster. Protection would also have to be provided for the volunteers and it was suggested that sleeping accommodation be provided within the dock area. During the General Strike violence between strikers and strike-breakers had been commonplace, (contrary to popular belief), and protection of volunteers had been seen as a high priority. Pinkston power station in Glasgow, for example, had been protected by the electrification of iron railings, whilst workers slept in the station itself during the dispute. The Emergency Committee felt it would be necessary to organise recreation for the volunteers, as had been the case in 1926, when volunteer concert parties entertained workers. A more serious preoccupation was the fate of those on strike. The Deputy Chairman of the PLA, Sir Douglas Ritchie, was of the opinion that if volunteers were to be used to unload the 'Black' ships at the heart of the dispute then it was essential that the strikers be dismissed, otherwise they would have won their case and would be able to resume work as soon as the Canadian ships were cleared. At least, it was suggested, volunteers should be given priority over the strikers for re-registration to the Dock Labour Scheme after the dispute was over.

A provisional scheme for recruiting volunteers was drawn up by the PLA to which the Ministry of Labour added amendments. All volunteers would be vetted by the Ministry and would be classified into one of the following groups:- skilled in dock machine operation; unskilled but physically fit for normal manual work; unskilled and fit to undertake
light work only. The appeal for assistance would be concentrated on the London area but volunteers from outside would not be refused. Volunteers would be employed on a weekly basis with a guaranteed minimum wage for the week. Free accommodation would be supplied with meals at normal canteen rates and overtime rates would be payable outside normal hours. A leaflet was prepared for issue to potential volunteers setting out the terms and conditions of their employment. Although the Emergency Committee was in favour of proceeding with the appeal for volunteers, the standing Ministerial Emergencies Committee decided on 15 July not to go ahead with the scheme. The decision was clearly tactical. Ministers were fearful of spreading the unrest. The Chief Inspector of the Metropolitan Police had warned that although 'the temper of the dockers was excellent and there was no feeling against the use of troops which was taken as a matter of course', the introduction of volunteers would be unwise as 'it would cause a lot of feeling among the dockers'. The decision not to call on volunteers was reaffirmed by the Emergencies Committee on 20 July.35.

Concern continued to be voiced at the repeated demands being made on troops in domestic industrial disputes. During the strike among workers at Smithfield meat market, in July 1950 service men began moving foodstuffs from the Market on the morning of 3 July. In a memorandum to the Cabinet on 5 July Chuter Ede outlined the likely consequences, if the strike should spread, of working the whole of the London docks with military personnel:
If 20,000 men were required training programmes would have to be very seriously curtailed. The summer camps of the Territorial Army, the Cadet Forces and the Reserve Forces generally would certainly be affected seriously through the withdrawal of regular administrative personnel and transport. Overseas drafts would have to be held up. The training of the Army Strategic Reserve Formations would be suspended. Operational units in the RAF would have to be grounded on a large scale.36.

The government again considered making an appeal for volunteers but, as on previous occasions, decided that the risk of extending the strike was too great and the idea was dropped.

The Labour governments of 1945-51, despite detailed planning, made no general appeal for volunteer labour. It seems unlikely, in any case, that any such appeal would have met with great success. One recent study of the General Strike has shown that the traditional picture of volunteers as emanating from the 'upper crust' is misplaced.37. On the contrary, in 1926 'the typical volunteer appears to have been middle class or non-union working class'. In the conditions of full employment which existed after the war it would appear to be extremely unlikely that large numbers of volunteers would have come forward, a fact of which the Government was well aware. Stafford Cripps in January 1947 urged that consideration be given to using Polish ex-servicemen for maintaining essential services and, although Isaacs declared himself firmly against this on the grounds that any use of Poles in connection with industrial disputes would wipe out any chance of ultimately settling them in the country with the cooperation of the trade unions, no objection was raised to them being used by the Services in substitution for military
labour transferred for civilian work.\textsuperscript{38}. In February 1950 a supplementary instruction issued to the Ministry of Labour on the question of volunteer labour stated that, 'whilst foreign volunteers may be submitted equally with British volunteers, they should not be placed in 'conspicuously large groups'.\textsuperscript{39}. Furthermore, a review of emergency arrangements following the dock strike in July 1949 pointed to the need, in conditions of full employment, for good publicity of the Government's case. Volunteers, it was suggested, would come forward only if there was a sense of urgency that the country was in danger and that there was a pressing need for an exceptional effort to keep it supplied with the essentials of life.\textsuperscript{40}. We shall turn to the Labour governments' attempts to ensure 'good publicity' of its policy on strikes in a later chapter.
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35. Emergencies Committee of Ministers, 15 and 20 July 1949; CAB 134/176.


40. M.T. 63/488.
d) **States of Emergency**

To safeguard essential supplies and services threatened by industrial unrest the Labour administrations chose, in the first instance, recourse to the traditional pre-war strike-breaking instrument of the armed forces utilising powers, acquired during the Second World War, which had been kept in force after 1945. Recourse to the provisions laid down in the Emergency Powers Act of 1920 was not, in the main, deemed either necessary or desirable. On two separate occasions, however, both concerning disputes in the London docks, in 1948 and in 1949, a state of emergency was declared and extensive and far-reaching regulations were drawn up to cope with the crises. It was the first time since May 1926 that these peacetime emergency powers had been taken and the reverberations were felt throughout the Labour movement.

The rationale behind the decision to invoke emergency powers was straightforward enough. The government, it was argued, had a duty to preserve essential services and supplies threatened by strike action and, if service labour proved unable to deal adequately with a given situation, then consideration had to be given to alternative ways of preserving the essentials of life; in particular through the introduction of civilian volunteers. It was largely to facilitate the recruitment and deployment of volunteers that emergency powers were taken in 1948 and in 1949.
Before focusing in detail on the two occasions when a state of emergency was declared, it should be noted that during several previous stoppages consideration had been given by the Cabinet to the invoking of the 1920 legislation.

As early as November 1945 the official Home Office Committee, set up to enquire into the re-establishment of the STO, had recommended that two codes of emergency regulations should be drafted, in case of need, one for a sectional strike and the other for an emergency on a larger scale. The Cabinet meeting on 8 March 1946, which sanctioned the establishment of an emergencies organisation, laid down that preliminary work was to take place on the drafting of emergency regulations and in September 1946 a draft code of regulations was circulated by the Home Office for consideration by government departments.

During the transport strike in January 1947 the IEC considered the implications of taking emergency powers. The Minister of Transport, Alfred Barnes, was sceptical about the need for such powers. He already possessed extensive powers under the defence regulations relating to the requisitioning of vehicles and the issuing of orders to undertakings and, given the maximum cooperation of the Services, he felt that the situation could be dealt with. The Lord Chancellor, Lord Jowitt, argued that in some respects it would be more advantageous to proceed under existing powers than to declare a state of emergency. The Act of 1920 did not allow the making of regulations imposing compulsory military service or industrial conscription, whereas under
Defence Regulation 58A it would have been possible, at least technically, to direct labour to particular work.\(^3\)

The acceptance by the strikers delegate conference of a recommendation that work be resumed on 18 January spared the government from having to take a decision over emergency powers. The strike did show, however, the clear resolve of the government to take those powers which might be necessary to safeguard the needs of the community. Scant attention was given to any theoretical notion of Labour's responsibility to the organised working class.

In May 1947 troops were again brought into the docks to maintain essential supplies. At the Emergencies Committee on 1 May ministers were informed that troops could hold things only for a fortnight, after which it would be necessary to consider the declaration of a state of emergency to enable the recruitment of civilian labour.\(^4\) The early settlement of the dispute again removed the need for such action.

June 1948 saw unrest erupt once again in the London docks. By 23 June the stoppage had extended to Liverpool and Birkenhead and, on that day, the government declared a state of emergency.\(^5\) The regulations, which had been drawn up beforehand, were extremely wide in scope, ranging from the prohibition of trespassing and loitering to the power to stop and search vehicles and even the power to arrest without warrant. They clearly went far beyond what was actually needed to deal with the situation in the London docks. The Commissioner of Police was of the opinion that the temper of the strikers was good and that there was no need to introduce
regulations concerning public safety and public order or disaffection from duty. Aneurin Bevan argued, however, that it would be prudent to take the widest powers possible in order to deal with any trouble that might arise if relations between troops and strikers were to become strained and it was Bevan who carried the day in the Emergencies Committee. The Regulations were set to be published on 30 June and to come into force on the following day. On the evening of the 28th Attlee made a powerful plea over the wireless to the dockers to return to work. The call was heeded and the men went back the following day. In the words of one Labour Member, Maurice Edelman, the Prime Minister 'had settled the matter with the kick of the Emergency Powers Act and the caress of a fireside chat'.

With the dispute over there was no need to introduce the regulations but the government still faced fierce criticism from its own supporters. In the Commons Bessie Braddock described the invoking of emergency regulations by the Labour government as 'disastrous', whilst Willie Gallacher, the Communist MP for West Fife, poured scorn on the claim that the action had been justified as the strike was a communist plot. He reminded MP's, in what must have been acutely embarrassing for the government, that the 1924 London transport strike, led by a one, Ernest Bevin, had also resulted in the taking of emergency powers under the Act of 1920 on the pretext that the strikers were communist led and that Bevin in 1925, at the Labour Party Conference, had launched a furious onslaught on Macdonald. In 1948 Bevin and his colleagues were unmoved by such criticism. The government, they believed, had acted in the only way possible in support
of the interests of the community as a whole and clear notice was given that in any future emergency arising from industrial unrest there would be no hesitation in invoking such powers again. Given that there had been a time lag of twenty two years between the last two proclamations of an emergency, Labour could well have been forgiven for assuming that such unpalatable action would not have to be taken again in the lifetime of the government. If this was the case ministers were to be sorely disappointed. The following year trouble in the docks broke out once more and the Labour government again found itself taking recourse of Lloyd:George's 1920 legislation. On this occasion an appeal to the dockers to return to work had little effect and emergency regulations were introduced. For nearly two weeks the Port of London was run by an emergency committee composed almost entirely of employers' representatives. The Labour movement, which had campaigned so vigorously against the passage of the Bill in 1920, was now faced with the disturbing spectacle of its government invoking the same powers, in combination with the employers, to break an industrial dispute. Opposition which had been mounting over the repeated use of troops during strikes was cemented and strengthened by the taking of formal emergency powers.

The dispute in support of the Canadian Seamen's Union, as we have seen, began in Avonmouth and Bristol in May 1949 and soon spread to Liverpool. It was not until July that the dispute spread to the London docks. Initially troops were brought in to move perishable foodstuffs. At a meeting of the Emergencies Committee on 25 May the severity of the
situation was spelled out. If the stoppage continued and spread to several major ports in the country the Services would be unable to cope and an appeal for volunteers would be necessary. A proclamation of a state of emergency would be required and an Emergency Committee would need to be set up to direct proceedings in the localities. Plans to meet such a situation, it was announced, were being drawn up by the Ministry of Transport and the Ministry of Labour. On 8 July, with the dispute now centred in London, Chuter Ede revealed to the House that the invoking of emergency powers was under serious consideration. The reasons advanced by the government were the by now familiar ones of maintaining essential services and minimizing the damage to the nation's recovery at a time of acute economic crisis. The summer of 1949 was certainly a period of economic upheaval and the country could ill-afford the dislocation of trade which the dock strike wrought. Ede informed the House of Commons:

In its present economic situation the country cannot afford delays in the turn-around of ships and the hold-up of exports. The Government have accordingly decided that, unless the Port is fully working, without discrimination between ships, by Monday morning, they will advise His Majesty to issue a proclamation under the Emergency Powers Act, 1920, declaring that a state of emergency exists. The Act enables Regulations to be made for securing the essentials of life to the community.

Ministers, however, were divided on the question of invoking the Emergency Powers Act. Some argued that little more could be done under emergency powers than under existing defence regulations and certainly the use of troops did not depend on the 1920 legislation. Moreover, it was argued that such a course might lead to an extension of the stoppage.
and give the communists, whom were blamed for the unrest, grounds for claiming success in their campaign to disrupt the economies of the Marshall Aid countries. Others took the view that the legal powers conferred by emergency regulations were essential if the Port as a whole was to be worked. Troops were of little use in loading vessels and a state of emergency would enable volunteers to be engaged who were debarred from employment in the docks as not being on the dock register. Moreover, the psychological effect of declaring a state of emergency might be good, since the dockers would be no longer working for the employers, with whom they were in dispute, but for the nation. 'The proclamation of an emergency', it was argued, 'might be regarded as only a gesture, but a gesture might be just what the situation required.'

A meeting of the full Cabinet on 7 July concluded that unless there was an early return to work an emergency would be proclaimed on the 11th, though it was admitted that this was '....a somewhat heavy weapon to employ to secure the unloading of two Canadian ships'. The Emergencies Committee met again on Friday, 8 July to consider the form the regulations should take. As in 1948 it was deemed necessary to take the widest possible powers. 'When preparing for a national emergency', ministers concluded, 'it was only wise for the Government to arm itself from the outset with very full and far reaching powers'. The possibility of over-reaching the law did not cause undue concern. Sir Hartley Shawcross, the Attorney General, argued that 'Regulations should cover matters on which action is required without undue regard to the niceties of the law.... In an emergency the Government may have, on matters admitting of legal doubt, to act first and argue about the
doubts later....15. It was, however, felt undesirable to take powers to prohibit demonstrations on the grounds that it might be necessary to arrange meetings for the purpose of persuading the men to return to work.

On 11 July Cabinet agreed that an emergency should now be proclaimed and at a meeting of the Privy Council at Buckingham Palace at 12.30 the King signed the Proclamation to be issued under the Emergency Powers Act of 1920. The Regulations were submitted to Parliament for approval on 13 July. Whereas the emergency regulations of 1921 and 1926 had been concerned primarily with coal production and supply, the focus of the nineteen regulations submitted to Parliament in 1949 was the flow of material to and from the docks. The Minister of Transport was empowered to appoint an 'Emergency Committee' to run the ports of the nation and to suspend the Dock Labour Scheme to enable volunteer workers to be employed. The Regulations gave the government special powers to deal with sabotage, trespassing, loitering, obstruction or interference with police, troops or others performing essential services and gave special powers to the police, including the authority to arrest without warrant and to stop and search vehicles, also without warrant. One study of the 1949 Emergency Regulations has concluded that the prohibition on 'loitering' amounted to a ban on picketing, even though the 1920 Act specifically exempted peaceful pursuasion to strike from inclusion in emergency powers.16. Other regulations empowered the Home Secretary to direct the use of police forces outside their own police areas and sanctioned the use of troops on civilian duties. Power was also given to restrict postal and
telegraphic services if the need should arise. The maximum penalty for breaking the Regulations was set at three months imprisonment and, or, a fine of £100.

There was widespread opposition to these powers which was not confined to the Labour Left. Concern centred around the powerful, arbitrary nature of the regulations and the possible threat posed to civil liberties. The Marquis of Salisbury doubted whether 'Powers so far-reaching have ever been asked for by any government of the day in the whole of our history in respect of an industrial dispute of this kind.'17. Whilst the Liberal Peer, Viscount Samuel, expressed deep regret that the British government, in time of peace, should ask for powers 'so extensive and so arbitrary. Powers to direct great industries and to determine the actions, and indeed, invade the liberties of great numbers of people.'18. Nevertheless, both gave the blessing of their Party to the Regulations. In the Commons, similarly, Opposition support was critically given.19.

From the Labour Benches S.O. Davies launched a ferocious attack upon the Government:

The invoking of these powers is a disaster...
.....Have not the Government and those who are supporting these Regulations realised that this is a war against our own people?
.....It is a misguided policy; it is a tragic thing. Were it done by any government that preceded this Government, I should know what to expect; but this is the travesty of all that our great movement has meant. It is the spirit of these great London dockers, the spirit of the organised workers, that gave our people the Government we are now enjoying. This is the first time it has been let down.20.
Criticism was heightened by the belief that the government had intensified the crisis, if not actually engineered it, by its constant refusal to allow troops to work the 'Black' Canadian ships. Mr. Solley argued that the emergency 'has been brought about directly as the result of the Government's action'. The strikers, moreover, maintained throughout the dispute that they were not on strike, save for the two Black ships, but had been locked out by the employers. A delegate to the TUC Congress in 1949 enquired why it was that the Emergency Powers Act was directed only against the dockers and not the port employers. The government which, in private, was not prepared to rule out the possibility that it was a lock-out, steered clear of open confrontation with the employers. In fact in Cabinet on 7 July concern was expressed that '.....if it was a lock-out the declaration of a state of emergency might appear to be directed to breaking the lock-out'.

Whatever the rights or wrongs of this action the declaration of an emergency was tactically disastrous. Any hopes of an immediate resumption of work, as had taken place the previous year following the Prime Minister's broadcast, were soon dashed. The Emergency seemed to strengthen the resolve of the London dockers. From the time the Regulations were introduced, until the end of the dispute, the numbers of dockers out increased from 8,000 to 15,000. The *New Statesman and Nation* criticised the government for widening the dispute. The dockers, it suggested, could reach only one conclusion, 'that the state machine is being used to break their solidarity'. When the men finally returned to work it was not as a result of government pressure but because the CSU had called off the strike in British ports.
For all the criticism surrounding the taking of emergency powers it has to be noted that little use was actually made of the emergency regulations. The introduction of troops was not dependent upon the Emergency Powers Act and volunteer civilian labour was not called for during the dispute. The exemplary behaviour of the dockers, a remarkable feature of the unrest of the period, removed the necessity for increased police powers. The most important step taken under the Emergency Powers Act was the establishment of an Emergency Committee to direct operations in the Port of London. Initially, the Minister of Transport, Alfred Barnes, had favoured a committee composed of dock employers, dock users plus a 'certain element' of trade union representation and had proposed Lord Ammon as Chairman.

This was rejected by ministers in favour of an independent committee of 'persons with outstanding administrative qualifications of the retired civil servants type'. The presence of employers on the Emergency Committee would, it was argued, have provided the dockers with an excuse for non-cooperation on the grounds that there was no real difference between the new committee and the old Board and employers. Barnes announced the establishment of the Emergency Committee in the House on 12 July. It was to be responsible for discharging the duties set out in the Regulations and was to be chaired by Sir Alexander Maxwell, whose own standing as an 'independent' Chairman was itself questionable, him having held a high position at the Home Office under Joynson-Hicks in 1926. *Labour Monthly*, the magazine with strong CP links, saw the appointment of Maxwell as symbolic of the strike-breaking nature of the organisation.
The Maxwell Committee met daily throughout the dispute. Directly responsible to the Minister of Transport, it was charged with supervising the day to day running of the docks including the deployment of Service labour and the drafting of plans for the use of volunteers. Alfred Barnes was full of praise for the smooth running of the Committee. This compared favourably with the situation in 1926. The Anderson Committee which reviewed the STO after the General Strike reported that the emergency organisation for the docks had been notably unsatisfactory. In fact, in 1928 a new look docks scheme had been prepared in consultation with the PLA.

In practice, however, the Emergency Committee in July 1949 did not control the running of the Port. By the time the state of emergency was declared on 11 July the PLA had established its own, 'non-official' Port Emergency Committee and at the first meeting of the Maxwell Committee the decision was taken to make full use of this body.

Throughout the emergency period the running of the Port of London was placed in the hands of a committee of port employers and port owners, with a small trade union representation on the Dock Labour Board, which was not in any direct sense accountable to the government and whose operations, therefore, the government had no power to control. The lack of central direction led to confusion when on 19 July Lord Ammon, on behalf of the National Dock Labour Board, frustrated at what was seen as the timidity of the government in not instituting criminal procedures against the strike leaders, announced unilaterally, without consulting the Maxwell Committee, that any further prolongation of the dispute threatened the very existence of the Dock Labour Scheme. The government, fearful
of extending the dispute at a critical stage, immediately issued a statement denying that there was any intention of terminating the Scheme. For his disloyalty Ammon was summarily dismissed by Attlee from the government. Ammon's defence was that it had not, at any time, been made clear where the NDLB or the Port Emergency Committee stood in relation to the Maxwell Emergency Committee and, despite Ede's insistence to the House that the relationship had been closely spelt out to all participating bodies, a general feeling of dissatisfaction remained.

The dispute was called off on 22 July and the emergency regulations were revoked on 26 July. A question mark certainly surrounds the tactical astuteness of declaring a state of emergency. But from a purely administrative viewpoint, how successful were the emergency powers in coping with the crisis? In the aftermath of the dispute a detailed memorandum was prepared by the Maxwell Committee and submitted to Barnes, outlining the role played by the Committee and the problems which had arisen during the dispute. Whilst concluding that the emergency arrangements had worked reasonably well the Report suggested that, in any future emergency, it would be unwise to rely on a central Emergency Committee and that it would be necessary to establish local port committees, on the lines of the non-official Port Emergency Committee, to run the ports.

For the remainder of its period in office the Labour government refrained from invoking formal emergency powers under the 1920 legislation. The failure of the emergency in July 1949 to bring about a return to work and the hostility which it had engendered led the government, increasingly, to
turn to the employers to play a larger role in the preparation and implementation of emergency arrangements. During the dock strike in April 1950 plans to introduce a Port Emergency Committee to run the Port, under the PLA were drawn up and introduced. The absence of an independent committee, corresponding to the Maxwell Committee in 1949, was seen as a positive advantage in that it removed the necessity to declare a state of emergency. But, in relying on a committee composed primarily of dock employers and owners to run the docks, the government was undermining its claim to be acting in the 'National interest' and was adding fuel to the criticism that it was engaged in strike-breaking.

The arrangements made in April 1950 worked satisfactorily and it was suggested that, in future, an emergency in the docks would only need to be called if it became necessary to employ volunteers or if the port authorities proved unwilling to supervise the employment of service labour, as might occur in the case of a lock out, or if there was a serious breakdown in law and order. Otherwise, the industry itself could be left to run the port operations. The Ministry of Transport was authorised to arrange for these 'Shadow Committees' to be set up in the main docks throughout the country.

Emergency preparations were not confined to the docks. A dispute over wages and conditions of service in the railways in February 1951 led to the drawing up of detailed plans to maintain a skeleton rail service in the event of a widespread stoppage, plans which included, as a final step, the taking of formal emergency powers under the 1920 legislation.
There had been growing unrest amongst railway workers since the war, partly because their wages had lagged far behind those of many other workers and partly because nationalisation had failed to live up to expectations. The General Secretary of the NUR, J. Figgins, for example, consistently demanded an element of workers control in the industry. On 20 February 1951 a 'go slow' took place in all regions affecting nearly 10,000 men, with a further 3,000 out on strike. By 23 February there were 8,000 out on strike and 18,500 working to rule. The recommendations of a Court of Enquiry were rejected by the railway unions but the strike was eventually brought to an end by the intervention of the Minister of Labour who put pressure on the Railway Executive to go beyond the award. As a result of the settlement of the strike the emergency plans were dropped. Unrest, however, was to continue on the railways throughout the first half of the 1950's and in 1955 the Conservative government was forced to take formal emergency powers under the 1920 Act.
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18. Ibid., Col. 1304.
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25. Emergencies Committee of Ministers, 8 July 1949 and 11 July 1949; CAB 134/176.
30. Minutes of Maxwell Emergency Committee, 13 July 1949; M.T. 63/488. Originally the Committee set up under the Emergency Regulations was to be called the 'Port Emergency Committee'. It was changed to 'Emergency Committee' to avoid confusion with the PLA Committee. It is not to be confused with the 'Emergencies Committee', which was the standing Cabinet Committee.
31. Prem. 8/1081.
32. Ibid.
35. Cabinet 24(50), 24 April 1950.
e) Neutrality of Emergencies Organisation?

The Labour government repeatedly held that the development of an emergencies organisation, the frequent introduction of troops during strikes, and the taking of formal powers under the 1920 Emergency Powers Act, was a legitimate function of the state that could be divorced from strike-breaking. How far can this view be upheld?

The government was certainly keen to show that employers did not benefit from the use of troops. When service labour was made available the employers concerned were required to pay to the government a sum equivalent to the civilian wages they would otherwise have had to pay. The government's action, however, cannot be seen as neutral. In safeguarding essential supplies and services and mitigating the most damaging effects of the strike, the government undermined the effectiveness of the strike, thereby shifting the balance between labour and capital strongly in favour of the latter. Even if the government did not set out with the deliberate intention of smashing the strikes, and for certain disputes in the docks, in particular, this premise is questionable, its action in bringing disputes to a swift and, sometimes, premature conclusion inevitably benefitted the employers at the expense of those on strike.

The employers, moreover, safe in the knowledge that production would be maintained by troops if negotiations broke down were more likely to adopt a tough line in bargaining. Desmarais has suggested that the knowledge of the STO certainly made employers more stubborn in 1921. In July 1950, during the strike of meat transport drivers, the employers proposed not to take men back unconditionally, 'but to be at liberty to re-engage them individually so as to eliminate the few trouble makers'.
and as this was likely to lead to a further breakdown in negotiations they urged the government to keep the troops at work. In this instance the employers were informed that 'Ministers would certainly not authorise the continued use of troops for the purpose proposed'. However, following disturbances in the London power stations in December 1949 the government agreed:

that the Minister of Fuel and Power should give any necessary assurances to the B.E.A. that, in the event of a stoppage in the immediate future, service personnel would be made available to assist in maintaining electricity supplies.

This was tantamount to giving the employers a 'blank cheque' to carry out whatever policies were deemed necessary to stamp out trouble in the industry.

Emergency planning after 1945 took on much the same form as it had done between the wars. High level contact was made between the government and the employers but not with the trade unions. The nationalisation programme after 1945 did place the consultation of industry in a slightly different context than before the war as most of the industries providing essential goods and services were brought under public ownership. Nevertheless, consultation continued with private industries such as food and oil. Secrecy continued to be of paramount importance. As Desmarais has argued, in relation to the STO in the 1920's, if it was an organisation designed to protect the whole community why the co-operation with business and not with labour? Why the secrecy? The answer he gives is that the organisation was a strike-breaking body and it is difficult not to reach the same conclusion for the emergencies organisation which was developed by the Labour government after 1945.
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2. **Strikes and the Criminal Law**

In 1945 when Labour took office strikes were, to all intents and purposes, illegal.\(^1\) This position was the result of two separate pieces of legislation. In 1940 Ernest Bevin, as Minister of Labour, had taken steps to outlaw strikes during the wartime emergency. Under the Conditions of Employment and National Arbitration Order, S.R. & O. No. 1305, compulsory arbitration was provided for through a National Arbitration Tribunal and strikes and lockouts were prohibited, unless a dispute was reported to the Minister of Labour and had not been referred by him for settlement within twenty-one days. Similar legislation had, in fact, been introduced during the First World War, namely the Munitions of War Act of July 1915.\(^2\).

Strike action in 1945 was also severely restricted by the Trade Disputes and Trade Unions Act of 1927. Under this Act, which had been passed in the aftermath of the General Strike, a class of illegal strikes was defined and penalties were laid down for acts done in furtherance of such strikes. Individuals were deprived of their normal immunity from the ordinary law of civil conspiracy, whilst trade unions involved were no longer immune from being held responsible in civil courts for acts done by their officials and their funds could be taken to meet damages awarded to employers in such civil actions. The test of illegality was most obscure but the effect of the Act was clear: outlawing not only political and general strikes but sympathy strikes as well. The Act also tightened up the law on picketing, expanded the definition of
intimidation, prevented civil servants from affiliating to the TUC and replaced the principle of 'contracting out' of union political funds with the principle of 'contracting in'.

The Attlee government's attitude to the criminal law as a means of dealing with industrial unrest was somewhat ambiguous. Whilst the 1927 Trade Disputes Act was repealed in its entirety in 1946, the prohibition on strikes under Order 1305 was maintained for six years after the war. In this chapter I shall analyse the complex and changing attitude of the Labour government towards the law as an instrument for dealing with strikes during the period of post-war reconstruction.

The Labour Party had long committed itself to the repeal of the 1927 Trade Disputes Act. The promise of repeal formed part of Labour's programme at the 1929 General Election but, in its minority position, the government was unable to pass even a limited Bill to modify the most offensive parts of the Act. This pledge was repeated at the 1931 General Election and again in 1935. The formation of a wartime coalition raised the possibility of reform but Churchill refused to accept proposals from the TUC for even limited reform, which would have left the anti-strike clauses as they were. In March 1945 he informed the TUC:

.... the overwhelming mass of Conservatives would not support such an Amendment. In view therefore of the approaching General Election it would seem to me this question is one which should be submitted to the electorate. 3.

Labour's landslide victory in July cleared the way for repeal and on 2 January 1946 a Bill was laid before Parliament to repeal the 1927 Act in its entirety. The
government based its case for repeal on both practical and ideological grounds. The experience of unofficial strikes during the war had shown that it was not possible to prevent strikes by the process of the criminal law. As Sir Hartley Shawcross, Labour's Attorney-General, proclaimed, in a speech which was to haunt him on more than one occasion over the next few years:

> You might as well try to bring down a rocket bomb with a peashooter, as try to stop a strike by the process of the criminal law. The way to stop strikes is not by a policeman but by a conciliation officer, not by the assize courts but by the arbitration tribunals. 4.

The Minister of Labour, George Isaacs, on the other hand, stressed that 'the right to strike is as much our inalienable right, as the right to breathe .... it is the right of anybody to refuse to work'. 5. Labour's determination to repeal the Act was absolute. One Member warned that if the House should obstruct the repealing legislation 'the King may be asked to appoint 500 new Labour Peers to ensure its acceptance'. 6. Criticism of the Bill from the Opposition was predictably fierce. One former Tory MP complained that after repeal 'the resulting state of the law will not be worthy of a civilised people'. 7. It was claimed that the government was legalising political strikes and, although this was clearly not the case, the legal position of strikes was left a little vague with the removal of the 1927 legislation. The 1946 Bill was simply a 'repealing' measure which returned the law to the pre 1927 position. The legal position of strikes was, thus, once more, governed by the Conspiracy and Protection of Property Act of
1875 and the 1906 Trade Union Disputes Act. These Acts gave legal protection to strikes so long as they were called in contemplation or in furtherance of a trade dispute (the 1875 Act exempted strikes in the water supply and the gas industry from this general legislation and in 1919 this protection was also removed from strikes in the electricity industry), but if strikes were 'political' then the protections ceased to apply and those on strike became liable to criminal prosecution. The distinction, however, was not clear cut. Whilst a revolutionary political strike was clearly illegal under these Acts, it was not at all clear whether strikes such as sympathy strikes or inter-union disputes, which were not revolutionary but, also, which were not in furtherance of a trade dispute, were illegal. By simply repealing the 1927 legislation the Labour government did little to clarify the position. Opposition to the 1946 Act was not confined to the Tory benches. One left wing critic of the government thought that an amendment should have been introduced to make it clear that a general strike was not illegal, and a subsequent Labour Minister of Employment, agreed, in retrospect, that the government should have gone further than simple repeal. The Cabinet did, in fact, suggest in August 1945 that if the repeal left the position unsatisfactory then a further Bill could be introduced, but this was not followed up.

Despite these criticisms repeal of the 1927 legislation was certainly a high point for the government. Dalton remembers that as Labour went through the Lobby they sang 'the Red Flag' and 'Twenty Years On'; 'Hearts were young
and spirits high in the Labour camp'. The Chairman of the General Council of the TUC, in the fraternal address to the Labour Party Conference of 1946, paid tribute to the government for the 'liberating Act' and for the removal of 'this iniquitous and vindictive piece of class legislation from the Statute Book'. In removing the 1927 legislation from the Statute Book the Labour government was redeeming a long-standing pledge to the trade union movement. No consideration was given to the special circumstances of post-war reconstruction which required that production be not interrupted by industrial disputes.

The post-war future of the Conditions of Employment and National Arbitration Order, No. 1305 was a quite separate matter. Made under Regulation 58 AA of the Emergency Powers (Defence) Act, 1940, after discussions with the Joint Consultative Committee of the National Joint Advisory Council (a tripartite body), it was due to lapse in February 1946. Ernest Bevin, however, had advised as early as October 1942 that Order 1305 ought 'to be continued for six years after the war to avoid either inflation or deflation', and no serious thought was given by the Labour government to allowing it to lapse immediately after the end of the war. 'It is just as important in the national interest', wrote Aneurin Bevan in October 1945, 'as it was during the war that production and employment should not be interrupted by trade disputes ..... I cannot doubt that the provisions of the Order have in fact been very effective in limiting the number of strikes that would
otherwise have occurred and in bringing unofficial strikes
to a speedy termination.\textsuperscript{14}

Order 1305, in addition to placing a ban on
strikes and lockouts, provided for compulsory arbitration
through a National Arbitration Tribunal. The Order was
not intended to displace or weaken established practices
of collective bargaining or voluntary arbitration. Briefly
it provided that, upon a trade dispute being reported to
the Minister of Labour by one of the parties to the
dispute, the Minister had to take the dispute into
consideration. If there was any possibility of the dispute
being settled by voluntary negotiation machinery set up
by the parties themselves, then the Minister of Labour
had to refer the dispute for settlement to that machinery.
If the voluntary machinery failed to bring about a settlement
then the Minister of Labour had to refer the dispute to
the NAT within twenty-one days of the dispute being
reported to him. Any award made by the Tribunal was binding
upon the parties to the dispute.

A number of wartime, emergency regulations were
kept in force by the Labour government with the passage
of the Supplies and Services (Transitional Powers) Act,
In the case of Order 1305 the government was aware that it
could be continued only with the support of both sides of
industry and in December 1945 the issue was brought before
the JCC.\textsuperscript{15} The TUC had resolved in 1944 that compulsory
arbitration and the ban on strikes should be discontinued
after the war and the union representatives on the JCC informed the government that a decision to support the continuation of 1305 would have to be made by the General Council as a whole.16. Under pressure from Isaacs, however, they finally agreed to the continuation of Regulation 58 AA and Order 1305 on the understanding that its future would be reviewed immediately either side desired it to be discontinued. This decision was, later, ratified by the General Council.17. By an Order in Council made on 20 December 1945, in pursuance of Section 1 of the Supplies and Services (Transitional Powers) Act, 1945 Order 1305, with its provision for compulsory arbitration and its prohibition of strikes, was kept in operation and was to be retained, with TUC consent, until August 1951.

The Conservative Opposition in Parliament was quick to point out the apparent contradiction in government policy. 'Only last week the learned Attorney-General spoke of the right of the labourer to withhold his labour as inalienable', Squadron Leader Hollis told Parliament in February 1946, 'now what we have is an Order to alienate the right to withdraw your labour.'18

Why did the trade unions agree to forfeit the right to strike after the war? Firstly, it must be stressed that not all unions supported the continuation of 1305. At the TUC Congress of 1946 a motion was put forward by the ETU calling for the removal of 1305 and, although the motion was heavily defeated, similar motions were brought before Congress on an annual basis.19. It is also the case that
Order 1305 contained clauses of undoubted benefit to the unions. TUC representatives later claimed that the provision which imposed on employers an obligation to observe recognised terms and conditions of employment was central to their acceptance of compulsory arbitration and the prohibition of strikes. Such an explanation, however, is not sufficient. Part III of the Wages Council Act, 1945 provided that if and when Order 1305 ceased to have effect the provisions of the Order relating to recognised terms would be continued. Any explanation of the unions acceptance of 1305 in peacetime must look beyond the Order itself at the close relationship fostered between the Labour government and the TUC. Eric Wigham has sought to explain the TUC's willingness to agree to a ban on strikes after the war by pointing to the broad consensus which existed between the Labour government and the unions over all aspects of government policy. 'It is doubtful', he writes, 'if it (1305) would have continued so long had there not been a post-war government adopting policies which fulfilled trade union aspirations.'20. Certainly, the unions were prepared to make sacrifices in support of 'their' government, the acceptance of a wages freeze between 1948-50 was a case in point. Such an explanation, however, cannot account for the continuation of industrial unrest after the war, nor for the dissatisfaction expressed towards many aspects of the government's domestic and foreign policy by sizeable sections of the Labour movement. Moreover, it can make no sense of the wide gulf which emerged after the war between
union officials and the rank and file. Any explanation of the TUC decision to support the government over the retention of 1305, therefore, must focus not so much on a consensus between the government and the Labour movement as a whole, but on the continuity of aims and interests between the government and leading union officials and the means by which these officials, through their control of huge block votes, were able to determine TUC policy and so effectively stifle any opposition. I shall return to an examination of these issues in the concluding chapters of this study.

The retention of 1305 may have acted as a deterrent to strike action. In the six years after the war the number of days lost through strikes and lock-outs amounted to just over 12½ million, whereas in the equivalent period after the First World War 187½ million days had been lost. Nevertheless, large scale, unofficial strikes, especially on the docks and in the mines, were a common feature of the period. These strikes were nearly all illegal under 1305 yet, prior to 1950, the Labour government chose not to prosecute those involved. In 1950 and, again, in 1951, however, the government invoked criminal proceedings, on two separate occasions, against those engaged in illegal strike action and the spontaneous, widespread opposition from the rank and file of the Labour movement which followed, coupled with the government's growing realisation of the futility of the criminal law as an instrument for dealing with industrial unrest, finally led to the revocation of 1305 in August 1951.

Prior to 1950 Labour did not invoke the penal
provisions of 1305. It would be erroneous, however, to conclude from this that discussions were not held in Cabinet as to the possibility of bringing proceedings against those engaged in illegal strikes. On the contrary, the question of prosecution was raised during virtually every stoppage of the period. The Labour government was certainly not adverse to taking criminal proceedings through any feelings of class solidarity. Labour had long since subscribed to the belief that it was a national rather than a class party. 'Let me remove at the outset', the Party Secretary Morgan Philips had proclaimed in an election pamphlet in 1945, 'any lingering impression of the outworn idea that the Labour Party is a class party.' In the post-war economic climate economic recovery was seen as synonymous with the national interest and strikes, which interfered with production and hampered the export drive, were seen as anathema. Yet for a combination of practical, legal and tactical considerations the government deemed it inadvisable, prior to 1950, to take criminal proceedings.

The experience of war time prosecutions had certainly suggested that it was not practicable to invoke 1305, at least against the mass of strikers. Bevin from the beginning, in fact, was adamant that its major importance lay as a deterrent. In 1940 a confidential memorandum, prepared by the Chief Industrial Commissioner, stated that:

The Order has substantial deterrent effect, but it is an instrument which would probably be shown to be useless if any considerable body of workpeople chose to defy it ....... A large number of workpeople cannot be sent to prison and it is undesirable to make martyrs by selecting a few for prosecution. 22.
Bevin argued that 1305 should not be invoked unless there was evidence that a stoppage was associated with subversive activities. By October 1941, despite some 1,000 illegal strikes, prosecutions had only been taken against workers in six cases and pressure was mounting on the government to take firmer action. In 1942 one thousand strikers were prosecuted, against Bevin's advice, at Betteshanger Colliery in Kent. Three officials of the local union were imprisoned and the miners themselves were fined. Negotiations between the colliery management and the Kent miners' union to try and end the strike were carried on from inside the prison. After eleven days the officials were released and the men achieved their main demands. The strikers, meanwhile, refused to pay their fines and, with the county jails unable to cope with all those who defaulted, the penalties were quietly dropped. 23.

The limitations of 1305 and the futility of mass prosecutions and imprisonment as a final penalty had, again, been exposed (again, given the experience with the South Wales miners in 1915). 24. Experience in other countries also pointed to the same conclusion. In New Zealand the Industrial Conciliation and Arbitration Act of 1925 had made strikes and lock-outs illegal and punishable by severe fines, but the law had little deterrent value and could not be enforced. 25. After Betteshanger no more prison sentences were imposed during the war under 1305, although prosecutions continued to take place. In 1916 the Munitions of War (Amendment) Act had, similarly, removed the power to imprison
for strike offences. The lesson of the futility of mass prosecutions was taken on board by the Labour government. Bevan, in October 1945, wrote that the Order's main importance lay as a deterrent to strike action, adding 'we may be obliged to admit that little value attaches to Part II of the Order for the purpose of taking legal action against strikers'. Significantly, when the government did finally bring charges in 1950 and in 1951 action was directed against the leaders for conspiracy, rather than against the mass of strikers.

The practical problems of invoking Order 1305 were illustrated during a strike of colliery winders in August 1949. Hugh Gaitskell, the Minister of Fuel and Power, had written to the Minister of Labour on 15 August pointing to the serious damage that would be caused to the economy by a strike of the colliery winders in Yorkshire and urging that criminal action be taken against all of those who stopped work. On 20 August the strike began. In all it involved 90,000 workers and resulted in the loss of 230,000 working days. Prosecution, however, was deemed impracticable. Although several hundred workers were involved in the strike there were only a few winders at each pit. Prosecution, as Isaacs pointed out, would have involved the institution of proceedings at a number of courts in different parts of Lancashire and Yorkshire, and a situation could well have arisen where the law was brought into disrepute by different courts producing different results, ranging from acquittal to conviction with heavy
penalties. Moreover, there had been no prosecutions since the war, despite numerous unofficial strikes, and, as Isaacs admitted, a prosecution in this instance might lead '..... people to say that the Government is only prepared to take action against the members of a small, weak union and dare not prosecute members of the large and powerful unions'.

Legal complexities were a second important element in dissuading the government from prosecuting strikers under Order 1305. The major issue concerned the definition of a trade dispute. As we have seen, the Acts of 1875 and 1906 gave legal protection only to those strikes undertaken in contemplation or in furtherance of a trade dispute; the protection, expressly, did not apply to 'political' strikes (however these were to be defined). Order 1305 adopted this same distinction between trade disputes and 'political' strikes but, in complete contrast to the earlier acts, prohibited only those strikes in furtherance and in contemplation of a trade dispute. Any strikes outside this narrow framework, including sympathy strikes or strikes arising from inter-union disputes, as well as overtly 'political' strikes, were, therefore, not prohibited under Order 1305. Ironically, therefore, Order 1305 made illegal a strike inside but not outside this golden formula of a trade dispute. This loophole in the law was, on a number of occasions, to prevent the government from prosecuting those engaged in unofficial strike action. It was a problem which had not been foreseen when the Order was introduced.
An unofficial strike started in the London docks in June 1948 against the disciplinary action taken by the local Dock Labour Board against eleven men who had refused to unload a cargo of zinc oxide. There was some doubt as to the legality of the penalties imposed by the Board. The government, moreover, was advised not to prosecute by its solicitors. Langham wrote to Shawcross on 23 June arguing that, although the action of the eleven might be seen as a trade dispute and thus open to prosecution, the action of the 'fellow dockers' in ceasing work was not done with the view to aiding the original workers in compelling their employers to accept certain conditions of employment, but rather as a protest against the disciplinary action that had been taken by the Board. The dispute was not a trade dispute and was not, therefore, covered by the provisions of Order 1305. Shawcross wrote back the following day. 'I should myself be disinclined to prosecute, not only because of the possible legal doubt but because of the serious repercussions which might follow.'

Similar legal considerations were influential in persuading the government not to prosecute dockers who had struck work in sympathy with the Canadian Seamen's Union in May and July 1949. At a meeting of the Emergencies Committee of Ministers on 6 May the Director of Public Prosecutions, Sir Theobold Mathew, explained that if the only dispute was that between the CSU and their employers in Canada, it would appear that the British strike was not a trade dispute and not, therefore, illegal under 1305. At a meeting at the office of the DPP, the following day, this conclusion was upheld.
The difficulty in obtaining evidence on which to base a prosecution was at least as formidable an obstacle as any deficiencies in the law. The Home Secretary reported to the Prime Minister on 5 July 1949 that, although the law officers and the DPP had been carefully following the course of action and the words used by those promoting the CSU strike, they had consistently argued that nothing had come to their notice which would justify them in prosecuting. The problem in obtaining admissable evidence was outlined by the Attorney-General in a letter to the Home Secretary:

The Special Branch and MI5 supply information obtained from secret sources 'and by devious methods', but it is rarely evidence in any legal sense and public disclosure of the nature of it might dry up sources. Should instructions to the Special Branch in regard to their surveillance of the unofficial trade union meetings be revised?

At present, as you will know, they do not feel themselves at liberty to get their own agents inside such meetings as, for instance, by disguising themselves or using false union cards, and the result is that it is hardly ever possible to obtain legal evidence of the incitement of illegal action which no doubt occurs when such meetings take place. Of course, the difficulty about all this is that if the police are given wider instructions, a feeling of hostility between the workers and police, which happily does not exist at present, may gradually grow up.

In October 1950 the newspapers reported that the government had authorised the surveillance of trade unionists by MI5, purportedly for the purpose of collecting evidence on which to base a prosecution.

The third factor which persuaded the Labour government not to bring charges against illegal strikers prior to 1950 was the tactical one. What would be the likely consequences
of a prosecution? Would it cause the strike to spread?

This tactical concern was stressed by the Attorney-General in a letter to Frank Soskice, the Solicitor-General, in November 1947:

The question whether we should prosecute does, however, raise an important issue of policy, since a prosecution might, I suppose, provoke strike action, and we certainly do not want to do anything which would precipitate a large scale strike. We are always on the horns of a dilemma in regard to a matter of this kind. On the one hand, failure to prosecute may seem weak; on the other hand, prosecutions may provide a situation in which the enforcement of the law becomes quite impossible. 34.

During the dock strike of April 1949, over the dismissal by the London Dock Labour Board of 32 'ineffectives', the government's unwillingness to prosecute can be partly traced to such tactical considerations. Shawcross on 13 April informed the Cabinet that he was arranging for the DPP to collect the necessary evidence to launch a prosecution against the strike leaders for breach of 1305. Attention, however, was drawn to the precarious nature of the strike. The Lightermen and the Glasgow dockers had refused to join the strike and concern was expressed that 'if proceedings were launched at this juncture, they might have the effect of stiffening the attitude of the rank and file'. 35. Moreover, at a meeting in the Attorney-General's room at the Royal Courts of Justice, on the same day, an official of the Ministry of Labour suggested that if the object of the strike was merely to secure the re-instatement of the 32 men who had been dismissed, then it was unlikely that it was a dispute within the meaning of 1305. 36. The question of prosecution was dropped. Similarly, during the
strike of road transport drivers at Smithfield market in June/July 1950, attempts to bring out all the workers in London's road haulage industry in sympathy were unsuccessful, and in Cabinet ministers expressed their hope that if no legal action was taken there was every chance that the strike might collapse.37

Problems with implementing Order 1305, in particular the legal loophole which protected from the threat of prosecution those strikers not engaged in a legitimate trade dispute, help explain the government's reluctance to press criminal charges. Increasingly, therefore, the government turned its attention to other forms of anti-strike legislation for dealing with the continued industrial unrest.

Strikes which lay outside the definition of a trade dispute did not receive legal protection under the Acts of 1875 and 1906 and, whilst the strikers themselves were not open to prosecution, the instigators of such action were vulnerable to a charge of common law conspiracy to incite workers to break their contract of employment. During the dock strikes of April and July 1949 and April 1950 the Cabinet considered pursuing this course of action. The main difficulty proved to be the lack of sufficient evidence on which to base such a prosecution. The police, Shawcross complained, had to rely on information 'from sources which they cannot disclose'.38 Ministers also expressed concern that the prosecution of strikers for criminal conspiracy might, because of the nature of the charge, 'give a romantic air to the whole business', and create martyrs out of those prosecuted and lead to a widespread extension of the strike.39
Under the 1875 Conspiracy and Protection of Property Act and the Electricity Act of 1919, criminal proceedings could be taken against workers in the essential industries of gas, water and electricity if they broke their contract of employment through industrial action and if they knew that as a result of their action the public would be deprived of their supply of the essential commodity. During the strikes in March and December 1949 at electricity power stations in London, consideration was given to launching criminal proceedings under this Act. There were, however, a number of problems. To start with the Act required that notices be exhibited by employers warning workers of the nature of its provisions and it was by no means clear that this clause had been complied with, although in July 1949 Walter Citrine, the Chairman of the BEA, informed Isaacs that notices were now being posted in the industry. More important in order to bring a charge, it was necessary to show that the workers who broke their contracts knew that as a result of their action the public would be deprived of its supply of electricity. In Cabinet it was argued that the existence of the grid would make it possible to claim that the needs of the public could be met from other generating stations not on strike. It was also the case that there had been no previous instance of proceedings being brought under the Act. Isaacs told Cabinet that 'as this Act had never previously been invoked....its use might have undesirable repercussions'. Thus, despite the fact that material was collected in December 1949 in respect of three of the strike leaders, no prosecutions were launched. In March 1949 consideration was also given to using the power under Defence
Regulation 58A to prohibit workers employed in essential undertakings from absenting themselves from work without reasonable excuse. Isaacs, however, informed Attlee that this wartime Regulation had never been designed to deal with strikes but with absenteeism and the matter was not pressed. 42.

The leaders of unofficial strikes were also open to prosecution for aiding and abetting an illegal strike under the Summary Jurisdiction Act of 1848 and the Accessories and Abettors Act of 1861. In April 1948, during a strike of vehicle builders over delays on a claim for increased wages, the government solicitor, Langham, suggested that 'provided the necessary evidence is available to prove who are the persons actually responsible for calling the strike', then 'these persons could be prosecuted for aiding and abetting an illegal strike.' 43. The necessary evidence was not available and this line was pursued no further.

Although none of these acts were invoked the government had toyed with the idea of using drastic, anti-strike legislation to cope with the rising tide of unofficial strikes, most of which had lain dormant since their inception.

As the weakness of the criminal law was exposed the government turned its attention to pursuading the employers to take civil action against unofficial strikers for breach of contract, an approach which had also been favoured during the First World War. 44. In April 1949, during a dock strike in London, the question of civil proceedings being taken by the NDLB for breach of contract, as the employer of the men concerned, was raised. 45. The NDLB, however, proved reluctant to take such action. 46.
During the strike in the London docks in April 1950 over the expulsion of three members of the TGWU for their part in the CSU strike the previous year, the Attorney-General outlined to Cabinet two alternative courses of civil action which could be taken. In the first place the disciplinary code under the Dock Workers Regulation of Employment Order, 1947 had been infringed and it was, therefore, open to the Dock Labour Board to suspend or dismiss workers from the scheme. Concern, however, was expressed at the difficult situation which would arise if the London DLB dismissed over 7,000 dockers who had stopped work. The armed forces, for one thing, would have been unable to provide sufficient replacement labour. Alternatively, it was open for the individual employers to institute civil proceedings in the county courts for breach of contract and, although it was recognised that problems might arise over assessing the amount of damages, and that those awarded against individual dockers might only be in the region of one pound, ministers generally favoured this approach. As Aneurin Bevan proclaimed: 'The mere fact of having to attend court, and of having financial penalties imposed, would constitute a wholesome long-term deterrent.'

There were obvious advantages for the government in the employers taking civil action. Most importantly, it removed from the government the necessity to take criminal action which was bound to bring it into conflict with the strikers. It was also the case that civil proceedings could be taken more easily against the mass of strikers, as distinct from merely the instigators, and was thus likely to prove a more effective deterrent than criminal action. In the coal mining industry,
for example, where employers had long adopted the sanction of civil damages, the practice had been to take a few cases to court and to make corresponding deductions from pay in respect of all who had broken their contract. The National Coal Board took civil proceedings on a number of occasions. In November 1948, for example, a strike amongst miners in Ayrshire took place, following a decision of the Ayr Sheriff Court in awarding damages for breach of contract against 15 miners who had taken part in an unofficial strike at an Ayrshire colliery earlier in the year. Similarly, in 1951 41 miners were fined £10 each for breach of contract at a pit near Wrexham for their part in an unofficial strike. The damages were paid in weekly installments of ten shillings.

On the whole, however, employers, with the exception of the NCB, were reluctant to take civil action. In addition to the administrative inconvenience of issuing summonses - the BEA, for example, declined from instituting civil proceedings in December 1949 on the grounds that the numbers involved were too great - it was feared that the commencement of civil proceedings would embitter relations with the employers after the strike had terminated. As Sir Hartley Shawcross explained to Cabinet in 1950, 'they prefer that if legal proceedings have to be taken at all the opprobrium resulting from them should be vested upon the Government and the Attorney-General, as it is when criminal proceedings are taken, rather than upon themselves.'
Both the government and the employers were anxious for proceedings to be taken against those engaged in unofficial strikes, yet neither were prepared to accept the consequences which might have arisen from such action.

One final civil remedy to unofficial strikes was open to trade unionists themselves. If, for example, a trade union was paying strike pay during an illegal strike then it was, in theory, open to any member of that union to sue for an injunction restraining the trustees from using the funds for an illegal purpose, although the Attorney-General argued in April 1949 that 'its correctness has been much doubted and it might not be upheld on appeal'. In February 1951 a strike involving members of the ETU broke out in the London area, as part of the union's national struggle for sole recognition in the contracting industry. By 2 March 1,000 men were out. The strike had the official backing of the ETU, which awarded strike pay of £3 a week per member. On 28 April 1951 action was brought by eight members of the ETU against the trustees and various other officers of the union for not submitting the dispute to the Minister of Labour under 1305. The High Court action, however, did not take place until October 1951 by which time Order 1305 had been removed, and the claims were, thus, withdrawn.

The weakness of the criminal and civil law as an instrument for dealing with industrial unrest in peacetime Britain had been exposed by 1950. Yet Labour, in the summer of that year, sought not the removal of penal sanctions but, on the contrary, drew up plans for the extension and strengthening
of anti-strike legislation. Two factors were influential in shaping the government's thinking on the need for more stringent anti-strike legislation.

In the first place, the severe post-war balance of payments crisis placed increased production and the export drive at the forefront of the government's economic programme, a trend which was reinforced with the inauguration of Marshall Aid in 1948. In this climate strike action which interrupted production and dislocated trade was seen as anathema. 'In Britain today!', Herbert Morrison told delegates at the 1947 Labour Party Conference, 'the battle for socialism is the battle for production. Anything that delays or lessens production is a blow in the face for the organised workers and their cause. Today any avoidable strike - whether caused by employers or workers - is sabotage. And an unofficial strike is sabotage with violence to the body of the Labour Movement itself.'

The failure of the government to prosecute unofficial strikers under Order 1305 led to calls, from some quarters, for an extension of the criminal law, calls which were most vociferous at times of severe economic dislocation. Thus, during the fuel crisis of 1947, which resulted in severe industrial dislocation and mass unemployment, Lieutenant Colonel Sir Thomas Moore asked the Minister of Labour in the Commons if he would 'consider issuing a regulation declaring all unofficial strikes to be illegal for the next six months or until the economic and financial crisis in which the country is now involved is over'. Isaacs' reply that this was exactly the purpose for which 1305 had been introduced
and retained after the war, only served to highlight the deficiencies of the law as it stood and to increase pressure for fresh legislative action.

Alfred Edwards MP demanded, in an article in the Daily Express in May 1947, that the government's 'only course of action is to make strikes illegal, and I would advocate this at once. It should be a punishable offence to strike, punishable by a prison sentence and a heavy fine upon the Union'. Edwards, incidentally, was Labour Member for Middlesbrough East and was expelled from the Labour Party in May 1948. During discussions on his expulsion a copy of Edwards' speeches were distributed to the Labour Party NEC. Hugh Dalton scribbled on the top of his copy: 'These are all Tory sentiments, and very extreme Right at that, against trade unions.' In the General Election of 1950 Edwards stood as a Tory candidate on a platform against Iron and Steel nationalisation and was resoundingly defeated.

The deepening economic crisis in 1949 which led to the devaluation of sterling, and the dislocation of trade and mounting inflation which followed upon the outbreak of the Korean war in June 1950, increased the pressure on the government to outlaw unofficial strikes. Even at the end of 1949, however, the government, at least in public, was still ruling out the possibility of a further clamp down on strikes. Shawcross, speaking at Great Yarmouth in December 1949, said 'I am wholly opposed to minority or unofficial strikes but insist that a man's right to withhold his labour is fundamental.'
Of perhaps greater importance in shaping the timing of the plans for new anti-strike legislation in the summer of 1950 was the growing spectre of a 'Red Plot' to subvert the economy. The launching of the Truman Doctrine in 1947 and the beginning of the Marshall Aid Recovery Plan in 1948 marked a watershed in Communist Party strategy in Britain, with the Stakhanovite mentality and critical acceptance of the Labour government being replaced by active opposition to both the production drive and the government. As Harry Pollitt commented, in a special report to the Executive in December 1947, this policy of supporting the production drive, which had been 'absolutely correct' in the past, would now 'only result in trailing behind the Government's reactionary policy'. To what extent this shift in policy involved the instigation and incitement of industrial unrest is not at all clear. What is clear is that the government became increasingly convinced that the mounting industrial unrest was part of a deliberate and planned campaign on behalf of the Communist Party to subvert the economy and disrupt the rearmament campaign, a fear that increased dramatically with the outbreak of the Korean war in June 1950.

In Cabinet on 20 July 1950 ministers were informed that the preliminary enquiries into an explosion on an ammunition barge at Portsmouth dockyard left little doubt that it was the result of a deliberate act of sabotage aimed at supplies destined for operations in Korea. The government publicly blamed the communists for the attack, although Willie Gallacher dispatched a letter to the DPP proclaiming the innocence of the CP and threatening legal action if the accusations against the Party were not withdrawn. No withdrawal was made but in
1952 Royal Navy scientists announced that the explosion had, in fact, been caused by an accident rather than by sabotage. Of greater concern to the government in 1950 than overt sabotage was the fear that the Communist Party would attempt to impede the distribution of military supplies to the Far East by the incitement of industrial unrest at home. A similar situation had already arisen in France and in Australia, where severe anti-strike regulations had been imposed, and it was generally held that similar legislation should be drawn up in Britain, ready to be introduced should the situation arise. The Cabinet invited the Home Secretary, in conjunction with the Attorney-General and the Lord Advocate, to arrange for the immediate preparation of draft legislation based on the general pattern of the wartime defence regulations. Doubts, however, were expressed as to the expediency of this approach. The comparable provisions in the Defence Regulations had contained a proviso that no person should be guilty of an offence under them by reason alone of taking part in a strike or peacefully persuading any person to do so. Surely, it was argued, that a similar saving introduced into the legislation now proposed, would leave the principal danger of the present situation uncovered. Active sabotage was already an offence under the existing criminal law. What was required was a provision aimed specifically at the incitement of workers to interfere with military supplies through industrial action. Discussions held with the General Secretary of the TUC, however, convinced the government that some safeguards, in respect of industrial stoppages, would have to be made. There was, in fact,
little hope of the government persuading the unions to accept a measure in peacetime which they had been unwilling to agree to during the crisis of war. Shawcross argued that the government must not make any exemptions too wide. If any clause protecting strikes was to be retained it should not, he said, embrace illegal strikes or inter-union disputes. 'Firm and vigorous action in the present situation', he assured ministers, 'would not meet with any substantial opposition in the House'.

The draft of the Overseas Operations (Security of Forces) Bill, presented to Cabinet on 24 July 1950, was thus something of a compromise measure, laying open to prosecution those who impeded military supplies whilst engaged in an illegal strike, but protection from the risk of prosecution those engaged in a legal strike arising out of a trade dispute. Consideration was given to introducing the Bill immediately but, due to the shortage of parliamentary time before the summer recess and in the absence of agreement with the TUC, it was decided not to press ahead with the passage of the Bill. It was agreed, however, that the Bill be brought to a stage at which it could be introduced and passed at short notice if Parliament was recalled in an emergency.

A ministerial committee, chaired by Morrison, was charged with the responsibility of getting the Bill into shape and the Committee held further consultations with the TUC. It was events in September which once again brought the matter to the forefront of the Cabinet agenda.
It was in this month that Isaacs revealed to the nation the 'Great Red Plot'. The Communist Party, it was alleged, was engaged in an attempt to disrupt the transport in the country and had formed a rail and road transport section for this purpose. Moreover, three leading London dockers had just returned from a visit to Poland where, it was claimed, they had been briefed concerning the 'dislocation of the British economy'. The following day the whole vast intrigue was deemed to have been uncovered. 'Twenty men plot to wreck Britain', proclaimed the main headline in the Daily Mirror, while the Daily Herald revealed that 'the secret eight were responsible'. Only the News Chronicle, which considered his charges 'more general than altogether wise', and the Manchester Guardian, which rebuked Isaacs for being 'too much given to vague warnings', managed to keep matters in perspective. Pressure mounted on the government to take fresh legislative action. Arthur Deakin joined with Sir Waldron Smithers in demanding the banning of the Communist Party and the Evening News insisted that Labour 'need not be afraid to act drastically.....they will command the support of the vast majority of the people'. There was a real danger that legitimate industrial action would be caught up in this wave of anti-Communist hostility. The Daily Graphic announced that 'anyone who goes on strike now will do so knowing that he is helping traitors. He will range himself with the enemies of Britain......'

In Cabinet on 18 September concern was expressed that the Overseas Operations (Security of Forces) Bill, as it now stood, by concentrating only on action which had a direct involvement in military operations overseas, failed to get
to the heart of the problem, that of communist attempts
to foment industrial unrest at home. It was not felt to
be practicable to extend the provisions of the Bill to cover
domestic disputes. Instead, it was agreed that separate
legislation was needed and the Cabinet Committee, under the
Chairmanship of Morrison, was asked to extend its terms of
reference and look into the possibility of strengthening the
existing criminal law to counter any communist conspiracy
to incite domestic industrial unrest. On 20 November 1950
the decision was finally taken not to proceed with the
Overseas Operations (Security of Forces) Bill. Meanwhile,
discussions continued on the form that the new domestic anti-
strike legislation should take. 'The truth is', the Attorney-
General wrote in a memorandum submitted to Morrison's committee,
'that when totalitarian techniques are employed, the only
way to counter them completely may be by the adoption of
totalitarian methods....such methods would include powers
of detention on suspicion....of prohibiting publications,
banning meetings, and even of banning the Communist Party, if
indeed it could ever be successfully defined.'

Legislation had been introduced in Australia and
South Africa for the suppression of the CP but it was felt
that public opinion in Britain would not be prepared to support
such draconian measures. Bevin felt that the banning of the
CP would be an infringement of civil liberties. Tribune
argued that 'The totalitarian menace cannot be averted by
borrowing its methods', and The Times agreed. Instead a
series of recommendations for strengthening the existing
criminal law were drawn up and submitted to the Cabinet, all of which advocated further restrictions on the right to strike. Shawcross commented, 'that any effective action must include restrictions on the right to strike.'

One recommendation was the introduction of permanent legislation along the lines of Order 1305, but ministers were doubtful whether the trade unions would accept the permanent enactment of a wartime, emergency measure. Bevin suggested that in place of a single national tribunal separate arbitration tribunals might be set up for the main industries whose decisions, as with the NAT, would be binding. An alternative suggestion was to extend the provisions of the 1875 Conspiracy and Protection of Property Act and the 1919 Act, from gas, water and electricity undertakings, to cover all essential employments. Ironically, something along these lines had been attempted in Section 6(4) of the Trade Disputes Act 1927, which the Labour government had repealed, though in this instance it had referred only to those employed by local or public authorities. The question of outlawing all strikes in essential industries had been considered before 1950, during the strikes in electricity undertakings in December 1949. The Minister of Fuel and Power, Hugh Gaitskell, had written to the Prime Minister on 24 December 1949 enquiring whether it was wise to continue to deal with such strikes in the same way as ordinary industrial disputes and arguing that such strikes were so serious 'that they really cannot be tolerated at all'. There was strong support for this line of action in Cabinet in September 1950. Frank Soskice, the
Solicitor General argued that the best possibility was to 'have stronger legislation making all strikes affecting essential supplies and services illegal without prior arbitration and illegal even after arbitration if they are inconsistent with the award...' 77.

There were problems, however, with such an approach. Firstly, the Act of 1875 was based on breach of contract and there was nothing to prevent the communists, it was suggested, from inducing workers to give the necessary amount of notice but still causing severe industrial dislocation by coming out on strike once the contracts had expired. More important was the political objection. Many of the essential industries had been nationalised by the Labour government and it would have been extremely embarrassing if it had been suggested that the government was contemplating serious stoppages in the public sector.

There was some support amongst ministers for the lengthening of the contract of service in essential industries. Workers, it was felt, would be reluctant to terminate a fairly long contract, which might mean losing various benefits connected with their employment, such as pension rights. It was also the case that 'if a strike were announced for a month ahead, all the forces operating against strike action could be brought into play'. 78. A month would have given the government ample time to prepare its strike-breaking machinery. It was felt by some ministers, however, that in the conditions of full employment the unions would be unwilling to agree to an extension of their contract, which would be seen by many as a liability.
Another recommendation was to make it an offence for any person to take part in a strike in an essential service until the members of the trade union concerned had voted in favour of strike action by secret ballot. A similar Bill, to this effect, had been drawn up in 1923-24 but was not introduced. The possibility of introducing postal voting, conducted under the supervision of the union or the Chief Registrar of Friendly Societies, was also discussed. The major problems with this approach were felt to be that, firstly, a ballot would not be feasible for unofficial strikes which were often spontaneous demonstrations against some minor grievance and that, secondly, there was a danger 'that if the ballot went in favour of the strike, the moral position of the strikers would be greatly strengthened'. Certainly, there was no evidence to suggest that a ballot of trade union members could be guaranteed to produce a no-strike result.

Whilst a ballot in Liverpool, during the October 1945 dock strike, carried out under the supervision of officers of the Ministry of Labour, came out in favour of a return to work, a strike ballot carried out in May 1949 by dockers in Avonmouth produced a clear majority in favour of the men staying out.

Sir Hartley Shawcross was in favour of the employers using the civil law more frequently to press for damages against those taking part in unofficial strikes. The most controversial recommendation, however, concerned the introduction of penal powers to deal with conspiracy or with incitement to bring about unofficial strikes.
In April 1944, following a spate of unrest in the Yorkshire coalfields, Ernest Bevin had introduced Defence Regulation 1AA which had carried maximum penalties for incitement in an essential industry of five years imprisonment and/or a fine of five hundred pounds. The regulation was introduced to plug the gap created by the fact that some disputes did not come under the definition of a 'trade dispute' and so were not, therefore, covered by 1305. The regulation was based on the 1797 Incitement to Mutiny Act and the law on Conspiracy. The Order provoked severe criticism from within the Labour movement (it provoked the largest back-bench rebellion over a civil liberties issue during the course of the war), but was never used and was withdrawn in May 1945. It had originally been the intention to maintain 1AA 'at least as long as Order 1305'. But on Bevin’s instruction it was removed at the end of the war in Europe. 'It is clear to us', Godfrey Ince at the Ministry of Labour wrote to Maxwell at the Home Office in April 1945, 'that if a first attempt were now made to use the powers under the Regulation there would be a violent reaction amongst the workpeople. Proceedings under the Regulation cannot now be contemplated and it is, therefore, ineffective.' Any attempt to introduce a similar measure into peacetime Britain would have, undoubtedly, provoked a major political storm and the Labour Cabinet rejected the proposal.

No voice was raised in Cabinet attacking either the principle or the expediency of using the criminal law to deal with unofficial strikes, although serious objections were raised to all proposed changes. The least contentious recommendation was held to be the lengthening of the contract of employment in essential industries, though ministers later
ruled out this change as well. The government's conclusion was that the trade unions should be encouraged to take a far more active role in countering communist bids for leadership, and that a meeting should be held with trade union representatives to discuss the various proposals put forward in Cabinet for strengthening the criminal and civil law.

Leading trade union officials had, in the past, shown themselves to be receptive to the appeal for more stringent anti-strike legislation. The President of the TUC, in his address to the Congress in 1949, argued that '....the time has come to say that unofficial strikes must be outlawed'. The President of the Associated Society of Woodcutters told the union's annual conference in September 1950 that 'the use of the strike weapon must be seriously curtailed'. Yet at the meeting between ministers and General Council members on 22 November 1950 it was obvious that their stance had altered and that they were no longer prepared to countenance any changes in the law. More than that they argued that if a motion for the revocation of Order 1305 were to be submitted to the next TUC, there was every change that it would succeed. What had brought about this change in attitude amongst union leaders was the prosecution of ten gas workers under Order 1305 in September 1950. The widespread opposition to the prosecutions, moreover, forced the government to reconsider its own attitude towards strikes and the criminal law.

On 16 September 1950 maintenance men, employed by the North Thames Gas Board, struck work in opposition to a 1½d an hour wage increase which had been accepted by the
Confederation of Shipbuilding and Engineering Unions. The men had submitted a claim for 4½d an hour in November 1948. By 20 September 1500 gas workers in London were on strike. The effects of the strike were quite severe. Pressure had to be reduced and street lighting was discontinued in large areas of North London. Several hospitals and factories also reported difficulties. The Cabinet gave immediate consideration to the introduction of troops and to the prosecution of the strike leaders. At a meeting of the Emergencies Committee of Ministers on 27 September the Attorney-General announced that proceedings could be brought against the strikers and their leaders under both the Conspiracy and Protection of Property Act, 1875 and Order 1305. The strikers had contravened the 1875 Act by depriving the public of gas and had infringed 1305 by failing to give the Minister of Labour the requisite twenty-one days notice of an intention to strike. Shawcross, in fact, favoured civil proceedings for breach of contract, but there was no indication that the Gas Board intended to take such action. Shawcross asked for the Committee's advice on whether the institution of criminal proceedings would aggravate the situation. The general feeling was that it would be inopportune to press charges immediately as it would merely serve to prejudice the efforts of the union to persuade the men to return to work but, that if no return was forthcoming and if sufficient evidence to found a prosecution was available, then there would be no objection to a prosecution being launched. It was suggested, however, that in future ministers should direct the boards of the social industries to bring civil proceedings for breach of contract against the leaders of unofficial strikes. This, clearly, had important implications for the statutory independence of the
nationalised industries. On 6 October the Attorney-General met with representatives of the nationalised industries to discuss this matter. The employers made it clear that they were not willing to countenance such action due to the large numbers involved in unofficial strikes and to the fear that such action would embitter subsequent relations between the industry and the men. 90.

On 3 October naval ratings took over maintenance work at gas works and summonses were issued against ten of the strikers. On 5 October they pleaded guilty to a breach of Order 1305 and were sentenced to one month's imprisonment, but were given leave to appeal. The charges under the 1875 Act were not pressed. On 6 October an agreement was reached between the two parties on the basis of no victimisation, the withdrawal of troops and immediate negotiations on a bonus scheme, and on this undertaking the men returned to work. The ten duly appealed and had their sentences reduced to fines of fifty pounds. Support for the ten was widespread. A delegate conference was held in the Beaver:Hall, London on 11 November. Attended by 389 delegates, representing 194,000 trade unionists, 9 district committees, 161 trade union branches, 5 trades councils and many shop steward committees, a resolution was passed describing the prosecution 'as a menace to our most vital freedom, the right to strike', and it went on to declare that 'the question: "Are you in favour of ending 1305?" will be put to every trade union official, every candidate for office and every MP.' 91. The following day a mass meeting was held in Hyde Park calling for a nationwide campaign for the acquittal of the convicted gas
workers, the repeal of 1305 and the dispersing of all police organisations set up to spy on trade unionists. In October 1950 the press had reported a decision to permit MI5 to organise spies in the trade unions. According to the Daily Mirror:

Detectives disguised as workmen have probed the secrets of the plotters and, mingling with the crowds at meetings, have taken short notes of their speeches. The investigation has gone on for 2 years. Full details are available of the activities and of trips abroad. 92.

Not all the government's information came via such unscrupulous methods. One Labour member has told how the Emergencies Committee 'was kept informed of the plans of those organising (a dock strike) by 'stoker' Edwards, the ex-seaman, East End MP, who was .......well acquainted with the hairdresser in whose premises the unofficial strike committee met'. 93. Critics of the prosecution drew a parallel with 1872 when, under the Criminal Law Amendment Act, six men on strike at the Beckton gas works were arrested and sentenced to one year's imprisonment. This, too, had provoked a storm of protest and the government had been forced to release the men after four months. 94. In Cabinet Shawcross complained that 'By a characteristic extravagance the ten convicted gas workers are being described by the communist colleagues as "like the Tolpuddle Martyrs".' 95. And the Attorney-General admitted on 6 October that 'the prosecution had involved the real risk that it might result in a general strike.' 96. Why had the government taken this gamble? After all, the experience of the past five years had clearly illustrated the impracticability of invoking the criminal law. In addition to the mounting pressure to take
action against the leaders of the unofficial strikes, there was a growing feeling, within the government, that the law, so long as it remained in force, should not be allowed to be continuously broken. 'It is indeed for consideration', Shawcross told Cabinet in April 1950, 'whether it is desirable to maintain the Order in existence at all if it is to be broken with impunity.' Yet, so long as it was seen fit to retain 1305 he would be forced, he said, in the end, to direct prosecutions as the Order 'could not be allowed to become a dead letter.' 97. It seems, therefore, that the mere existence of 1305 made prosecution inevitable in the long term.

Shawcross complained in Cabinet in December of 'a very large number of letters from trade union branches attacking me personally in very violent and painful terms.' 98. A delegate to the Labour Party Conference in October 1950, during a debate on the new policy document 'Labour and the New Society', accused the government of 'the prosecution of gas workers under an old law formulated by the Old Society', adding that 'I am quite sure that Labour and the New Society has very little meaning for those people who are prosecuted.' 99.

The prosecution of the gas workers was not, in fact, the first time proceedings had been brought by the Labour government against strikers. During an unofficial strike of merchant seamen in October 1947 in Liverpool, fifteen leaders of the strike were charged with conspiracy to intimidate and to detain seamen and with the assault of seamen, and on 17 February 1948 they were found guilty and sentenced to three months imprisonment. This action did not
draw any great criticism from the unions, but then the prosecution was directed at the conduct of the strikers not at the act of striking itself. The prosecution of the gas workers, on the contrary, appeared to threaten the very right to strike.\textsuperscript{100} There was also a feeling that the government was reluctant to invoke the full force of the law against employers. \textsuperscript{1305} did, after all, make lock-outs illegal as well as strikes. During the printing dispute of September 1950, however, the Attorney-General wrote to Isaacs advising 'that you should in no circumstances prosecute the employers under 1305, although technically the employers' action might constitute a lock-out'.\textsuperscript{101} The Labour government's failure to invoke 1305 against the employers, so soon after the prosecution of the gas workers, added to the demands for its removal, and a resolution passed unanimously at a delegate meeting of the printers union and dispatched to the Minister of Labour, stated:

\begin{quote}
that unless action is taken against the master printers, trade unionists will be left with no alternative but to assume that a Government which does not hesitate to imprison and threaten workers under the Order allows employers to contravene that same Order with impunity.\textsuperscript{102}
\end{quote}

Opposition to 1305 was not, however, a new phenomenon. Certain unions had been hostile to the continuation of compulsory arbitration and the restrictions on the right to strike from the beginning of Labour's term in office. Resolutions calling for the abolition of 1305 were passed at successive conferences of the ETU between 1948 and 1951. Similarly, delegates at the National Committee of the AEU called for the Order to be revoked in 1947, 1948
and, again, in 1950 and 1951. In July 1950 the annual conference of the NUR resolved that 1305 was a 'millstone' and should go. The question of the continuation of the Order was also considered at every Trades Union Congress from 1945-50 and, although resolutions calling for its repeal were defeated in 1946 and in 1948, there were signs of increased tension before the October prosecutions.

Opposition to 1305, prior to October 1950, was not, in the main, directed against the ban on strikes and lock-outs. The fact that there had been numerous unofficial strikes since the end of the war and no prosecutions tended to suggest that the penal sanctions of the Order had been allowed to lapse. Instead, criticism was focussed against compulsory arbitration. Many trade unionists had been prepared to accept compulsory arbitration during the crisis of war but could see no justification for its retention after the end of hostilities. In the post-war climate of full employment compulsory arbitration was seen as undermining trade union bargaining strength. Higher wage claims, it was argued, could be achieved without arbitration as manpower shortages were forcing employers to bid up the price of labour. Figgins, of the NUR, told delegates to the TUC in 1949: 'When we are referred to arbitration naturally we have lost the great advantage of being able to prosecute our claims successfully through the utilisation of our economic power.' Compulsory arbitration, it was also claimed, led to interminable delays in the negotiating process and was responsible for a number of the
unofficial strikes. Employers were often unwilling to negotiate in earnest in the knowledge that the dispute would eventually be referred to the NAT.\textsuperscript{108} Arbitration, whether voluntary or compulsory, rests upon consent and this in turn rests upon confidence in the fairness and impartiality of the arbitration authority. Increasingly, after 1945, doubts were raised about the independence of the NAT. In 1945 a delegate to the TUC Congress asked how the Tribunal, with only one workers' representative on it, could be expected to 'give to the workers their just dues and demands.'\textsuperscript{109} Moreover, the NAT, it was claimed, considered wage claims not on the merits of individual cases but with reference to the general direction of government economic policy. In September 1947 Isaacs was forced to withdraw a letter he had sent to the Wages Councils and the National Joint Industrial Committees asking them to keep in mind a statement by the Prime Minister appealing to workers in all industries not to press for wage increases, because of vehement protests from the TUC. The unions were given an assurance that this would not happen again.\textsuperscript{110} In November 1947 the Minister for Economic Affairs circulated in Cabinet proposals for a Central Tribunal to take into account the national interest in the determination of wage levels. It was opposed by Isaacs on the grounds that it would destroy the autonomy of the existing Arbitration Courts and the NAT. The Cabinet agreed that 'Government intervention in the negotiation of wages settlements was in principle undesirable and would in the end lead to a clash between the workers and the Government.'\textsuperscript{111}
In February 1948 the government, worried about rising inflation and the threat this posed to the export drive, again moved to control wages. The Prime Minister submitted a White Paper on costs, incomes and prices calling for a stabilisation of wages. The Minister of Labour, despite his earlier assurance, sent a letter to the Wages Tribunal and Arbitration Courts drawing their attention to the White Paper. Trade union leaders immediately demanded the withdrawal of this 'unacceptable attempt to interfere with free collective bargaining'. Yet at a delegate conference held in Central Hall, Westminster unionists voted by a majority of more than a million to support the wages policy, although a large minority of more than two million voted to reject it, including the AEU and the ETU. At the 1948 Labour Party Conference a delegate expressed his concern that 'the Government's policy will lessen the faith of the workers in the impartiality of the NAT and give rise to unrest.'

The president of the ETU, at his union's annual conference in 1949, complained that 'The NAT has been guided by the White Paper in its findings'. Incidentally, this was also the criticism of arbitration awards under the Committee on Production in the First World War.

Following the devaluation of the pound in September 1949 a more severe wages freeze was introduced with the concurrence of the TUC. The result was to further undermine faith in arbitration. On 16 March 1950 the staff side of the civil service National Whitley Council complained to Attlee of the 'mockery of arbitration', when the government 'enjoin the Tribunal not to exercise their functions impartially on the merits of the cases before them, but to reject them
all automatically.'\textsuperscript{115} The \textit{New Statesman} was in agreement that the wage freeze had resulted in a 'temporary suspension of the normal process of collective bargaining', and \textit{The Economist} noted that employers and arbitration tribunals had been encouraged by the government's attitude to refer claims or to offer less.\textsuperscript{116} In September 1950 the TUC voted down the wage freeze, though the decision had, in fact, been largely determined before Brighton at delegates conferences of a number of unions during the spring and summer of 1950.

Although the system of compulsory arbitration was clearly undermined by the government's policy on wages it would be wrong to suggest that Order 1305 abolished the normal process of collective bargaining. As we have seen, the Order gave priority to the voluntary settlement of disputes and many of the cases reported to the Minister of Labour under 1305 were either withdrawn or settled by agreement between the parties before they got to arbitration.\textsuperscript{117} Also, in comparison with some other countries government direction in the fixing of wage levels was not excessive. In France, for example, the war had led to a complete collapse of collective bargaining and wages were fixed in the post-war period by government decrees.

We must not overstate opposition to 1305 prior to the October prosecutions. As we have seen, successive resolutions, calling for its repeal, were heavily defeated by Congress. In February 1950 the General Council of the TUC informed all unions that, although it did not think any substantial change was required to the Order, it would appreciate suggestions of ways in which it might be improved.
Twenty-six unions submitted their views and of these, only four considered that 1305 ought to be repealed. A number of modifications were, however, proposed including the speeding up of the whole process of compulsory arbitration and imposing an obligation on the Tribunal to hear all cases in public. As late as September 1950 a resolution to the TUC calling for the removal of compulsory arbitration and restrictions on the right to strike was defeated by over two and a half million votes. So long as the penal sanctions were not invoked unions, on the whole, accepted the necessity for the Order's existence and, in many cases, welcomed it.

Those in favour of retaining 1305 argued that its repeal was incompatible with the TUC's support for increased production. But there were also more positive arguments for its retention. In particular, weak unions or trade unions which catered for general workers in a wide range of industries and in scattered and small establishments, like the TGWU, found the Order an advantage in enabling them to take recalcitrant employers to arbitration and to force them to accept the decisions of the Tribunal as a binding contract. Moreover, Section III of the Order required employers, whether or not they took part in the negotiations, to observe the agreed wages and conditions of employment. This was most beneficial to the unions and it was on this that the General Council, largely, justified the retention of 1305. Labour Monthly, however, was not alone amongst the opponents of 1305 in accusing the General Council of deliberately playing down the fact that Part III
of the Wages Councils Act, 1945, allowed for the continuation of the provisions of Part III of 1305 if and when it expired. 123.

The prosecution of the ten gas workers dramatically shifted the balance of opinion against 1305 and the demands for the Order to be removed increased. Opposition was not confined to the trade union movement. The Minister of Labour told Cabinet in January 1951 that 'it is very doubtful whether public opinion is now prepared generally to support prosecution action against what has long been regarded as a civil right, that is, the right to strike....' 124. The government, for its part, appeared, finally, to have come to terms with the limitations of the criminal law as an instrument for dealing with industrial unrest. 'The criminal law as a method of preventing strikes', Shawcross informed Cabinet in January 1951, 'will remain at best an uncertain, uneven and risky weapon. Its use may all too easily bring about the opposite to the desired result, there may be widespread extension of the strike, those prosecuted tend to be represented as martyrs, and antagonism is caused against the law and the police....' 125.

Events in late 1950, quite apart from the prosecution of the gas workers, served to convince the government of the impracticality of retaining Order 1305 in its present form.

In August 1950 a dispute between the Kemsley newspaper company and certain NUJ Chapels was reported to the Minister of Labour under the terms of Order 1305. Isaacs made it clear that he was not prepared to refer the dispute for settlement to the NAT on the grounds that the men's grievance was being pressed against the advice of the executive of the NUJ and that the dispute was not a 'trade
dispute' within the meaning of 1305. The Chapel immediately took the Minister of Labour to court in an attempt to force him to reverse his decision.126. This case raised the important question of whether the Minister of Labour was entitled to exercise discretion in deciding whether or not to refer a dispute, reported to him under 1305, to the NAT or whether, in fact, if all other channels had been exhausted he was empowered, under the provisions of the Order, to refer the dispute to arbitration. The question was of no mere academic interest. The government feared that if it was ruled that there was no discretion then the law would play into the hands of the communists who could foment unofficial strikes, against the advice of the union, and demand that the Minister of Labour should refer the disputes to the Tribunal. In the event the decision of the court went against the NUJ Chapels but only on the ground that the dispute was not a 'trade dispute' and was not, therefore, covered by 1305.127. The question of discretion was left unresolved. In January 1951 the issue arose once more when the Cabinet decided, initially, not to refer a dispute over salaries between town clerks and their local authorities to the NAT.128. The Attorney-General was doubtful of the legality of this course of action. He told Cabinet that 'it would......be quite intolerable to prohibit unofficial strike action unless those who desired to strike had, as an alternative right, recourse to the NAT', and that to lay down a general policy that the Minister of Labour could 'pick and choose' which disputes to refer to the Tribunal and could refuse to refer an unofficial dispute simply because it was unofficial, 'would.....be to draw a horse and cart through the Order'.129. On 12 March 1951 the Cabinet agreed that it
had no alternative but to refer the dispute to the NAT. 130.

The fear that unofficial elements would take advantage of the law was instrumental in persuading the government that the time was ripe for 1305 to be removed and it is significant that when a new order was introduced in August 1951 to replace 1305, it excluded unofficial bodies from its provisions.

In Cabinet on 11 December 1950 doubts were expressed about the advisability of retaining 1305 and the Minister of Labour was invited to submit a memorandum on its future. In his report Isaacs stressed the importance of the Order in reducing the number of strikes and lock-outs in the post-war period, but concluded that the time had been reached when its future had to be seriously reviewed. He was not, however, prepared to advocate the complete withdrawal of the legal ban on strikes. 'When the re-armament programme is ahead and the whole world political situation is tending to deteriorate,' he wrote, 'there is some objection to removing all legal restrictions on resort to strikes and lock-outs.' Instead he suggested that the Order be revised. One possibility was to make a breach of 1305, in future, punishable only by a fine rather than by imprisonment. Another was to provide that only established organisations, acting through their headquarters, and not individuals or unofficial committees could report difficulties under the Order. But Isaacs favoured amending the Order so that it was no longer a criminal offence simply to take part in a strike and to substitute a provision prohibiting the incitement to strike. The acts of the ring-leaders would, thus, have become illegal but not that of the workers themselves. 131. This, it was hoped, would prove to
be acceptable to the unions. The Attorney-General in a separate memorandum to Cabinet on the future of 1305, similarly concluded that the time had arrived for 1305 to be modified. Like Isaacs, he argued against the total removal of sanctions against strikes but he favoured the establishment of a system of national arbitration on a permanent, peacetime basis, rather than 'a hangover of war-time regulations', which, while it prohibited strikes and lock-outs until the arbitration machinery had ran its course, made the penalty a civil rather than a criminal one.132. It is hardly surprising that Shawcross was keen to transfer responsibility for prosecution to the employers given his experience during the gas prosecutions. Before any decision be taken Isaacs proposed to seek the advice of both sides of industry and a meeting of the JCC was convened for 24 January 1951, at which it was made clear that the government desired the retention of some form of penal sanction. To remove all such sanctions at this stage would, it was argued, be politically and economically inadvisable. Moreover, it would be 'regarded as yielding to mob pressure'.133.

Just two weeks after the JCC had been convened, with the express purpose of seeking an agreement with both sides of industry on the modification of Order 1305, discussions were brought to an abrupt halt when the government decided, for the second time, to prosecute dockers engaged in an unofficial dispute. The spontaneous upsurge of opposition which followed laid to rest any hopes the government entertained of pursuading the trade union movement to voluntarily agree to the continuation of even a modified form of penal sanction.
Early in February Merseyside dockers struck work against a dockers' delegate conference decision to accept an agreement providing for an increase in the daily rate to 21/- per day. They wanted 25/-, one of the five points of the popular 'dockers charter'. By 8 February 9,500 dockers on Merseyside and over 2,000 dockers in Manchester were on strike. Attempts by the Liverpool and Birkenhead Unofficial Port Workers' Committee to enlist the support of dockers around the country, particularly in London, met with little success and there were clear signs of the strike collapsing. It is, thus, surprising, in view of the tactical astuteness displayed by the government during previous disputes, that at this stage of the strike four London and three Liverpool dockers were arrested on a raid on an East End pub on 8 February and charged with conspiracy to organise an illegal strike. The arrest has been described graphically by Jack Dash:

On Friday evening, the leaders of the Portworkers Committee were at a meeting in the White Hart pub, at the Stepney end of the Rotherhithe tunnel. They were deliberating how to extend the stoppage. While they were talking the door burst open, and a group of men walked in.

'What Port are you from?'

Of course, they weren't dockers, but plain-clothes men. The Committee were all arrested and put on trial for organising a strike. 134.

The sequence of events leading up to the decision to prosecute has aroused some controversy. Bessie Braddock in 1963 claimed that during the strike she had approached Nye Bevan, the new Minister of Labour, and advised him 'that if he left well alone the thing would quietly fold up, but arrests would inflame all dockland', and that Bevan had concurred in
this view. On hearing of the arrests she paid Bevan a second visit, who informed her that a Cabinet Committee had been called to discuss the strike at which Sir Hartley Shawcross, against his advice, had demanded that arrests be made. She thus approached Shawcross who allegedly told her that the arrests had, in fact, taken place after Bevan had told him 'the strikers are on their knees, now is the time to strike them'. Michael Foot, in his biography of Bevan, dismissed Bessie Braddock's account of the incident and put it down to the personal antipathy felt between the two MP's.

With the availability of Cabinet and ministerial papers, a re-assessment of this incident can now be made. The decision to prosecute was quite clearly taken at a meeting of the Emergencies Committee of Ministers on 7 February. At this meeting Shawcross, in fact, told the ministers present that, in view of the improvement in the position on the docks, he favoured holding his hand with regard to launching criminal proceedings and Bevan agreed arguing that, as the strike was against a failure to accept an increase in wages, which could not succeed, it would be a mistake to introduce an emotional issue into it. It was Hector McNeil, Secretary of State for Scotland, as Foot rightly points out, who took the opposite view, claiming that 'this was the moment to attack, the inciters were on their knees and should be knocked out; the tide was flowing our way at the moment and we should take it; it was impossible to make martyrs out of men who had made themselves fools.' Whether by design or by accident these remarks had been attributed in Mrs. Braddocks's account to Bevan. Chuter Ede, the Home Secretary, agreed that the prosecution should take
Place at once. Barnes concurred with this view and Robens did not dissent and so Shawcross, having regard to the general feeling of the Committee, decided to prosecute the following day, 8 February. After the EC meeting Shawcross wrote to Attlee informing him of the position. The letter to the Prime Minister stated, specifically, that the men were to be arrested the following day. Constitutionally, the ultimate decision on whether or not to press criminal charges, in any given situation, rested with the Attorney-General. The role of his Cabinet colleagues was confined 'to informing him of particular considerations which might affect his own decision,' and did not consist 'in telling him what that decision ought to be'. Shawcross, himself, had argued this point forcefully in Cabinet at the time of the prosecution of the gas workers and this view he now re-affirmed. The point of contention, therefore, is not whether Shawcross undertook the prosecutions but whether Bevan supported the action taken. On 9 February Bevan wrote to Shawcross criticising the prosecutions. 'As you know', he said, 'it has been my view all along that prosecution is not the right way to handle these strikes......' and he added that the Prime Minister had also judged the prosecutions to be inopportune. That same day Shawcross wrote to Attlee accepting full responsibility for the prosecutions but refuting Bevan's claim that he had been set against them from the start. He had met Bevan, he said, in the Lobby of the Commons on the evening of the arrests and had gathered from him that he fully accepted the decision. What was said in this chance meeting is not known. One account suggests
that Bevan, on hearing that the warrants had been issued, told Shawcross 'not to worry, .....he was not in the least concerned'. Furthermore, in Cabinet on 12 February it is alleged that Bevan agreed with Attlee that the men would have to have been prosecuted sooner or later.141. This account, however, is by no means conclusive. For one thing, it clearly contradicts the opposition Bevan had registered in the Cabinet committee meeting to prosecutions being launched. The matter did not end here. At a meeting of the PLP, several days later, the question of the prosecutions was raised and criticism was levelled at the Attorney-General. Morrison explained that Shawcross had consulted the ministers concerned and secured their agreement. At this point, Bevan jumped up and protested vigorously. Hugh Gaitskell takes up the story in his diary:

The Party, of course, saw his behaviour and the whole thing must have created a most powerful impression. Whether people thought that Herbert was lying and that Nye was protesting about this, or whether they thought that Nye had been caught out and his stories going round the Party about his non-concurrence had been shown to be untrue, I do not know. 142.

One final point. In an interview with the author Lord Shawcross reiterated the view that, although it was his decision to prosecute, Bevan had concurred with the decision. He could remember, clearly, Bevan uttering the lines 'the strikers are on their knees etc'.143. - So much for the reliability of oral history. Bevan, who had replaced Isaacs at the Ministry of Labour in January 1951, resigned from the government, after only three months in his new post, over the 'teeth and spectacles' row in April. He had not wanted the
post. Dalton recalls how he had at first 'turned up his nose at it', and Jennie Lee insists that Bevan had wanted to go to the Foreign Office.¹⁴⁴

One thing is clear. The decision to prosecute was tactically disastrous. All attempts to bring the London dockers out in sympathy with those on Merseyside, prior to 8 February, had failed. On the day of the arrest, however, some 2,500 dockers in London struck work in protest and by Saturday 10 February nearly 8,500 men were out. The Times reported that on the day the men were charged about 500 dockers marched to the court from Victoria Park. About 50 were admitted. The others waited in the rain for nearly two hours until the proceedings ended. They continually sang 'Land of Hope and Glory'.¹⁴⁵ In Scotland, where the situation had been quiet, union leaders protested to the regional department of the Ministry of Labour that the arrests might make it impossible to keep the men at work. Their fear was well founded. On 19 February over 2,000 dockers struck work in Glasgow.¹⁴⁶ Although there was a return to work in London and Manchester from the 12th (the Merseyside dockers stayed out until 21 February), a one day stoppage took place on 20 February, the day the arrested dockers appeared in court, with 11,000 men stopping work in London and a total stoppage in the Manchester docks. When the seven appeared at the Old Bailey in April daily sympathy strikes and marches took place on each of the nine days of the hearing.¹⁴⁷ The prosecution of the dockers was seen as 'a new sort of Tolpuddle'.¹⁴⁸ A defence of the seven campaign was set up to secure legal defence for the dockers and to help secure the abolition of 1305. The Defence of the
dockers was placed in the hands of the Labour MP, Sydney Silverman. The government by its action had transformed the dispute from a wages struggle into a struggle for the abolition of Order 1305. In the works of Jack Dash, the rank and file leader of the London dockers:

One day there were 400 men out on strike; the other men were unwilling to join in because they did not see eye to eye about a claim, and there was no chance of extending the strike. The next day, on an issue of principle, the arrest of the seven committee men, the whole of dockland was out....The slogan was "When they're in the dock, we're out of the docks." Every time the seven appeared at the Old Bailey, we struck. And they had to acquit them. Because these seven men had the courage to face 5 years' jail, the legislation which had been in force for eleven years was removed. 149.

The tactical problems of invoking the criminal law against those engaged in strike action, had, again, been all too clearly revealed. Brendan Bracken, writing to his close friend Lord Beaverbrook on 14 February, commented:

I had a talk with that eminent lawyer the other night and he told me that there never was such drudgery as politics. He declares that he had no private life and wonders how civilised men can stay in office. He may of course, be forced to change his mind, for his decision to arrest some of the dockers' leaders has led these gentlemen to declare that he is much better in causing labour unrest than they could ever be. 150.

Hugh Dalton was equally critical of Shawcross. In his diary, for April 1951, he wrote that 'He is no socialist' and has 'no political sense'. 151.
In addition to the strategic blunder the government, in its haste to prosecute, overlooked the possible legal complications. The jury, uncertain as to whether or not the dispute was a trade dispute and, thereby, prohibited by Order 1305, returned a confused and contradictory verdict which left the Attorney-General with no alternative but to drop the proceedings.152. The dockers were discharged on 19 April. Lord Shawcross, in conversation with the author, however, has provided a more controversial reason for the government's ignominious defeat. 'We were convinced that we had lost the case because there were communists on the Jury', he explained, 'and an investigation afterwards by the police into the composition of the Jury proved that we had been correct'.153.

The prosecutions, inevitably, interrupted the discussions which had been taking place, through the JCC, on the modification of Order 1305. Shawcross was of the opinion that 'it would be most prejudicial to the prosecution of the seven men .... if any steps were taken during the continuance of that case to alter Order 1305 so as to make strikes no longer illegal'.154. With the collapse of the proceedings discussions were resumed and it immediately became apparent that the trade union representatives on the Committee would now be unwilling to accept even modified penal sanctions against strike action in a revised Order. Alfred Robens, the new Minister of Labour, informed Frank Soskice, the new Attorney-General:

It has become quite clear in the course of the discussions, that there can be no question of retaining, with agreement,
the penal clauses in any shape or form. The TUC are unalterably opposed to them, the employers, while at first a little reluctant to see them go, are not now pressing for their retention, and I myself have come to the conclusion that we shall be much better without them. 155.

Yet even at this late stage some ministers were reluctant to see the penal sanctions removed completely. Soskice replied to Robens, suggesting that 'the question should perhaps be given a little more thought of retaining some modified penalty form....' But the prosecutions had ruled out the possibility that the trade unions would voluntarily agree to the continuation of restrictions on the right to strike. Opposition to 1305 had increased dramatically with the prosecution of the dockers. Many resolutions from trade unions and from CLP's were passed calling for its removal. For example, Streatham CLP passed a resolution in April 1951, which stated that:

This Party affirms that (this law) is a negation of socialist principles, and a bar to the 'Rights of Man'. Accordingly, the government is called upon to take immediate steps for the repeal of (this) law. 157.

In June 1951 the Scottish TUC passed a resolution, against the platform, demanding the revocation of 1305. Similarly, an emergency resolution demanding its withdrawal was passed at the ILP conference in Blackpool. 158. The trade union representatives on the JCC, however, were naturally anxious to retain Section III of 1305 requiring employers to observe recognised terms and conditions of employment. The British Employers Confederation, on the other hand, which was not keen to see 1305 go, and in particular disliked the lifting
of the prohibition on strikes and lock-outs, made it clear that it would only accept the continuation of compulsory arbitration on the understanding that there would no longer be an automatic extension of voluntary agreements to all other employers. The government, for its part, was determined to repeal Order 1305 and informed the General Council of the TUC that if agreement could not be reached on the form of the new Order then it would be necessary to withdraw the old Order and put nothing in its place. Faced with the alternative of outright repeal or the retention of a modified Order, minus the ban on strikes but, without, also, the Section most beneficial to the trade union movement, the General Council reluctantly chose the latter and agreed to the introduction of the new Order. Clearly, it saw advantages in the retention of compulsory arbitration.

The new order, Order 1376, retained compulsory arbitration; the NAT was replaced by a new Industrial Disputes Tribunal whose awards, like its predecessor, were binding upon the parties in dispute. The penal prohibition on strikes and on lock-outs, however, was removed. There were other major differences between the two orders. The power to report a dispute to the Minister of Labour was now confined to unions, employers' associations and individual employers. Break-away unions and unofficial elements were, thereby, excluded from the provisions of the Order. This was intended to strengthen official union organisation against unofficial bodies which had gained in influence during the post-war years. The former direct obligation on employers to observe recognised terms and conditions of employment was removed, though an issue as
to whether a particular employer was observing recognised terms and conditions could, under the new Order, be reported to the Minister of Labour for determining by the Tribunal. Also under the new Order the minister was not obliged to refer a dispute to the Tribunal if it appeared to him that either party was taking coercive action resulting in a stoppage of work or in a substantial breach of agreement between the parties. Finally, the Industrial Disputes Tribunal, unlike the NAT, was confined to questions arising from the terms of employment. All disputes connected with trade union recognition or with the closed shop were excluded from its terms of reference. 160.

In Parliament Rab Butler expressed the support of the Opposition for the revised Order. There was no criticism of the removal of the prohibition on strikes and lock-outs. Trade union support, however, was not unanimous. The ETU was critical of the new order, as was the NUR, which at the 1951 TUC Congress moved the reference back of that section of the General Council's report on the grounds that it continued with compulsory arbitration. 161.

In July 1951 Frank Soskice argued that 'in general it is doubtful whether the criminal law can ever be an effective weapon to restrain strikes', 162 thus echoing the words of the previous Attorney-General, Sir Hartley Shawcross in 1946. It had taken six years and two unsuccessful prosecutions for the Labour government to take heed of this lesson, during which time much bitterness had been aroused within the Labour movement. The government's attempt to legislate against industrial unrest
did not break new ground. Neither did the evident lack of success deter future administrations from adopting a similar course. In June 1955 Sir Walter Monkton announced in the House of Commons, following a national rail strike, that he was giving serious consideration to the introduction of strike ballots or, alternatively, to the outlawing of unofficial strikes. This was an issue with governments in the 1960's and 1970's; and the debate as to the wisdom of such measures is still with us today.
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5. Ibid., Col. 301.

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8. D.N. Pritt MP to W.T. Proctor MP, 28 January 1946; Papers of D.N. Pritt, BLPES.


13. Papers of Ernest Bevin, Churchill College Cambridge; Bevin Papers 2/3.


15. J.C.C., 57 Meeting, 14 December 1945; LAB 10/581.


17. V. Tewson to Gould at the Ministry of Labour, 29 January 1946; LAB 10/581.


23. On prosecutions during the War see V. Allen, Trade Unions and the Government (1960), pp.133-44, and H.N.D. Parker, Manpower History of the Second World War (1957), Ch. XXV.
27. Gaitskell to Isaacs, 15 August 1949; LAB 10/678.
28. Note by Isaacs, August 1949; LAB 10/678.
29. Langham to Shawcross, 23 June 1948; LAB 16/201.
30. Shawcross to Langham, 24 June 1948; LAB 10/783.
31. Emergencies Committee of Ministers, 6 May 1949; LAB 16/201.
32. Ede to Attlee, 5 July 1949; PREM 8/1081.
33. F. Soskice (For Shawcross) to Morrison; CAB 124/1196.
34. Papers of Lord Stowhill, House of Lords Record Office; Shaw/1-30.
35. Cabinet 27(49), 13 April 1949.
36. LAB 16/201.
38. Memorandum by Shawcross, 26 September 1950; CAB 130/63.
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42. Cabinet 21(49), 21 March 1949. Isaacs to Attlee, 28 March 1949; PREM 8/1082.
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47. Cabinet 22(50), 20 April 1950. Emergencies Committee of Ministers, 20 April 1950; CAB 134/177.


49. Western Mail and South Wales News, 13 June 1951, p.3.

50. Cabinet 72(49), 15 December 1949.


52. LAB 16/201.


59. The Times, 12 December 1949, p.2.


63. Cabinet 48(50), 20 July 1950.

64. Cabinet 50(50), 25 July 1950.


66. Cabinet 50(50), 25 July 1950. Also Memorandum by Ede, C.P. (50)183, covering draft of the Bill.

67. See GEN 331/1st Meeting, 27 July 1950; GEN 331/2nd Meeting, 31 July 1950; CAB 130/63.


69. The Times, 19 September 1950.

70. Cabinet 60(50), 18 September 1950 and Memorandum by Ede, C.P. (50)206.
71. Cabinet 76(50), 20 November 1950.
72. Memorandum by Shawcross, 26 September 1950, GEN 331/2; CAB 130/63.
73. Western Mail and South Wales News, 2 October 1950, p.2; Tribune, 22 September 1950, p.4; The Times, 28 September 1950, p.5.
74. GEN 331/3rd Meeting, 27 September 1950; CAB 130/63. Also Cabinet 64(50), 16 October 1950.
75. F. Soskice to Morrison, 15 September 1950; CAB 124/1196.
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84. Morrison to Attlee, 4 November 1950; CAB 124/196.
87. Meeting between Ministers and representatives of TUC General Council, 22 November 1950; LAB 43/152.
88. Cabinet 61(50), 20 September 1950.
89. Emergencies Committee of Ministers, 27 September 1950; CAB 134/177; Cabinet 62(50), 28 September 1950.
90. Note on civil proceedings against strikers by H.W. Huxham, 6 October 1950; LAB 10/998.


95. Memorandum by Shawcross, C.P. (50)224, submitted to Cabinet 64(50), 16 October 1950.

96. Note of meeting convened by Shawcross, 6 October 1950; LAB 10/998.


98. Memorandum by Shawcross, C.P. (50)305, 8 December 1950.


100. M.T. 9/4835.

101. Shawcross to Isaacs, 4 September 1950; LAB 10/992.

102. London Society of Compositors to Isaacs, 27 October 1950; LAB 10/992.


104. In 1945, 1947 and 1949 motions seeking the repeal of 1305 were withdrawn at the request of the General Council.

105. There was, of course, some criticism before October 1950 of the prohibition of strikes. e.g. TUC Annual Congress Report, 1948, p.435. Also at Labour Party Annual Conference 1947 a resolution was put by Wansbeck DLP demanding that the sanctions of the National Arbitration Order, which deprive the workers of the right to strike, be repealed without delay.

106. TUC Annual Congress Report, 1949, p.381.


110. New Statesman and Nation, 4 October 1947, p.262.

111. Cabinet 87(47), 13 November 1947.
114. See C.J. Wrigley, David Lloyd George and the British Labour Movement (1976), p.149 and more generally Chapter 5.
116. New Statesman and Nation, 7 January 1950, p.3; The Economist, 4 November 1950.
For a similar point of view see C.H. Norman, The British Worker in Retreat 1938-52 (1952), p.5.
117. O. Kahn-Freund in Socialist Commentary, April 1951, pp.76-88.
119. Ibid., pp.479-485.
120. TUC Annual Congress Report 1948, p.435.
124. Draft memorandum by Isaacs, no date, possibly December 1950; LAB 10/1006.
125. Memorandum by Shawcross, C.P. (51)9, 11 January 1951.
126. LAB 10/980.
127. Court decision on 4 April 1951; LAB 10/980.
128. PREM 8/1533; Cabinet 1(51), 2 January 1951.
130. Cabinet 19(51), 12 March 1951.
131. Cabinet 84(50), 11 December 1950; Memorandum by Isaacs, C.P. (51)8, 10 January 1951.
133. Minutes of JCC, 24 January 1951; LAB 10/1006.


137. Emergencies Committee of Ministers, 7 February 1951; CAB 134/177.


139. Bevan to Shawcross, 9 February 1951; PREM 8/1536.

140. Shawcross to Attlee, 9 February 1951; PREM 8/1536.

141. Memorandum on the events leading up to the prosecution of the dockers, prepared by the Lord President's Secretariat, 14 February 1951; CAB 124/1195. Cabinet minutes of 12 February shed no light on the incident.


The PLP Minutes shed no light on this incident.

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146. Note by R.I.R.O. Scotland to HQ, 10 February 1951; LAB 10/1019.


150. Papers of Lord Beaverbrook, House of Lords Record Office; BBK C/57.

151. Dalton Diaries, Volume 4, 30 May 1951, BLPES.


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154. LAB 16/276.

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159. For General Council's views on what the new Order should contain, see National Council of Labour 5, 24 April 1951. Also TUC Annual Congress Report, 1951, p.233. Robens to Tewson 12 July 1951, LAB 10/1006.

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160. For a comparison between the New Industrial Disputes Order and 1305 see O. Kahn-Freund, "Order 1376", Socialist Commentary, September 1951, p.209.


3. The Struggle for Control of the Air-Waves: The Government, the BBC and Industrial Unrest

The Labour governments, in dealing with unofficial strikes after the war, followed the ways of their predecessors. They set up an emergencies organisation, from which the deployment of service and volunteer labour and the drafting of emergency contingency plans was coordinated. As with previous administrations, however, (and those since 1951) the Labour governments did not rely exclusively on such direct methods of strike-breaking.

K.C.J.C. Knowles, in his classic study on the nature and the causes of industrial unrest in Britain in the first half of the Twentieth century, outlined some of the less overt ways by which successive governments attempted to bring pressure to bear upon those on strike. He pointed, firstly, to the use by governments of the mass media to bring to the attention of the public, during periods of severe industrial unrest, the needs of the nation and to stress the selfish or subversive nature of the strikers' action. He also drew attention to the attempts which have been made to bring financial pressure to bear upon those on strike, largely through the withholding of unemployment insurance and public assistance. My aim in the following two chapters is to examine the extent to which these measures were adopted by the Attlee administrations in their battle against unofficial strikes after the war.

There can be little doubt that public opinion has an important bearing upon the outcome of strikes. Harold Laski, for instance, wrote that strikes will 'almost invariably fail
when moral or financial support is withheld from the strikers by the public, while demands which the community as a whole believe to be justified are not generally resisted to the bitter end. Successive governments have, thus, attempted to influence public opinion against those on strike by utilising the most important channels of mass communication, namely the wireless and, increasingly after 1950, the television. During the General Strike of 1926 Baldwin used the BBC to good effect to put across the government's case, so much so that one journal went so far as attributing the failure of the strike to the power of the radio. 'Thanks to the existence of the BBC', the Saturday Review concluded, 'the Government never really lost touch with the nation'. Similarly, on the occasion of most major disputes between 1945-51 the Labour governments used the radio to broadcast an appeal to the men to return to work and to explain to the public the 'true' facts of the strike. The relative success of these broadcasts in bringing about a swift resumption of work will be discussed below.

The importance which the Attlee administrations placed on the role of broadcasting during periods of industrial unrest can be gauged by the existence, within the Emergencies Organisation, of a separate sub-committee to deal with publicity, along the lines of the pre-war STO, which was charged with the responsibility of drawing up plans for maintaining a skeleton service during civil emergencies. Such plans were drawn up in December 1950. The maintenance of a skeleton broadcasting service was not, in fact, seen as a serious problem as most important installations of the BBC were equipped with emergency power plant. The major problem was seen to be that during a power strike the public
reception of the service would be seriously curtailed and plans were, therefore, drawn up for the public transmission of news and government statements 'either by means of loudspeakers installed in the streets at central points, or by mobile loudspeaker sets'. However, the maintenance of a skeleton broadcasting service during a civil emergency was not, in itself, deemed sufficient. It was also seen as essential that the BBC broadcast in the 'national interest' and attempts were thus made by Labour to influence and control the Corporation's coverage of industrial disputes.

The Attlee Governments of 1945-51 accepted in principle an independent BBC free from government control. Herbert Morrison, who as Lord President was answerable in Parliament for broadcasting, assured Members in December 1946, during a debate on the renewal of the Charter and Licence, that the Government intended to '.....preserve the independent status of the BBC.....'.* It would, he said, 'be bad for the liberty of our country if the Government had the direct day-to-day management of the BBC'.5 Similarly, Attlee told Parliament that 'The extent to which controversial matters and minority opinions be given a place in the BBC's programmes is a matter which in the past has been left, with the approval of this House, to the discretion of the Governors. I see no reason to depart from this policy.'6 Lord Simon, Chairman of the Corporation from 1947-52, was of the opinion

* The Corporation's Charter and Licence was due to expire at the end of 1946. In July 1946 the government published a White Paper on Broadcasting which proposed that the Charter and Licence be renewed and the controls retained. The BBC's monopoly was also to continue.
that the Labour governments did give 'steady support to the independence of the B3C'. The evidence, however, suggests otherwise. Over the coverage of industrial disputes the governments attempted to exert an influence on BBC broadcasting policy that must place a question mark over their commitment to leave the day-to-day running of the BBC in the hands of the Corporation itself. These attempts were informal rather than formal. The governments chose not to utilise the powers of direction laid down in the Charter and Licence. Instead, during a number of major disputes representations were made to top officials at the BBC to keep unofficial strikers off the air and to allow leading trade union figures, opponents of the strikes, to broadcast appeals for a return to work without any right to reply from those on strike. Attempts were also made to persuade the BBC to 'structure' the news bulletins in such a way as to encourage a swift resumption of work. These attempts, on the whole, met with little success. The BBC, led by the fiercely independent Director-General, Sir William Haley, repelled attempts by the government to influence broadcasting policy. Paradoxically, therefore, the BBC so often accused by the British Left of an anti-Labour bias, acted in this instance in support of minority interests and the right of unofficial strikers to equal treatment, against a powerful Labour government anxious to restrict access to the air-waves to 'legitimate' trade union representation.

The Second World War had given rise to state intervention in all aspects of national life and the BBC was
no exception. Both at home and in its overseas broadcasts the Corporation was subject to strict government controls, though from 1943 these controls were slackened to some extent. In the coverage of industrial disputes government influence was very much in evidence. For the first four years of the war the BBC steered clear of strikes. In November 1943 the Chief Industrial Commissioner of the Ministry of Labour, Harold Emmerson, approached the Corporation with the request that better treatment of strikes should be given in future. It had been brought to the government’s attention that the BBC news bulletins were quoted more often by factory workers and were, therefore, a more important purveyor of news than the papers. Informal guidelines were issued to the BBC. ’The strike’, Emmerson explained, ’should be put in its proper context, the issues should be outlined clearly, the scope of the stoppage should be brought out and the usual newspaper ’flan’ should be eschewed.’ To ensure close consultation between the government and the BBC, the Industrial Relations Department of the Ministry of Labour was placed at the disposal of the Corporation to provide ’unlimited help’ on the strike situation.

With the end of the war senior officials at the BBC emphasised the need to free the Corporation from wartime restrictions and controls. Formal control was removed in 1946 with the dissolution of the Ministry of Information. Nevertheless, it was the opinion of one BBC official at least, that state control remained strong throughout the post-war years. In 1951 he could write that the BBC 'by a
process of inevitable development, is now in the position of a quasi-governmental institution which is steadily approaching in outlook, in organisation and in ultimate control the position of an ordinary government department.¹³.

It is my contention that this analysis is, at least in part, incorrect. Certainly 'ultimate control' remained in the hands of the government: Under Clause 4 (3) and (4) of the Licence and Agreement, under which the BBC operated, the Corporation was required to broadcast any announcement or to refrain from sending any broadcast material which the Post-Master General by notice might require. As a last resort Clause 21 of the Licence empowered the Post-Master General, in an emergency, to take over the running of the Corporation's premises and stations. Government control over all material broadcast by the BBC was, thus, in theory absolute. In practice, however, successive governments had steered clear of invoking such direct powers of control, even in times of civil emergency, and the Attlee administrations were to prove no exception. The Emergency Regulations introduced in 1948 and 1949, as in 1926, did not deal specifically with the BBC. Although state control over some aspects of broadcasting policy, in particular international affairs, remained important, in the treatment of industrial disputes the BBC revealed a marked degree of independence which on occasions brought it into open conflict with the Labour governments.

Labour's attempts to influence the coverage of industrial disputes took a variety of forms. In the first instance it was held essential that in the news bulletins
the 'facts' of the strikes be presented in a manner most likely to bring about a return to work. Of course, as Herbert Morrison admitted to Sir William Haley, the BBC could not suppress news. But often the presentation of news was all important.\textsuperscript{14} In December 1945 an official from the Ministry of Labour accused the BBC of behaving 'rather like the popular and less responsible papers' in emphasising in the news headlines the rejection by the Central London Strike Committee of the Evershed Committee's report on the port transport industry, rather than giving prominence to the fact that union officials were to recommend its acceptance.\textsuperscript{15} In June 1948 criticism was levelled against the BBC for reporting in the News the numbers of dockers on strike rather than placing the emphasis on those who had refused to stop work. Similarly, in February 1951 Cabinet heard a complaint 'that the BBC in its news bulletins had tended to exaggerate the extent of the dock strike and had failed to draw attention to the numbers of men who had remained at work'.\textsuperscript{16}

The Government was also anxious that the fullest possible coverage be given to ministerial statements on strikes. In May 1947 Isaacs, speaking in St. Albans, charged the BBC with deleting 'the most important part' of his recent broadcast statement, thereby delaying settlement of the dispute by several days. In subsequent correspondence with the Director-General Isaacs stressed 'the immense importance of the BBC', in any emergency affecting the welfare of the community, in bringing before the public 'the salient facts

184
on the authority of the Government'. There could have been no clearer statement of the importance the government attached to a sympathetic broadcasting service in helping to defeat unofficial strikes.

The presentation of news by the BBC, however, was governed by strict guidelines. The Beveridge Committee of 1949-51, set up to look into the future of broadcasting, was told that the role of the Corporation was to state the news of the day accurately, fairly, soberly and impersonally, and a memorandum setting out the Corporation's policy on the treatment of strikes, stressed that it should not withhold news about an industrial dispute merely because it might be of inconvenience to the government. From these guidelines the BBC was not willing to depart. Although the BBC, Haley told Isaacs in May 1947, was always willing to give careful attention to the views of the Ministry of Labour, 'the full responsibility for the contents of the bulletins', he stressed, 'must remain with the Corporation'. Even so, as Kenneth Morgan has pointed out, many news headlines were slanted in an anti-Labour direction.

It was not simply in the presentation of news that the government sought to influence the BBC in its coverage of strikes. On several occasions representations were made to the BBC to secure broadcasting facilities for union leaders to appeal for a return to work, without a right of reply for the men on strike. These demands were resisted by the Corporation.

During the dock strike in the Autumn of 1945 controversy broke out around the refusal by the BBC to allow
Mr. Donovan, Secretary of the dockers section of the TG\U, to broadcast an appeal to return to work. The government immediately intervened. At 8.00 p.m. on 12 October Attlee contacted Haley on the telephone and requested that in the national interest Donovan be put on. Although he hadn't seen the message himself, Attlee said he understood it was purely factual and entirely non-controversial and would help bring about an end to the strike. Haley disagreed. The purpose of the broadcast, he argued, would clearly be to influence the strike 'and however wrong the strike might be it would be wrong of the BBC to take sides in it'. If the strikers leaders wished to reply to Mr. Donovan the BBC, 'under its trust of impartiality, would be bound to allow one of them to broadcast'. The BBC, he said, would of course report any statement by Donovan in the news, but this was a very different matter from a broadcast by him in person. For Haley the situation was comparable to the General Strike when the BBC had 'allowed itself to be used by the Government, a course for which it had been strongly criticised in later years'. He was clearly determined that this should not happen again.

In May 1926 John Reith, General Manager of the BBC, had refused to allow the leader of the Opposition, Ramsay Macdonald, to broadcast during the strike, whilst access to the air-waves had been freely granted to the Prime Minister, Stanley Baldwin. For Attlee, the General Strike was a different matter entirely. The present dispute was unofficial and in his opinion the strikers leaders were only 'odds and ends'. Haley however was insistent that the Corporation's independence and
impartiality should not be compromised. He had determined, he told the Prime Minister, on becoming Director-General, to 'remove from no body of citizens, not even strikers, the right to impartial treatment by the BBC.' Attlee was forced to back down and the statement by Donovan was subsequently reported in the News. The Director-General's stand was later fully endorsed by the Board of Governors.

In June 1948 the BBC again fell foul of the government over the refusal to allow Arthur Deakin, General Secretary of the TGWU, to broadcast, without the right of reply, on the situation in the London docks. The Labour government, as in October 1945, intervened directly to try to persuade the BBC to reverse its decision. Once again the Corporation held firm. On 25 June 1948 Morrison met Haley and impressed on him the importance of bringing the strike to a swift conclusion. The government feared, he argued, that in addition to the damage being inflicted upon the nation's economic recovery, a prolongation of the dispute might lead to a wave of unofficial, politically fomented strikes as had recently occurred in France. It was therefore deemed vital that Deakin be allowed to broadcast an appeal to return to work. 'There should, of course', Morrison stressed, 'be no right of reply from the other side'. Haley reiterated the view that to allow only one side in the dispute to speak would involve the BBC's impartiality but said that the same objection would not be raised to a ministerial broadcast as the government of the day had a clear duty to carry on the affairs of the nation. The Cabinet, however, had already rejected this
course on the grounds that only a broadcast from a union leader could re-establish the authority of the TGWU, and Morrison now made it clear that the government might invoke the powers contained in the Charter and Licence and instruct the BBC to put Deakin on the air. The government had clearly misunderstood the clause of the Licence and Agreement covering the powers of direction, which whilst carrying an obligation on the BBC to broadcast any material handed to it, specifically refrained from requiring the BBC to direct a particular person to broadcast. Moreover, the BBC retained the right to announce that any particular broadcast had gone out under instruction from the government. The revelation that the BBC had been directed to allow Deakin to broadcast an appeal to return to work would have greatly embarrassed Labour which throughout the dispute had stressed its unwillingness to become involved.

On the same day the Board of Governors met and reaffirmed the position taken by Haley. On 28 June he informed Morrison that the BBC, whilst not prepared to put Deakin on the air, would 'provide immediate facilities' for a ministerial broadcast. At 9.00 p.m. the Prime Minister broadcast an appeal to the dockers to return to work. It was a great success, the dockers returning to work within forty-eight hours.

In his broadcast Attlee stressed the importance of the British system of collective bargaining, 'which is without parallel in the world', in maintaining industrial peace, and the damage that would be caused to this system if the government
ever agreed to deal with unofficial elements. The government did, however, he said, have a duty to the public. The present dispute not only threatened to deprive the public of essential services but was inflicting severe damage on the nations recovery. For these reasons the government had deemed it necessary to proclaim a state of emergency. Attlee then turned his attention to the past horrors of casual labour and issued a veiled threat to the dockers on strike. The huge gains made by the dock workers under the Labour government, he demanded, required a measure of responsibility and discipline in return. The broadcast ended with an attack on the part played by communists in fomenting the trouble.

The newspapers praised the broadcast for 'its simplicity and directness, a masterpiece of composition'. One Labour backbencher congratulated Attlee on a speech which 'was urgent and moving, .... so human and full of commonsense. It was absolutely right'. Attlee, not renowned for his rhetorical skills, had by all accounts scored a notable success. It was later divulged, however, that the speech had been drafted by Ernest Bevin. The success of the broadcast convinced the government of the importance of the wireless in helping to bring disputes to a swift and satisfactory conclusion. But to achieve this end it was deemed essential that the right of reply be withheld from unofficial strikers. In April 1949 following a broadcast by Isaacs in which he referred to the dock dispute taking place 'as an excuse for reckless action, intended to cause trouble and to upset the economic life of our country', this issue came to a head.
Sir William Haley informed the government that the BSC was prepared to consider any requests from the 'other side' for the right of reply. The government's response was to again threaten to invoke the powers of censorship contained in the Licence and Agreement. The right of reply it was claimed had been forfeited because the strike was illegal. However, no request for a reply was made and the matter was quietly dropped.29.

In June 1949 the Minister of Labour once again broadcast to the nation on the occasion of a dock strike. Again it appeared to do the trick. By what Jeffery and Hennessy have termed 'The magic of the wireless', the men returned to work.30. Inevitably, calls were made for the government to make greater use of the wireless during industrial disputes. In July 1949 when trouble broke out in the London docks, W.J. Brown demanded in the House that use be made of all the resources available, in particular the BBC, 'to a very much greater extent than has been done so far to get the facts of this case over to the men'.31.

Isaacs did broadcast again on 13 July. This time it had little perceptible influence and the dockers remained out. Perhaps, as Major Robert Neville informed Attlee, after talking to strikers whilst reviewing the work of his troops in the docks, the men now wanted to hear the government's argument on the spot. 'They do not regard the less direct medium of a broadcast', he said, 'as meeting the case any longer.'32.
Not only was Labour anxious to deny unofficial strikers the opportunity to reply to ministerial broadcasts or broadcasts from trade union officials, it was determined to keep them off the air altogether. At the beginning of May 1949, with the outbreak of trouble in the Bristol docks in support of the Canadian Seamen's Union, BBC West Region planned a programme of recorded statements with the aid of the TGWU, the Port Authority and the Port Employers Association, under the title of the 'Gulfside Incident', designed to help explain the dispute to the public. From the first it was intended to include the voice of one of the dockers on strike. The programme was due to go out at 9.15 p.m. on 5 May. On the afternoon of the 5th a representation from the National Dock Labour Board was made to the government to persuade the BBC to cancel the programme. That evening the Prime Minister contacted Sir William Haley. The proposed broadcast, Attlee argued, was 'inflammatory' and might well inflame feelings at a delicate stage of the dispute. Moreover, the strike was illegal under 1305 and the BBC should be wary about giving the microphone to a person who was committing an illegal act. Haley informed the Prime Minister that the broadcast had already been cancelled by West Region as a result of difficulties raised by the local Dock Labour Board. This was the first time the BBC had bowed to outside pressure. Interestingly in Cabinet on 26 May it was agreed that the Minister of Labour should arrange for a broadcast to be made on the West Regional programme, explaining the 'true' facts and significance of the dock strike, with particular emphasis on communist involvement. The unofficial strikers of course were to take no part in the programme.
The question of whether the BBC was open to prosecution for supporting or inciting an illegal strike was raised in the aftermath of this incident. The Corporation's legal advisers confirmed that it would in fact be committing an offence if it allowed a broadcast which, either expressly or by implication, incited employees to take part in an illegal strike. Haley remained sceptical. 'I still do not believe any government would dare to prosecute a newspaper which ran an article by a striker on "why we have stopped work"', he wrote on 23 May. 'If however the newspaper went on to appeal to other workers to do the same thing that would be another matter.' There was no reason, he believed, why the BBC should be treated any differently.

The Controller of West Region stressed the serious consequence of this legal judgement for the BBC's position of independence. 'We strain every nerve to give facilities to all parties', he wrote, 'but if it is a criminal offence to give facilities to strikers, we are cut off from an essential element in impartiality'. The threat of legal action inevitably made the BBC less willing to risk open confrontation with the government. Regional Controllers were notified that in future they would be required to consult with Head Office in advance of any broadcast on industrial disputes. Legal sanctions, moreover, were not confined to the criminal law. In October 1951 the BBC was advised that even with the repeal of 1305, which removed the threat of criminal prosecution, the Corporation was still vulnerable to civil proceedings for damages at the suit of the employer if it allowed a broadcast which invited employees to break their contract of employment. Excessive
caution in the broadcasting of controversial matters was the result of such legal strictures, though this did not always take the form the government desired. In February 1951, for example, the Cabinet heard of the failure of the BBC to publish certain parts of a speech made by the Attorney-General at Buckingham, in which he claimed that the arrested men were not dockers on strike but agitators. It was suggested that this might in some measure be due to bias shown by the press agencies from which the BBC drew the news, and that it might be necessary to try to build up a direct contact between the Dock Labour Board and the BBC. It only later came to light that the BBC had steered clear of publicising the speech, whilst the seven arrested dockers were appearing in court, so as not to be held in contempt of court. 40.

The repeated failure of the government to persuade the BBC voluntarily to accept a measure of direction over the content and policy of broadcasting on strikes, inevitably led to moves to strengthen state control over the Corporation.

In December 1950 the ministerial Emergencies Committee met to discuss the question of broadcasting in a civil emergency. Much of the discussion centred around the 'technical' problems of maintaining a broadcasting service in an emergency. Consideration, however, was also given to the question of control over broadcasting. Too often in the past, ministers complained, the Corporation 'had interpreted their obligation to be neutral in political affairs as requiring them to give facilities not only to the government but to unofficial strikers'. It was essential that the government
be able to rely on the BBC to broadcast in the 'national interest'. Whilst the powers of direction could be used as a last resort much more, it was felt, would be gained by voluntary co-operation. The government, in fact, had shown a marked reluctance to invoke direct powers of control. Any attempt to direct the BBC, outside of a war-time emergency, in such a manner as to compromise its trust of political impartiality and independence, would undoubtedly have caused a major political storm. The Committee agreed that talks 'at an appropriate level' might induce the BBC 'to be more co-operative in the future'.

Officials from the Home Office met with representatives from the BBC and the GPO on 19 January 1951. The importance of keeping secret the discussions was stressed from the outset. For the government Sir Frank Newsam argued that in times of industrial unrest, 'the BBC should be ready to listen to views as to what was or was not in the national interest'. Haley disagreed. The Corporation, he said, had a duty to maintain impartiality and not to become the mouthpiece of government propaganda, and he was not prepared 'to give any blank cheque on behalf of the Governors'. A recommendation, subject to ministerial consent, that in a civil emergency an 'informal and confidential' meeting between the Director-General and the Home Office be held to bring to the BBC's attention the government's view as to where the national interest lay, was, however, accepted by Haley. Morrison later informed Newsam that whilst he did not depart from the conclusions reached at this meeting, there must be all possible discretion.
in seeking to influence the way in which the BBC handled the news. 'Care must ..... be taken', he said, 'to avoid doing anything which would be represented as government censorship of news.'

The Attlee administrations of 1945-51 saw sound broadcasting as an important addition to their strike-breaking armoury. Ministerial broadcasts were put out at times of severe industrial unrest and were structured, not only to appeal for a return to work, but also to sway public opinion against the strike, thereby undermining the likelihood of its success. Emphasis was placed on the damage being caused to the economic recovery, on the threat to essential supplies and services and to the role of communists and political subversives in fomenting the unrest. But such broadcasts in themselves were not deemed sufficient. The government was also intent on removing all dissident opinion from the air. In this it was largely unsuccessful. The BBC's refusal to compromise its political independence and impartiality in the coverage of industrial disputes must be applauded. Much of the credit for the stand taken by the Corporation must go to the Director-General, Sir William Haley. Francis Williams, public relations advisor to Attlee in 1946 and a governor of the BBC from 1951-2, was not alone in stressing the good job he did at the BBC 'especially in defence of its independence against erosion by government interference'.

We must be careful, however, not to overstate the degree of independence, nor to assume that the BBC was sympathetic to the airing of minority views. The Corporation was always likely to be sympathetic to the government's case.
'The Governors', Haley told Newsam in 1951, 'are a respectable and patriotic body, possessed of discretion', and would 'always be ready to listen to the point of view of the Government.', Ministerial statements, despite the complaints from the government, were fully covered in the news bulletins. There was certainly no desire within the BBC to allow unofficial strikers to broadcast. Thus, whilst it was felt impossible to allow only one side of a dispute to broadcast without a right of reply, the Corporation chose to withdraw access to the wireless from all rather than risk giving a 'propaganda platform' to unofficial strikers. The notion of the BBC as a forum for open and informed debate by all the participants of the dispute did not find favour with the Corporation. A memorandum prepared by the News Information section of the BBC in July 1956 on the treatment of strikes, explained that the Corporation was to endeavour at all times not to do anything that might make a settlement more difficult. Thus it was not to broadcast 'anything that might prejudice negotiations', and was to arrange elucidatory broadcasts 'only if a deadlock had been reached'. The lack of open debate on the BBC was a major failing. On the few occasions it was allowed it was roundly applauded. A broadcast in January 1947, for example, during an unofficial strike of transport workers, elicited the following response from Lady Megan Lloyd George: 'It was a discussion between a trade union official and a strike leader. It was vigorous and topical and, of course, extremely interesting.'
Those on strike, moreover, constantly accused the BBC of unfair treatment. In February 1951 at a mass meeting of striking dockers in Manchester, the men were exhorted to listen to 'Radio Athlone' to hear 'the truth which was distorted by newspapers and the BBC.'48. Broadcasting in many ways continued to be largely conformist or conservative in character. The Beveridge Inquiry in 1949-50 heard complaints by the Labour Party of a built in anti-Labour bias. 'The selection of speakers, subjects and news items', it was held, was 'too narrowly restricted'.49. The popular discussion programme 'Any Questions' set, as it was, in rural, Conservative, England with its over-representation of Tory speakers was just one programme singled out for particular criticism. At the 1946 TUC Congress a resolution reflecting this concern was moved, which called for the direct representation of particular interests upon the governing body of the BBC.50. Criticism, however, was not confined to the Left. Waldron Smithers in December 1946 opposed the granting of the Corporation's Licence on the grounds of left-wing bias and similar complaints were received by the Listeners Association.51. Perhaps the most pertinent criticism that can be levelled against the BBC was that it tended towards moderation, which 'militated against the airing of radical views either of the Left or Right. Brendan Bracken, in dismissing the charge of bias against the Corporation, asserted that 'moderation has always been the limit of the Governors of the BBC.'52. This was certainly the case in the coverage of industrial disputes.
The BBC, in the immediate post-war years, can not be seen as the mere mouthpiece of the governmental machine, at least over the coverage of industrial unrest. Nevertheless, in times of civil emergency the government of the day could certainly rely on the BBC to conduct its affairs in the 'national interest'.

Equally, the government could rely on the Press to support a firm policy against strikes and it was, therefore, seen as essential in time of civil emergency to maintain the production and the supply of daily papers. In January 1947, during a strike of road haulage workers, troops were provided to maintain the supply of newsprint at the request of the Newspaper Proprietors Association, on the grounds that 'the papers in general had supported the attitude taken by the government in dealing with the strike'. In March 1951 the publicity sub-committee of the Emergencies Organisation laid down that, in any future emergency which threatened the production of newspapers, the Board of Trade would assume the responsibility of supplying the industry with newsprint and with transport. Plans were also drawn up for the production of an official bulletin if normal services brown down completely. This news bulletin or 'broadsheet' was to consist of four pages with regional supplements and was to have an initial run of 500,000 copies, rising to two million within ten to fourteen days of the emergency. In the event these preparations were not needed which was, perhaps, just as well.
Any move by the Labour government to produce an official paper along the lines of the *British Gazette* in 1926, would have met fierce criticism from the trade unions. Nevertheless, it does illustrate once again the importance which the government placed on maintaining an effective voice during times of civil emergency.
REFERENCES

4. Emergencies Committee of Ministers, 11 December 1950; CAB 134/177.
8. Sir William Haley was Director-General of the BBC from 1944-52.

9. Similarly the Labour and Tory hierarchy put pressure on the BBC in 1950 to remove A.J.P. Taylor, Michael Foot, W.J. Brown and Robert Boothby from the hugely popular discussion programme 'In the News', on the ground that they were unrepresentative of mainstream Party opinion. The team were limited to one appearance a month. See C.J. Wrigley, *A.J.P. Taylor, A Complete Annotated Bibliography and Guide to his Historical and other Writings* (1980), pp.24-25.


11. Memorandum from George Darling, (Industrial Correspondant at the BBC) on 'News Stories about Strikes', 22 November 1943. BBC Written Archives Centre, Caversham; R34/881/2. (Future references to the BBC Archives will be referred to simply as BBC.)

12. In March 1946 the Prime Minister informed Parliament of the decision to dissolve the Ministry of Information and to replace it with a Central Office of Information, to ensure the proper integration of the information policy of various departments. Attlee gave the House an assurance 'that the independence of the BBC will be in no ways altered' under the new organisation. Hansard, Vol. 417, Cols. 916-8, 17 December 1945 and Vol. 420, Cols. 520-3, 7 March 1946.

14. Note of a meeting between the Lord President and the Director-General, 25 June 1948; BBC, R34/881/3.

15. L.H. Hornsby (Ministry of Labour) to A.P. Ryan (BBC), 12 December 1945; BBC, R28/123.

16. On the dock strike of June 1948 see BBC, R34/881/2. On February 1951 dock strike see Cabinet 13(51), 12 February 1951.


25. Text of Prime Minister's broadcast; PREM 8/1086.


27. David Graham to Attlee, 29 June 1948; Attlee Papers, Dep 71, (Bodleian Oxford).

28. Note from George Barnes (Director of Spoken Word), 22 September 1949; BBC, R34/881/3. Sir William Strang, Permanent Under Secretary of State in the Foreign Office, had informed Barnes, confidentially, in conversation on 14 September 1949 that Attlee's broadcast of 28 June 1948 had been drafted by Ernest Bevin.
29. Isaacs' broadcast on 13 April 1949 was a success; The men returned to work three days later. Helsby (Prime Minister's Office) warned Haley on 13 April 1949 that though the Government was not anxious to 'wield a big stick, .......they had certain powers and might wish to consider using them'; BBC, R34/881/3.


32. Cass to Sutherland, 16 July 1949; LAB 10/904.

33. Files of the National Dock Labour Board at the PRO: BK2/75. Also LAB 10/833.

34. BBC, R34/881/3.

35. Cabinet 38(49), 26 May 1949.

36. The question of the possibility of legal proceedings being brought against the BBC had been raised by L.M. Helsby, PPS to the Prime Minister, in a letter to Haley, 7 May 1949; BBC, R34/881/3.

37. BBC, R34/881/3.

38. Gerald Beadle to George Barnes, 2 August 1949; BBC, R34/881/3.

39. The legal advice was given to the BBC on 15 October 1951; BBC, R34/881/3.

40. Cabinet 13(51), 12 February 1951. Also CAB 124/1195.

41. Emergencies Committee of Ministers, 11 December 1950; CAB 134/177.

42. Note of an informal meeting held at the Home Office on 19 January 1951 to discuss broadcasting in an emergency; CAB 134/177.

43. Note of a meeting between the Lord President and Sir Frank Newsham on 1 March 1951; CAB 124/984.


45. Meeting at Home Office, 19 January 1951.

46. Note by News Information, July 1956.

48. The Times, 8 February 1951, p.6.


52. Ibid., Col. 1189.


During periods of industrial unrest between 1945-51, demands were frequently made to limit the payment of state benefit to strikers on the grounds that such payments were being used to subsidise and finance the stoppages.¹ The demands, on the whole, were related to public assistance payments and income tax rebates. Sometimes, however, they went further. One Labour MP wrote in 1947 that he 'would even be prepared to support the withdrawal of ration books from men who remain on strike after they have been ordered back from work'.²

Attempts to link the payment of state benefit with strikes was not new. In 1926 Chamberlain claimed that the miners' strike had been prolonged by rate-aided finance.³ In the 1970's a similar attempt was made to link together the high incidence of unofficial unrest with the receipt by strikers of various state benefits and demands were made, once more, for reform of the benefit system. Detailed research in the 1970's found no evidence to support this state subsidy of strikes theory.⁴ Similarly, there is little to support the claims made between 1945-51 that payments to strikers contributed in any appreciable way to the relatively high incidence of unofficial strikes. On the contrary, it is my contention that the system of state benefits, far from encouraging strike action, was structured in such a way as to deliberately bring financial pressure to bear upon those engaged in strikes and that, therefore, the benefit system should be seen as an important additional
strike-breaking instrument of the state. Such a conclusion is consistent with the findings of P. Ryan who argued that the Poor Law was an effective strike-breaking weapon in 1926.\textsuperscript{5}

Government policy throughout the first half of the twentieth century, both in respect of unemployment benefit and public assistance, was based on the principle that individuals who are unemployed, as a consequence of a stoppage of work due to a trade dispute, should not be eligible for the receipt of benefit. The State could not, of course, allow strikers or their families to starve. Therefore, the principle adopted by successive administrations was to refuse to pay unemployment benefit or national assistance to strikers but to pay emergency relief to the dependants of those on strike.

Individuals directly involved in strike action have always been disqualified from receiving unemployment benefit. The disqualification, however, has not generally been confined to those on strike but, under the 1911 National Insurance Act, has included those locked-out as well as those temporarily unemployed as a result of a trade dispute at their place of work, even though they may have had no involvement in the dispute themselves.\textsuperscript{6}. In 1924 certain modifications were made to the trade dispute disqualification. By a provision in the Unemployment Insurance (No. 2) Act of that year the most offensive part of the 1911 Act was revoked, whereby an individual could be disqualified from unemployment
benefit merely because he was working alongside those on strike. The Act introduced a further liberalising measure by scrapping the provision whereby workers were excluded from benefit if the stoppage was caused by a breach of agreement by the employer, although it still allowed for the disqualification of benefit if the individual concerned was in the same union as the strikers or was of the same category of workers as those on strike and could thus be held to expect to benefit from the terms of the settlement. In 1925 a committee was set up to review the whole system of unemployment insurance. In its report, published in 1927, the Blanesburgh Committee came out in favour of a return to the pre 1924 position with regard to the disqualification of strikers from unemployment insurance and this change was embodied in the Unemployment Insurance Act of that year. Once again non-participants in a dispute were to be disqualified from receiving benefit as were strikers in those disputes which had been caused by a breach of agreement by the employer. Despite pressure from the TUC for reform - resolutions calling for a return to the 1924 position were carried by Congress in 1937, 1938 and 1939 - the 1927 provisions remained in force throughout the inter-war years.

In 1946 the Labour government introduced its famous National Insurance Bill which embodied the principle of universal benefit from 'cradle to grave'. As for the trade dispute disqualification the 1946 Act merely reaffirmed
the principles laid down in 1927. Surprisingly, the TUC did not press for a change in these provisions during the passage of the Bill. There was clearly a reluctance on the part of the unions to place in jeopardy the legislation as a whole by the introduction of controversial elements into the debate. In fact it was not until 1948 that the TUC began moves to persuade the government to alter these provisions. In these attempts the TUC was to be singularly unsuccessful. Both the Attlee government and the succeeding Conservative administration refused to reform the trade dispute disqualification on the grounds that to do so would compromise their position of neutrality in industrial disputes. The TUC's attempts to reform the trade dispute disqualification and the government's response will be analysed at a later stage. I shall look first at the central issue of the state subsidy of strikes thesis. What evidence is there to support a link between the payment of state benefit and the incidence of strike action between 1945-51?

The evidence for the immediate post-war years, as for the 1970's, points to the fact that those on strike experienced great financial hardship through lost earnings, losses which national assistance payments and income tax rebates could not begin to make up. There is no evidence that these payments did anything but relieve the worst cases of hardship. Certainly they cannot be held responsible for encouraging strikes. During the nationwide dock strike of May - July 1949 it was estimated that in Liverpool alone the men lost over £50,000 in wages.8 Similarly, a government
report on the stoppage in the Manchester docks between April - June 1951 estimated that losses of over £150,000 had been incurred by the strikers. The loss of earnings was intensified by the fact that many unions did not pay strike benefit often, it should be stressed, because the strikes were unofficial. During a six week strike of 1,000 engineering workers at the Crossley Motor Vehicle works at Stockport in 1950 official backing was given to the strikers by the National Union of Vehicle Builders and its members received £2 a week in dispute pay. However, the engineering union, the AEU, which also organised in the industry provided no such support. The NUVB, in fact, was one of the few unions which consistently provided strike pay during this period. During the vehicle building strike of April 1948 it was estimated that the union spent over £200,000, including strike payments of £2 per week, with an additional 5/- for each child. But for the vast majority of unofficial strikers there was no payment from the union.

Without strike pay and disqualified from unemployment benefit, those unemployed as a consequence of a trade dispute were forced to turn to public assistance for financial help. Here, too, they were faced with discrimination. Strikers, in fact, have always been discriminated against in the administration of public relief and assistance. Under the old poor law system individuals who went on strike were denied relief on the grounds that they were able-bodied men who were not seeking work. Instead, under the Merthyr Tydfil judgement
of 1900 the practice had grown up whereby assistance was granted to the dependants of strikers. The administration of the poor laws varied significantly from region to region. In Scotland, under Section 1(1) of the Poor Law Emergency Provisions (Scotland) Act, 1921 it was legal to give relief to an able-bodied person but only if, in the judgement of the Public Assistance Authority, he was genuinely looking for employment. Clearly this was a condition not satisfied in the case of a strike. However, Section 1(1) of the Poor Law Emergency Provisions (Scotland) Act, 1927 allowed the Assistance Authority to give relief to the destitute dependants of the strikers. South of the border the position was not so clear cut. The Poor Laws of England and Wales made no specific reference to trade disputes but in practice the administration of relief was similar to Scotland, with the important difference that it was usually given as a loan, to be recovered from the recipient, if necessary, by requiring the employer to deduct it from his wages. The administration of relief to strikers and their families was also influenced by the political stance of the Assistance Boards. The provision prohibiting the payment of relief to strikers was often ignored by Left Wing councils. For example, during the miners' strike of 1921 and during the 1923 dock strike, Poplar granted assistance to those on strike, whilst during the General Strike of 1926 there was a wide discrepancy between different Boards in the payment of relief.
In 1948 the Poor Law system was finally abolished and replaced by a system of National Assistance. The Public Assistance Authorities were brought to an end and their duties in regard to outdoor assistance were transferred to the Assistance Board. The National Assistance Act of 1948 formed a major part of the Labour government's famous social welfare legislation and proudly took its place on the Statute Book alongside the Industrial Injuries Act, the National Insurance Act and the jewel in Labour's crown, the National Health Service. From now on individuals in need were to receive benefit for themselves and their families as of right, although the continuation of the hated 'means test' ensured that the new system of assistance never quite lost its charitable image. The new Act, moreover, did nothing to remove the discrimination against strikers. Whilst the families of those on strike were provided with a statutory right to receive benefit, the strikers themselves were only to be considered for assistance in cases of urgent need and, even then, assistance was discretionary. Moreover, as with the administration of unemployment benefit, the discrimination was extended to all those unemployed through involvement in a trade dispute and included, therefore, not only those on strike, but those who had been locked out and those who could be held to be indirectly involved in the dispute, even though they were not participating in the dispute themselves. In assessing the importance of public assistance in alleviating the hardship experienced by strikers and, thereby perhaps, in giving encouragement to strikes, it is necessary to look in some detail at how individual
authorities handled the administration of relief to strikers and their families both prior to and after the National Assistance Act of 1948.

On 6 November 1945 the Assistance Board in London circulated a memorandum to the various regional assistance boards requesting information on the way relief had been calculated during the recent dock strike. From the replies given a comprehensive picture of the administration of public relief to strikers and their families can be drawn up. In Glasgow, as was the norm, assistance had been refused outright to strikers without dependants and, in the case of married men, had been granted only to the strikers' families. The normal scale of assistance was paid which in 1945 was 18/- for a wife, 8/- for a first child, 7/- for a second child and 6/- for each additional child. No additional allowance was given for rent, however, as would normally have been given to 'ordinary' applicants. The assistance authority in Glasgow also took into account all other sources of income, such as strike pay, income tax rebates and even the wages of the strikers' family in deciding the level of the allowance. For example, the first 25/- of the earnings of any member of the family was ignored but 50% of the excess was taken into account. The practice was also adopted that no assistance was to be paid until a week into the strike. In Glasgow, in fact, there were very few grants of assistance even in the second week of the strike. The general principle of the Glasgow Assistance Board, it was stated, '......both as regards scale
rates and in the treatment of resources, was to treat the strikers' dependants on a less favourable basis than the ordinary applicant'. Altogether about 800 applications for relief were received by the local authority in Glasgow and assistance was granted to the dependants in about 530 of these cases. 17.

In Cardiff the situation was somewhat different. Here the public assistance authority was willing to deal with single strikers, who were granted 'sudden and urgent' relief, which usually consisted of a food voucher. In the case of married men, in addition to the dependant's allowance, a payment of rent of between 8/- and 10/- a week was made, although in cases where there were two or three adults in a household earning 'good' money the relieving officer was likely to refuse assistance. The most important difference in the administration of relief between Cardiff and Glasgow was that in Cardiff relief was granted as a loan, which was to be repaid after the strike was over. 18. The administration of relief to strikers prior to 1948 provides little support for the advocates of a state financing of strikes thesis.

The Labour government's National Assistance Bill, like much of its social welfare legislation, was based on the wartime work of Sir William Beveridge. Beveridge had recommended a continuation of the traditional practice of providing assistance for dependants but not for strikers, and in 1943 the Cabinet Committee on Reconstruction Priorities accepted this conclusion, whilst adding:
We recognise, however that a striker cannot in the last resort be allowed to starve and we recommend therefore that the Bill should include a provision enabling the central authority in case of urgent necessity to grant assistance to any person, preferably in kind. 19.

This formed the basis of the Labour government's post-war legislation which, in essence, differed in no appreciable way from that which had gone before. Although an emergency clause was included in the 1948 Act, relief was only to be granted to strikers in cases of urgent need. Assistance was still limited, in the vast majority of cases, to the dependants of strikers.

Between May and July 1949 a series of unofficial strikes took place in the docks throughout the country in support of the CSU. 20. In Bristol the strike lasted for a month during which time nearly 800 payments of assistance were made totalling over £3,300. On Merseyside by the end of June over 4,500 people had received assistance to the value of £19,000, whilst in London between 27 June and 25 July 2,919 payments of assistance were made totalling over £5,000. Payment was restricted in all cases to the normal rate of unemployment benefit and often it fell below this meagre level. In Bristol, for example, it was reported that in the latter stages of the dispute '......there has been a growing impression of difficulty in managing on the allowances'. The principle of paying at or below the normal rate of benefit was inherited from the days of the Poor Law and was intended to reinforce the concept of an 'undeserving poor'. Between April and June 1951, during a strike in the
Manchester docks, allowances were paid at 33/6d per week, several shillings beneath the normal benefit rate, and complaints were received from a number of strikers that they were unable to cope.\textsuperscript{21} To allay fears that the system of benefit was being abused check investigations were made by the assistance boards during the 1949 dock strikes. On Merseyside 10\% of claims were investigated, the overwhelming majority being verified as legitimate. During the Manchester dock strike of April - June 1951 over 260 home visits were made and forms were distributed to employers to check the wages of wives of claimants who were working. By September 1951 eight summonses had been issued against dockers in Manchester for suspected fraud and each were fined £64 10/-\textsuperscript{22}.

One major change in the administration of relief to strikers and their families, brought about by the National Assistance Act of 1948, was the scrapping of the loan scheme. As we have seen, certain public assistance authorities had adopted the practice of giving assistance in the form of a loan which was recoverable some time after the strike was over. Problems, however, had arisen in the administration of this scheme. In particular, there was the difficulty of recovering the loans. A report on the working of the Poor Law published in 1937 drew attention to the continuing recovery of loans made during the General Strike of 1926.\textsuperscript{23} In 1946 it was estimated that the London County Council had recovered only about half the relief granted to persons involved in the London dock strike of November 1945.\textsuperscript{24}.
The most effective method of recovery was through deduction orders made through the employer, but often employers chose not to enforce it for fear of souring relations after the men had returned to work. In 1946 during preliminary discussions on the break up of the poor law the government gave consideration to the continuation of the loan scheme. Ministers were advised of 'the drawbacks of an arrangement which in the event of a dispute of lengthy duration may lead to the accumulation of large debts which are discharged only in the course of years and are meanwhile a constant reminder of an event which, whatever its merits, would be best forgotten by all concerned'. The strength of this argument was sufficient to persuade the government to dispense with the loan system and under the 1948 National Assistance Act assistance, given by a Board to any person engaged in a trade dispute, or to his dependants, was to be given outright. Before long, concern over the payment of benefit to strikers and their families led to a demand to reintroduce the loan provisions. In October 1950, following a strike at the London gas works, Nigel Fisher demanded, in the House of Commons, to know whether 'as this illegal strike was of great inconvenience to the public it is reasonable that the public should be asked to subsidise an illegal strike?' Demands for a reintroduction of the loan scheme were turned down by the government. In the early 1970's similar demands were made, again unsuccessfully, for a return to the system whereby benefit would be given in the form of a loan.
Whilst the practice of granting relief in the form of a loan was abolished after 1948 assistance boards gave encouragement to an equally, if not more controversial practice, that of 'subbing' off the employer. In Bristol in May 1949 the National Dock Labour Board made an advance of wages of £2 to all employees upon resumption of work and, in view of this, the assistance board refused to make any further payments to strikers or their families. A similar practice was adopted in London in July 1949 where an allowance of £1 for each day worked was made available by the employers and the payment of benefit was stopped. Complaints about this practice were widespread. Mr. W. G. Edwards, Labour Member for Whitechapel and the Civil Lord of the Admiralty, argued that it was totally wrong for the assistance boards to force an applicant to borrow off his employer by stopping the payment of benefit where 'subbing' was offered. The assistance boards, moreover, in their refusal to continue relief payments, were not simply responding to the employers offer of an advance of wages. On the contrary, there is evidence that 'subbing' was a deliberate policy of the boards. During the Manchester dock strike of April - June 1951 the decision of the local dock labour board to make an advance of wages to men returning to work was taken after protracted negotiations with the Assistance Board, which then proceeded to cancel any further relief payments. This revelation must raise a serious question mark about the independence and impartiality of the statutory assistance authorities.
After having looked in some detail at the principle and the administration of public assistance to those unemployed as a consequence of a trade dispute, both before and after the 1948 National Assistance Act, it is possible to draw a number of conclusions. Firstly, there is no evidence to support the charge that the level of state benefit was sufficiently high to encourage strike action. Payments in most cases, even allowing for regional variations, were below the normal levels, reflecting the commonly held view that strikers were 'undeserving poor' and, in all cases, were inadequate, accounting for only a fraction of lost earnings. Assistance was in general available only to dependants and was means-tested, whilst additional allowances for such things as rent, were in many cases withheld. Undoubtedly there were many instances of hardship. Of the dock strike in Merseyside in February 1951, Bessie Braddock has written that 'a large number of my constituents were out, and I soon had hardship cases flooding to me for relief. I made investigations and I decided that the strike would soon peter out.... Meanwhile, they were losing a lot of money'. Secondly, the policy of the Labour government towards relief payments to strikers showed little break with the past. Administration of relief under the 1948 National Assistance Act continued along much the same lines as it had under the poor law system. The return of a Conservative administration in 1951 was, similarly, to make little difference to the administration of the scheme.
The upsurge of unofficial strikes in 1949 and 1950 brought forth a fresh stream of protest from those who argued that there was a link between strike action and state benefit. Concern over the levels of state benefit paid to strikers was not, however, confined to the payment of public relief. As in the 1970's there was concern also at the effect of income tax refunds on strike activity. In the Commons in October 1950 it was suggested that a situation had arisen where 'Government money is being used to subsidise and facilitate this irresponsible type of action'. The government had long been concerned at the possible effect of income tax rebates on absenteeism and on strikes. Under the system of PAYE any shortfall in income, as for example during a strike, produces an automatic over assessment of the level of taxation, giving an unqualified right to rebate. The government's fear was that this payment would be sufficient to subsidise the loss of earnings incurred during a strike and would, therefore, deter men from resuming work. The matter was first raised at the end of the war during a period of acute unrest in the coalmining industry. In October 1944 a meeting was held between officials from the Ministry of Fuel and Power and representatives of the Miners Federation of Great Britain. Arthur Horner, the communist president of the MFGB, admitted at this meeting that the miners were likely to benefit from the income tax system. 'As present operated', he said, 'it was a definite inducement to them to take a week off every month or so'. The government's worst fears
appeared to have been confirmed. As one official from the Ministry of Fuel and Power concluded, 'it seems to amount almost to giving the men several weeks holiday, with pay, per year.....' But although consideration was given to the withholding of repayments of tax to strikers, no agreement was reached and the matter was dropped.

Increased public concern at the spread of unofficial strikes in 1950 brought the issue before the government once more. In December 1950 an official at the Ministry of Labour dispatched the following letter to the Board of Inland Revenue:

With the recent round of unofficial and illegal strikes, the question has again been raised both by ministers and in Parliamentary questions. There is undoubtedly abroad an impression that the repayment of income tax to persons whose employment is interrupted, including strikers, is of some importance in prolonging, if not in starting, strikes, and we have reason to believe that unofficial strike leaders count on it in laying their plans. My Ministers and the Attorney-General are of the opinion that the possibility of withholding tax repayments to strikers should again be closely looked at.

The validity of such claims is not easy to assess, but the evidence which is available does suggest that the importance of tax rebates as a source of income for strikers was exaggerated. During the dock strike of July 1948, for example, it was claimed that those on strike were receiving as much as £4 a week in tax repayments. An investigation by the New Statesman, however, concluded that this was a gross overstatement, and that the men were, in fact, receiving
only £1 2/- in rebate for the first week with less to come each subsequent week. Similarly, during a strike amongst car workers in Crossley in February 1950 it was estimated that strikers were only drawing between 10/- and £1 in PAYE refunds each week. Nevertheless, detailed proposals for reforming the system of income tax were drawn up by the Ministry of Labour. These included making income tax repayments yearly instead of weekly or, alternatively, of introducing a provision allowing for the withholding of weekly repayments of PAYE to anyone involved in a trade dispute. Any immediate change in the law, however, was ruled out by the government. 'The money is the strikers' own', it was stressed, 'and we think that any attempt to withhold it from them would be wrong'. In July 1951 Alfred Robens, the new Minister of Labour, wrote to Hugh Gaitskell, the Chancellor of the Exchequer, advocating a detailed examination of the taxation system. Although the Board of Inland Revenue had objected in 1944 and in 1950 in principle to the withholding of such money, 'it seems to me.....', he said, 'that the matter had to be considered in the light of the public interest.' On 9 August 1951 Gaitskell replied to Robens. There was, he said, no point in carrying out a detailed investigation when the principle of withholding funds was not accepted. The money was legally due to the men and could not be withheld. The matter was pursued no further. Nevertheless, it is important in that it shows the government to be concerned about the possibility of a link between state payments and strikes. It also shows that the government was seriously considering taking action to curb these payments.
The 1946 National Insurance Act, as we have seen, continued unchanged the provisions of the Insurance Acts of 1927 and 1935 regarding the disqualification of individuals from unemployment benefit on the grounds of involvement in a trade dispute. It was not until 1948 that the TUC renewed its pre-war campaign to alter the most offensive of these provisions.

The TUC was opposed in particular to the clauses in the Insurance Acts which disqualified from benefit those individuals engaged in a trade dispute arising out of a breach of agreement by the employer, and those people thrown out of work as a result of a trade dispute in their place of work, even though they themselves were not involved in the dispute. On 22 December 1948 a deputation from the TUC met with the Minister of National Insurance, James Griffiths, and the Minister of Labour, George Isaacs, to discuss the first of these complaints. At this meeting Griffiths accepted the General Council's argument that on grounds of equity it was unfair to disqualify a claimant where the dispute was caused by an employer acting in contravention of an agreement, but he pointed to a number of practical problems mitigating against a return to the 1924 position. Any such change in the legislation would have involved making the statutory Insurance Authorities, set up under the National Insurance Act, responsible for the interpretation of industrial agreements. It was doubtful whether these authorities were sufficiently qualified to decide on such matters and, in any case, Griffiths argued, their use would
undermine the established and recognised machinery for deciding such matters, in the industry concerned. Any such change in the law also threatened to undermine union authority. Unofficial strikers would have been able, without regard to the union view, to go to the insurance authorities and obtain a ruling on whether or not an employer had broken an agreement. A ruling in favour of the strikers would, it was argued, have served to legitimise their action at the unions' expense. On 19 October 1949 Griffiths informed the General Council that after a careful examination of the proposals for modification of the Trade Dispute disqualification no way had been found of doing so without seriously damaging the authority of voluntary collective agreements. 42

The issue was taken up again by the TUC the following year. In April 1950 Vincent Tewson, the General Secretary of the TUC, sent Griffiths a copy of a proposal formulated by the General Council which, it was hoped, would overcome the arguments against reform which had been raised by the government. 43 The question as to whether or not there had been a breach of agreement would be decided by the National Insurance Commissioner, who would only be authorised to act on representations from recognised organisations which were parties to the agreement. This proposal removed the threat that any change would be exploited by unofficial organisations and averted the danger, if cases were referred to local tribunals, of conflicting decisions being given. But it did little to overcome the government's main argument against reform, that the insurance authorities
would become embroiled in the merits of industrial disputes. A deputation from the TUC which met Griffiths and Isaacs on 11 May 1950 was informed that this proposal was not acceptable. 44.

It does appear, however, that the government was still, at this stage, seriously contemplating reform and was searching for an acceptable solution. The Minister of Labour, therefore, whilst rejecting the General Council's proposal put forward an alternative formula whereby the question of a breach of agreement would be settled by the Industrial Court. This had the advantage of utilising a body experienced in dealing with industrial disputes which was independent of both the Ministry of National Insurance and the Ministry of Labour. One major drawback was that there was a likelihood of long delays before a decision would be made. The meeting ended in a mood of some optimism with the Minister of Labour promising to study the proposal in greater detail. In retrospect, however, it appears doubtful whether the government was seriously contemplating reform of this section of the trade dispute disqualification. Even if agreement could have been reached on the precise details of a new scheme, there was a more fundamental objection to reform. The National Insurance Acts had laid down that unemployed persons refusing to accept an offer of employment, brought about as a result of a trade dispute, would not be disqualified from benefit. This was to ensure that the National Insurance system did not act as a spur to strike-breaking. Any modification of the law, it was now argued, so that disqualification would
cease to apply where the dispute was due to a breach of agreement by the employer, would upset the balance of the Acts and would discriminate against the employer, who would still have no encouragement to recruit through the employment exchanges, even where the dispute was caused by a breach of agreement by the workforce. This argument was expressed forcibly by an official from the Ministry of Labour in a note to the Ministry of National Insurance in April 1950 during a dispute in the London docks:

If the TUC insist on pressing the issue we must, I think, get them properly pinned down on the limited question of disqualifying people who refuse jobs rendered vacant by unofficial strikers. e.g. If the dockers do not go back on Monday are we to disqualify the unemployed of London for refusing to work in the docks? 45.

The TUC was understandably reluctant to see a change in the law in this respect and in February 1951 the Minister of Labour informed the General Council that the government had "regretfully" reached the conclusion that there was no satisfactory way of altering the provision whereby disqualification from unemployment benefit arose due to a breach of agreement by an employer. 46. In July 1951 representatives of the TUC again met ministers to discuss this matter and it now became quite clear that the objections of the government to any change were not rooted solely in the administrative difficulties of the proposal. 'There were difficulties about adopting a course', Alf Robens said, 'which would encourage the continuation of a strike.' 47. The underlying fear that payment of unemployment benefit
might prolong or encourage strikes was of critical importance in the government's rejection of a return to the 1924 position.

As a consequence of failure in this area the TUC turned its attention to the other offensive section of the Insurance Acts which disqualified workers from benefit who, although not themselves participating in a dispute, were members of a union which was financing or supporting the strike, or were members of 'a grade or class' of workers who were participating in the dispute. This section, repealed in 1924, had been brought back in 1927 and had figured in all subsequent legislation including the 1946 Act. Pressure for the repeal of this section was strengthened by a number of incidents in 1951 when non-participants in strikes were refused unemployment benefit. In May 1951 members of the National Society of Metal Mechanics were disqualified following an unofficial dispute of welders belonging to another organisation, a dispute in which the metal mechanics played no part. Similarly, in July 1951 a member of the TGWU, a cab washer, was disqualified from unemployment benefit in consequence of a strike by taxi-cab drivers, whilst a strike of 350 vehicle workers at Jaguar car company in Coventry in March 1951 resulted in 300 workers not involved in the dispute having their entitlement to benefit removed. In this latter dispute there was evidence of widespread distress amongst workers not participating in the strike.

This situation, where workers were deprived of benefit through no fault of their own, caused understandable
anger within the trade union movement. One delegate to the TUC Congress complained that it had been almost forgotten that unemployment benefit was a form of insurance to which individuals contributed. At the 1951 Congress a resolution calling upon the government to amend Section 13 of the National Insurance Act was remitted to the General Council and resolutions on this issue were raised at successive Congresses between 1951-56. The issue was also taken up by individual unions, but without success. The Labour governments consistently refused to amend the trade dispute disqualification on the grounds that any such change would compromise the neutrality of the state in industrial relations. This neutrality, it was argued, was enshrined in the National Insurance Act of 1946, and in all insurance legislation passed since 1927, which laid down the principle that no incentive or assistance would be given by the state to either side during a strike. Any financial incentive the workforce might have to strike was removed by the disqualification of strikers from unemployment benefit, whilst the employers were refused access to the employment exchanges to recruit blackleg labour during the course of the dispute. The withholding of public assistance from those on strike was, similarly, defended by the government on the grounds that it was the duty of the state to remain impartial during industrial disputes.

How far can we accept this view of the neutrality and impartiality of the state? In the first place it is iniquitous that individuals should have been denied
unemployment benefit and public assistance in cases where a dispute was caused by a breach of agreement by the employer, or that individuals should have been disqualified even where they were not themselves participating in the dispute. This blanket disqualification, as the Donovan Commission into industrial relations in the 1960's argued, clearly went far beyond what could reasonably be defined as the 'neutrality' of the social security law. Moreover, by depriving those on strike (or those locked out) of financial assistance, the government was exerting a great deal of pressure on the men to return to work, irrespective of the merits of the individual dispute. The outcome of a dispute often depended not so much on the rights and wrongs of the case but on the ability of the workforce to withstand financial hardship. As one delegate to the TUC Congress of 1954 complained, 'The Act is ... being used, wittingly or unwittingly, as a form of industrial and financial pressure on workers and on trade unions'.

In this sense, far from being neutral and impartial, the law covering the payment of state benefit to strikers can be seen to be heavily weighted in the employers favour and to take the argument one stage further, it can be seen as an important addition to the state's strike-breaking arsenal. As one eminent writer on Labour law has argued, 'What is the denial of unemployment benefit, of supplementary welfare payments or of tax refunds, if it is not an indirect compulsion to return to work.'
State payments did not act as an incentive or as an encouragement to strike action in the years immediately following the Second World War, anymore than they can be held to be responsible for the rash of unofficial strikes in the early 1970's. State assistance was often denied to strikers and those payments that were made did little to alleviate the hardships experienced by the strikers and their families. On the contrary, government social welfare policy might well have contributed in a number of cases to the collapse and failure of strikes after the War although detailed research into individual disputes is needed before we can ascertain just to what extent this was the case.
REFERENCES

1. For example, during the dock strike of April 1950; Hansard, Vol. 475, Col. 226, 23 May 1950. Also during the dock strike of June 1948; Hansard, Vol. 453, Col. 844, 12 July 1948.


7. The Report of the Blanesburgh Committee is discussed in a memorandum to the Minister of National Insurance, 21 December 1948; PIN 7/364.

8. GEN 291/2.


11. Note from the London Regional Industrial Relations Officer, 5 May 1948; LAB 10/757.


15. AST 7/674.
16. H. Fieldhouse (London Assistance Board) to Regional Assistance Boards, 6 November 1945; AST 7/674.

17. Glasgow Assistance Board to London Assistance Board, 9 November 1945; AST 7/674.

18. AST 7/674.

19. AST 7/674.

20. Information on the payment of Assistance by the various Regional Assistance Boards during the 1949 CSU strike can be found in AST 7/1135.

21. AST 7/1137.

22. AST 7/1137.


24. AST 7/674.

25. Memorandum entitled 'The Recovery of Assistance of Persons Unemployed by Reason of Trade Disputes and to their Dependents', October 1946; AST 7/674.


28. AST 7/1135.

29. AST 7/1137.


32. Harold Emmerson (Ministry of Labour) to Mr. Tribe (Ministry of Fuel and Power), 5 October 1944; LAB 10/1005.

33. Tribe to Emmerson, 7 October 1944; LAB 10/1005.

34. J.G. Stewart to J.R. Mc K. Willis, 15 December 1950; LAB 10/1005.

35. New Statesman and Nation, 3 July 1948, p.5.


37. J.G. Stewart (Ministry of Labour) to D.E. Barrett (Inland Revenue), 11 June 1951; LAB 10/1005.

38. Barrett to Stewart, 27 June 1951; LAB 10/1005.
39. Robens to Gaitskell, 13 July 1951; LAB 10/1005.

40. Gaitskell to Robens, 9 August 1951; LAB 10/1005.

41. Deputation received on 22 December 1948; TUC Archives, Congress House, Social Insurance and Industrial Welfare Committee (SIIWC) 8/2, 13 January 1949. (Future references to the TUC Archives will be noted simply as TUC). Prior to this meeting G. Bell, Secretary of the General Federation of Trade Unions, had raised the matter with the Minister of National Insurance in August 1947. Bell had received a reply on 1 October 1947 to the effect that no change was to be made to the law; PIN 7/364.

42. TUC; SIIWC 4/5, 10 November 1949.

43. Tewson to Griffiths, 27 April 1950. The TUC had been working on this formula. See TUC; SIIWC 6, 15 December 1949 and SIIWC 7/2, 11 January 1950.

44. PIN 7/364.

45. Walley to Tiffen, 28 April 1950; PIN 7/364.

46. TUC; SIIWC 12, 15 March 1951.

47. Note of a Deputation to the Minister of Labour on 24 July 1951; TUC; SIIWC 2/1, 11 October 1951.

48. TUC; SIIWC 15, 10 May 1951.

49. TUC; SIIWC 19, 11 July 1951.

50. TUC Annual Congress Reports, 1951-1956.


5. Towards an Understanding of the Attlee Governments' Strike-Breaking Policy

My aim in this chapter is not to look at the causes of industrial unrest between 1945-51. This has been dealt with adequately elsewhere, most recently by J.W. Durcan et. al. in their 1983 study of strikes in post-war Britain. My concern is to provide an explanation for the peculiarly hostile attitude adopted by the Attlee governments towards strikes during this period.

The use of troops and of formal emergency powers to break strikes and the use of the law, the mass media and the social security system to bring legal, moral and financial pressure to bear upon those engaged in strike action, provides clear evidence of the Attlee governments' opposition to industrial action, in any form, after the war. In attempting to explain why the Labour governments adopted such a fierce anti-strike policy I shall look both at the general theories which have been advanced to account for Labour's moderation in office as well as at the more specific factors which will help us to understand the governments' antipathy towards strikes in this period.

Certain political scientists, in seeking to explain the failure of successive Labour governments to institute radical, socialist policies, have focussed on the extent to which outside forces have blocked or sabotaged their programmes. Amongst the main proponents of this view are Ralph Miliband and David Coates. It is possible to apply these theories to an analysis of why the Attlee governments failed to develop a distinctive socialist approach to the
handling of strikes after the war. Particular attention has been drawn in these theories to the moderating, conservative influence of the civil service.

There is certainly some evidence that the structure and composition of the civil service between 1945-51 was not conducive to radical change. Attlee made very few changes in personnel and made no attempt to introduce people to the leading positions in Whitehall who were sympathetic to the government's aims. According to Richard Crossman, a leading back-bench critic of the Attlee governments:

It did not occur to Mr. Attlee that the election of a Labour government pledged to radical social reform required any radical changes in the civil service. The claim that top people in Whitehall would serve a post-war Labour Government pledged to socialisation just as faithfully as they had served a pre-war National Government pledged to prevent socialism, was accepted with complete sincerity. How much more humane and imaginative our post-war reconstruction would have proved if government departments had been invigorated by an influx of experts with special knowledge, new ideas and a sympathy for the Government's domestic and foreign policies. 3.

This criticism applied as much to the nationalised industries as to the civil service. Hugh Gaitskell recorded in his diary for June 1949 that there were 'too many people in managerial positions who are still strongly opposed to nationalisation and quite willing to make trouble with the Coal Board and the NUM'.

The moderating influence of this 'Whitehall embrace' upon the Labour governments, was shown clearly in relation to the development of an emergencies organisation for
combatting strikes. The initial push for the re-forming of this organisation after the war came from top civil servants at the Home Office and most of the detailed planning was carried out by those very same officials who had been responsible for the development and planning of the STO after the First World War. Attempts by some Labour ministers to restructure the emergencies organisation and to bring the trade unions into consultation at the planning stage were rebuffed by these officials.

Two other pillars of the establishment; The Monarchy and the Church, have also been held responsible for undermining the radical programmes of successive Labour governments. There is evidence for the 1945-51 period that both these forces worked to bring pressure on the Labour governments to take firm action against unofficial strikes. 'On the subject of strikes' the King, according to his official biographer, Wheeler-Bennett, 'was emphatic with his Prime Minister'. And during an unofficial strike of gas workers in the winter of 1945 the King commented that 'the Liberty of the subject was at stake if a strike interfered with Home life'. For the Church of England the Archbishop of Canterbury, Dr. Fisher, made a number of highly publicised speeches during this period attacking those involved in unofficial action as 'anarchists' and 'subversives' and urging the government to act firmly and decisively to minimize damage to the community. One popular prayer of the day asked '..... that the industrial workers of Britain may cease to bring hardship and loss upon their fellow countrymen by strikes, absenteeism and idleness'.

234
Other explanations of Labour's conservatism in office have focussed on the moderating influence of Parliament itself, a trend referred to by Miliband as 'a Parliamentary embrace', and on the moderating influence of the Party's internal power structure, in line with Michel's theory of the 'Iron Law of Oligarchy'.

All these explanations looked at above focus, in one way or another, on the various outside pressures and constraints which have acted to blunt the Labour governments' radical edge. Other theories which have been put forward to explain Labour's moderation in office have tended to emphasise the failure of Labour governments themselves to adopt a socialist programme. Leo Panitch, for example, has argued that the Labour Party in practice is not geared to seeking radical change and that, therefore, the failure of Labour governments to transform society should not be seen as a failure to achieve socialism but as a success in managing capitalism, as this is its professed aim. Such theorists argue that the Labour Party, over the course of time, has come to see itself as a national rather than as a class Party and consequently that it has come to see its role as being to rule not in the interests of a single class but in the national interest as a whole. I shall return to this discussion later on. Following on from this some commentators have attempted to account for the failure of the organised Left Wing of the Labour movement to mount a successful challenge to the conformist position adopted by Labour governments. David Rubinstein in his study of
the Labour Left between 1945-51 concluded that, whilst it was vociferous in its opposition to much of the domestic and foreign policy of the Attlee administration, it was nevertheless largely unorganised and unsuccessful. He provides a number of tentative explanations for this lack of success, including the largely middle class composition of the PLP, the fact that PLP subject groups and regional groups exercised very little real power over the government, and the lack of accountability in the Labour movement especially between the Parliamentary Party and Annual Conference.9.

Having looked briefly at some of the general theories which have been advanced to explain Labour's failure to radically transform society, theories which have only indirect relevance to the discussion in hand, it is now time to look at the more specific factors which will help us to understand the policy adopted by the Attlee governments towards industrial unrest after the war. Labour's anti-strike policy must, firstly, be placed in the context of the economic crisis of the time.

Economic considerations lay at the heart of the governments' policy on strikes. Britain's critical economic position after the Second World War, it was held, meant it was essential that strikes should not interrupt production if recovery was to take place and the government was to be able to afford to carry out its social and economic reforms.

That the nation was in dire financial trouble after the war cannot be doubted. During the course of the
war Britain had lost one quarter of her national wealth and had sacrificed two thirds of her export trade. Her economy had been greatly distorted to produce the maximum war effort and the cost of this effort had exceeded her national income by more than 50%, resulting in a tripling of the national debt. Britain in 1945 was, in fact, the largest debtor nation in the world. Labour thus inherited a bankrupt nation. But this was not the extent of the problem facing the incoming government. Britain's war effort had been heavily dependent upon United States aid and Labour, understandably, looked to America for financial assistance during the period of reconstruction. It was thus a crippling blow to the newly formed Labour administration when on 21 August 1945 President Truman announced the termination of Lend-Lease and, although Keynes was dispatched to Washington at once to negotiate a new deal, the conditions attached to the new loan, namely that sterling should be made fully convertible within a year of the loan coming into effect, were to prove a heavy burden for the government to bear.

The Labour governments' uncompromising attitude towards strikes must be seen against this background of economic crisis. Attlee in March 1947 announced that 'we must realise that what is at stake is our standard of life and we cannot afford unnecessary stoppages in our work'. Economic recovery, upon which the government's grand programme of social and economic reform depended, could only be brought about by greatly increased production and a
massive export drive to narrow the balance of payments deficit. It was estimated, for example, that to balance her books Britain needed to increase her exports by between 50%-70% above the pre-war figure, a figure which remarkably was achieved within five years of the end of the war.

In 1946 the government launched a major production drive. Isaacs told a meeting of the Engineering Council in Manchester in January 1946 that:

What Britain wants above all else at the moment is maximum production. It wants the greatest possible output a man hour that can be achieved. 11.

Attlee, in his broadcast speech to the nation in March 1946 which officially opened the campaign, spoke of recapturing 'the spirit that brought us through the war', and informed both sides of industry that they were 'not just working for wages or profit', but 'for the nation'. Whilst Herbert Morrison in July 1947 proclaimed that 'production is now universally recognised as national duty No. 1'.12.

The trade unions gave wholehearted support to the campaign. In April 1946 the TUC sent to all affiliated organisations a circular recommending that executives should consider forming National Production Advisory Committees to deal with production questions in their industry, and over the winter of 1946 the NUM spent £200,000 on a national production campaign to explain to the miners the need to raise output.13. In 1948 the Anglo-American Productivity Council was established which brought together employers and representatives of trade unions from America and Britain with the object of helping British industry to increase its
production, and over the next few years productivity teams from British industries visited the USA to study and report on American practices.

The results of the production drive were remarkable. In the coalmining industry in October 1946 alone output was 120,000 tons per week higher than in October 1945, a total which was achieved with 3,600 fewer men in the industry. A shortage of coal stocks, however, was to remain a problem and was to reach a crisis point early in 1947 when, in combination with a bitterly cold winter, much of industry was brought to a standstill and two million workers were laid off. Nevertheless, despite these problems by the end of 1948 industrial production was standing at 135% of the 1938 level and the following year the figure had risen to 151%.

Despite a further setback to the economy in 1949, during which year the pound was devalued, recovery continued to take place and by 1950, on the eve of the outbreak of the Korean War, the British balance of payments position was healthier than at any time since the 1920's. This recovery was, of course, partly due to the massive injection of Marshall Aid, but it was also a tribute to union cooperation with the government in increasing production and reducing strikes. Arthur Deakin wrote in his union's journal in January 1950 that 'The only solution to our economic problem is for everyone to work harder; use grit and determination and so help us to win through,' and Deakin, along with the majority of trade union officials, consistently opposed
strike action of any kind during this period. The vast majority of official strikes were ruled out by Order 1305 and the President of the TUC told Congress that the trade union movement will not tolerate unofficial strikes which interrupt production 'no matter on what pretext they are brought about.'

Central to Labour's overriding concern not to allow strikes to interfere with economic recovery was the firmly held belief that the Labour Party was a national rather than a narrow class party. This preoccupation with ruling in the 'national interest' had deep roots in the Labour movement. Ramsay Macdonald in 1924, for example, had entered into government with the express purpose of proving Labour was 'fit to govern' in an attempt to nullify Churchill's taunt made to the contrary in 1920. In 1946 Morrison restated this view. 'The fundamental issue', he told a meeting organised by the West Midlands Regional Council of Labour on 26 October, 'is in what spirit we face our social and economic responsibilities. The result will be determined according to whether we face them inspired by sectional interests or with the sober sense of responsibility which is the spirit of modern socialism'.

During the period of post-war reconstruction the 'national interest' was clearly identified in the mind of the government with economic recovery. If this meant that strikes be outlawed, troops employed to move essential goods, states of emergency proclaimed to keep the wheels of industry turning, even criminal proceedings taken as a deterrent to
strike action, then the Attlee administration was quite prepared to take such steps and to justify its action as being in the 'national interest'. As George Eastwood, the biographer of George Isaacs, has concluded:

Many people wondered how firmly a Labour Government, so substantially assisted in its rise to power by workers in key industries, would deal with stoppages of work which threatened vital services. They were given ample evidence, that however unpopular its action with the men on strike the Government was determined to govern in the interests of the nation as a whole. 19.

The Attlee governments justified their tough anti-strike policy by pointing to the fact that many of the disputes were not legitimate trade disputes but were political or revolutionary in nature, the result of subversive action by communist and trotskyist groups. For example, Ernest Bevin, in a speech to the United Nations General Assembly on 25 September 1950, claimed that Britain's recovery had been hampered 'at every stage by the Fifth Column', which 'is led by the Cominform and instigated by Moscow to produce chaos, strikes and difficulties of all kinds......'. It is important to ascertain how much truth there was in such claims. If it can be shown that many of the strikes of the period were incited by such 'subversive' groups then clearly the governments' strike-breaking policy must be viewed in a more favourable and sympathetic light.

The tendency of the government to see sinister forces behind strikes was by no means peculiar to this period. From the middle of 1943, Ernest Bevin had become obsessed
with the idea that the strikes in the engineering and coalmining industries were politically motivated and the same is true of most administrations before and since 1945. It is generally accepted by historians today that Bevin overstressed the communist threat during the war. Even the official historian of manpower during the Second World War concludes that the communists did not on the whole incite the unrest.20.

In attempting to analyse the role of the Communist Party in post-war strikes I shall look firstly at the strength of the Party within the trade union and labour movement. Did the CPGB have sufficient influence during the immediate post-war years to bring vast numbers of workers out on strike? I shall then attempt to analyse Communist Party industrial policy after the war and I shall examine the steps taken by the Labour governments to counter the perceived communist threat. Finally, I shall look in some detail at the role of the communists in individual strikes of the period.

Some historians have claimed that the influence of the CP in the trade unions after the war was considerable. Henry Pelling has gone as far as arguing that 'they were very nearly in control of the trade union movement'.21. The reality of the situation, however, was less startling. Of the fifteen unions with a membership of more than 100,000 in 1948 it was estimated that the communists and their supporters had sufficient representation on the executives to control or dispute control of four; appreciable but not
formidable representation on six, whilst on the remaining five communist influence was seen as negligible.22.

The influence of the Party was strongest in the two great craft unions, representing the engineers and the electricians.23. In the ETU the national organisation was controlled by communists with a communist President, F. Foulkes and a communist General Secretary, W.C. Stevens. Communists were also influential in the civil service Clerical Association and in the Tailors and Garment Workers' Union. Of the six unions where communist representation was appreciable - the TGWU, the Miners' Union and those representing the railwaymen, the distributive workers, the teachers and the Post Office workers - the TGWU was the most important with eight communists out of thirty eight on the executive. In Bert Papworth the TGWU also had the sole communist representative on the General Council of the TUC.24. The NUM had fewer than half a dozen communists on an executive of twenty eight though in Arthur Horner, the General Secretary, it had the leading communist trade unionist in the country. Smaller unions with a sizeable communist presence included the Fire Brigades Union, the Post Office Engineering Union and the union which represented the foundry workers. In the POEU in 1947 there were five paid up members of the CP on an executive of sixteen.25.

The trade union leadership had clearly not fallen under communist control. On the contrary, as we have seen, the movement was dominated by a triumvirate of Deakin (TGWU), Williamson (NUGMW) and Lawther (NUM), who were all moderate.
in policy and intensely loyal to the Labour government and who by their control of huge block votes were able to determine TUC policy. The communists were hardly more influential amongst the rank and file of the movement. Following the 1949 TUC Congress Attlee wrote to Dalton. 'I had a good time at the TUC. The communists got it in the neck all the time and the general tone was very good.'

It would, in any case, be erroneous to automatically equate communist strength in the unions with industrial sabotage. From 1941, with the entry of the Soviet Union into the war, the Communist Party had taken a leading role in supporting the war effort and had deliberately distanced itself from any unofficial strikes which had occurred. It had placed the blame for these disturbances on a breakaway trotskyist faction, the Revolutionary Communist Party. A leaflet published by the Daily Worker in 1944 entitled 'Trotskyist Saboteurs' claimed that 'In the factories the Trots have advocated the policy of ending "the industrial truce" by the unloosing of a series of strikes .....'. 'Wages lost through unnecessary strikes, ..... hampering the war effort in the interests of Fascism, this and this alone', it was argued, 'would result from following Trotskyist policy in Great Britain.'

Communist support for the production drive and opposition to strike action continued in the early days of the Attlee administration. In September 1945 J.R. Campbell, writing in Labour Monthly, offered a warning to trade unionists about the dangers of striking:
It may be the tactic of certain employers to embarrass the Government by provoking strikes. Don't let us walk into this obvious trap by engaging in unofficial strikes...... Sabotage of the Labour Government may not come merely from the class-conscious employers but from the class-unconscious in the ranks of the workers. 28.

An unofficial dock strike in Merseyside and London in the autumn of 1945 was openly criticised by Harry Pollitt, the General Secretary of the CPGB, at the CP Congress in November of that year.29. In the coalmining industry the communists gave enthusiastic support to the drive for increased production.30. Ironically, in Grimethorpe in 1947, it was the communists, anxious to force the pace, who set the enlarged stint which led to the strike in August and September which resulted in a loss of output of 595,000 tons, this despite an appeal from Arthur Horner for a return to work.31.

When in December 1947 winding enginemen in Durham threatened strike action over union recognition, Horner declared that 'the miners' union ......, have decided that the pits will not stop, because it will not place the interests of the country against the weakness of these elements, which cannot appreciate Britain's serious position.'32.

Between 1945-47 the CP gave critical support to the Labour government. In 1945 Pollitt had offered 'full support to the Labour Government when trying to carry through its election policy',33. whilst Willie Gallacher, reviewing Labour's first year in office, stated that 'the Labour Government has much to its credit. Many valuable measures, much hard work.'34. During the first two years of Labour
rule the CP saw its role as being to 'ginger up' the government, both abroad and at home, to carry through socialist policies. Before 1947 was out, however, the Communist Party had turned against the Labour government and Pollitt was now describing the government as an 'active partner in the imperialist camp', and was calling for a 'new, left, Labour Government'.\(^{35}\) In this climate it should come as no surprise to find that the CPGB shifted its policy on production and strikes.

The break between the CPGB and the Labour government came about as a consequence of a fundamental change in American foreign policy. Until 1947 the US administration had favoured a policy of isolationism as regards Western Europe. The severing of lend-lease with Britain at the end of the War was symptomatic of this approach. In March 1947, following the withdrawal by Britain of economic and military support to Greece and Turkey, President Truman announced a reversal of this policy and gave notice that US aid would be made available wherever necessary to stabilise the countries of Western Europe. The containment of Soviet advance through the restoration of economic stability and prosperity to Europe thus replaced isolationism as the main tenet of US foreign policy. The logical extension of the Truman Doctrine was the Marshall Plan, inaugurated in June 1947 and finally passed through Congress in April 1948. Bevin was an enthusiastic champion of this policy and by the middle of 1948 Marshall Aid was pouring into Britain and Western Europe. By 1949 Britain had made an impressive economic recovery. Exports were at a record level and overseas trade
was almost in balance. The recovery would clearly not have been possible without US aid, but the price which had to be paid was high. An era of 'Cold War' developed between East and West, intensified by the Czech Coup in February 1948 and the Berlin Blockade. In Britain any hopes which remained of the Labour government following a 'middle way' between the USA and the Soviet Union disappeared and Britain moved increasingly behind the US line, culminating with the establishment of the NATO military alliance in April 1949. It was in response to this increase in international tensions that the CPGB withdrew its support from the Labour government.

In the autumn of 1947 a new central organisation for coordinating the policies of the main communist parties in Europe was established - The Cominform. The New Statesman was clear as to its significance:

From now on, whatever the official Russian foreign policy may be, communist strategy will concentrate on the objective of destroying social democracy and forcing upon the working class of Western Europe the sharp choice between support of either America or the Soviet Union. 36.

The CPGB, although not a member of the new organisation, pledged its allegiance to the Cominform. Support was immediately withdrawn from the production drive. In December 1947 Pollitt wrote that with Britain tied behind the Marshall Plan 'production increases will not be utilized for the benefit of Britain or the people, but will be subordinated to the general aims of American Policy.'37. That the Communists did a 'U turn' on support for the production drive is beyond doubt, although both Tribune and the New Statesman
felt that the mining industry had been given dispensation from the general attack on increased production and economic recovery. 38. What is not so clear is whether the CP attempted to sabotage production through the instigation of industrial unrest. The government had few doubts as to the role of the CP in the strikes of the period. Prior to Marshall Aid Labour had often rejected the assertion that the disputes were political in origin. 'We have no evidence', Shinwell told the House in April 1946, 'that the communists are responsible for these unofficial disputes.' 39. After 1947, on the other hand, the government tended to see in all unofficial strikes the seeds of communist subversion and steps were taken to counter the communist offensive.

In December 1947 Morgan Phillips, the Labour Party's General Secretary, published a circular entitled 'We have been warned', which spoke of a 'campaign of sabotage' and 'communist inspired attempts to foment discontent in the factories' and called for a 'great campaign against communist interference and infiltration inside the Labour Movement'. 40. In November 1948 the TUC issued a document entitled 'Defend Democracy', accusing the CPGB of instigating stoppages 'in servile obedience' to the Cominform to wreck the recovery efforts of European countries which had accepted Marshall Aid, and urging all affiliated unions to consider banning communists from holding union posts or acting as union delegates. 41. In 1949 the TGWU ruled to ban communists from holding office and in January 1950 nine full time officers were dismissed. Bert Papworth was also removed from the TUC General Council. 42. A resolution deploiring unofficial strikes
and pointing to communist involvement in the unrest was passed decisively at the annual conference of the NUGMW in Scarborough in June 1949.43.

Not all unions, however, joined in the anti-communist witch-hunt. The National Committee of the AEU deplored 'the attempts of unauthorised bodies to interfere with the rules of our organisation', and accused the TUC of weakening the trade union movement by 'splitting our ranks at a time when we are in need of the greatest possible measure of unity'.44. But at the TUC Congress of 1949 the General Council's policy was endorsed overwhelmingly.45. In March 1949 the General Council announced a purge of the trade councils and Dagenham Council had its registration withdrawn. In 1951 three further trade councils were banished and the following year the London Trades Council fell foul of the TUC.46. In international affairs the TUC followed an equally strong anti-communist line, withdrawing from the communist controlled World Federation of Trade Unions in July 1949 and establishing in December a rival body, the International Confederation of Free Trade Unions.47.

The Parliamentary Labour Party was not immune to the anti-communist offensive. As early as November 1946 one Labour MP had expressed concern to Attlee at the effect the 'insidious propaganda of the communists is having upon the younger members of the Parliamentary Party'.48. In April 1949 disciplinary action was taken against a number of Labour MP's following the sending of a telegram of good wishes to the Nenni socialists who had entered a popular front with the
communists in the Italian elections, and Platts-Mills was expelled from the Party. By July 1949 three more Labour MP's had been expelled by the NEC on charges of fellow-travelling.49.

In March 1948 Attlee placed a ban on communists (and fascists) in the civil service.50. 'To many Members', Maurice Edelman wrote in the New Statesman, 'it appeared like the end of the 'Liberal Age''.51. By March 1950 forty eight civil servants had been removed from their employment for security reasons, only one on the grounds of membership of a fascist party.52.

In December 1949 a group of top ministers met with Attlee to discuss the proposals of an official working party which had been set up to review existing policy and machinery to counter the communist menace at home and abroad. The report had recommended that the government take action to discredit the CP in the eyes of the public and had proposed for this purpose '..... a campaign of educative publicity involving the use of public funds and the employment of Government agencies'. Ministers felt that the use of public funds to discredit the CPGB would only be justified if the Party was made illegal. The government was not yet ready to take such action, although there was growing support within Cabinet for new legislation, and it was concluded that the proper remedy was to 'ensure that the Labour Party, the trade unions and the co-operative movement intensified their efforts to combat the encroachment of communism at home'.53.

In the international arena the government was similari
willing to take positive steps to curb the spread of communism. In March 1950 discussion was given to the possibility of arranging a large international congress of ex-communist intellectuals 'to enlist their aid in a re-statement of democratic values'.

The campaign against communists in Britain in the late 1940's and early 1950's, whilst never reaching the hysterical pitch associated with the McCarthy witch hunts in America, nevertheless permeated deep into British society. In May 1949 the John Lewis Partnership resolved that practising communists should be excluded from the organisation, whilst the Archbishop of Canterbury, Dr. Fisher, in July of that year described unofficial strikes as being 'directly or indirectly communist inspired', and as 'the sport of anarchy as a step to tyranny'. In March 1950 Lord Vansittart demanded the purge of communists in the BBC, in the education system and in the church. The Reynolds News dubbed him Lord Van Witch-hunt whilst Lord Simon congratulated him on having 'rendered a great public service'.

The most acute and widespread industrial unrest after the war took place in the docks and it was here that claims of communist subversion reached a peak. Henry Pelling has argued that 'there is no doubt that this trouble was fomented and in several cases directly instigated by the Party or by communists from overseas'. The evidence which is available, whilst not conclusive, does not support this assertion.
During an unofficial dock strike in London in June 1948 the Cabinet expressed the view that there was 'a powerful organisation behind the strike and some reason to regard it as part of a general attempt to create industrial unrest'\(^{59}\). Arthur Deakin claimed that thirty seven out of the forty eight members of the unofficial strike committee were communists.\(^{60}\) Yet there was little supportive evidence. Scotland Yard advised the government that the strike was not being organised by communists although 'there was some indication that the CP was beginning to take an interest in it for 'political reasons''\(^{61}\) and an investigation by the Ministry of Labour concluded that 'the organisation is a very mixed bag indeed and includes ..... people who are not extremists'.\(^{62}\) There is in fact an interesting story associated with this dispute. In June a mysterious telephone call was received in the House of Commons by the Tory MP for Melton, Anthony Nutting, which named a Monsieur Zarrov, a Yugoslav and a prominent member of the Cominform in Belgrade, as the moving spirit behind the strike. Zarrov, it was alleged, had recently arrived in England and had informed a group of communist dockers that 'British communists were to step up agitation in every possible and fertile field forthwith, along the lines of the French communists last summer'. This meeting, it was claimed, was immediately followed by the strike in the docks. Nutting passed the information on to the government but, despite extensive enquiries by the police, no evidence was found to support the story.\(^{63}\).
1949 saw two major disputes in the docks. In April a strike broke out in the London docks over the dismissal of thirty three 'ineffective' workers: According to the government 'the cases of dismissal have simply been used as an excuse for reckless action intended to cause trouble and to upset the economic life of our country'. The series of stoppages in sympathy with the Canadian Seamen's Union between May and July 1949 unleashed a torrent of anti-communist rhetoric. On 9 July Sir Hartley Shawcross, speaking in Ipswich, claimed that:

The communists are carrying out a carefully coordinated plan intended to disrupt the economic and political life of our country, and so give rise to conditions in which communist dictatorship, controlled from Moscow, could take control. That is the game to which those who take part in these unofficial strikes are blindly leading themselves.

The Chairman of the Labour Party, Sam Watson, described the strike as the work of foreign agencies whose job was 'to throw a spanner in the works of British recovery', whilst Arthur Deakin drew attention to 'an international Congress promoted by the communist controlled WFTU', which had taken place in Marseilles and which had allegedly decided on a policy 'for spreading local seamen's and docker's disputes all over the world in ports where the WFTU had influence'.

The government pointed to the existence of the semi-permanent National Port Workers Defence Committee, a militant, unofficial, rank and file strike committee, which had been set up in 1945 and which sprang up at times of unrest.
throughout the period, as evidence of communist organisation behind the strikes. The membership of the committee was not fixed and individual communists certainly appeared on it from time to time. But it was not communist controlled. Harold Wilson informed Isaacs in June 1949 that 'the Liverpool strike was not communist in origin and only a very small minority of the strike committee were communists', whilst the Chief Constable of Liverpool reported that, although the strike committee included men 'who hold communistic views', it was widely recognised that 'the views of these members ..... were not acceptable to the majority of the workers'. The Port Workers' Defence Committee, moreover, did not incite the unrest but responded to the unofficial action of the men and in the absence of official union recognition took over the running of the strike. The TGWU investigation of the strike confirmed that the men decided spontaneously to come out and then elected representatives. The dockers themselves were quick to dismiss any suggestion that the strike was politically motivated. In Bristol one rank and file leader stressed that 'no political significance could be attached to the stoppage' and that 'the action taken was not in anyway connected with the CP'.

The government came under attack from the Opposition for putting too much emphasis on the role of the CP in the absence of any firm evidence. The Times warned the government that 'strikes are not peculiarly communist phenomenon and these strikers are not communists .....', a sentiment echoed by Socialist Commentary. Robert Neville
a close friend of the Prime Minister, informed Attlee that 'the line of throwing the blame on the communists has been overplayed. The majority of the men are, of course, not communists, and the amount of emphasis thrown on the fact that they have been duped by the communists tends to make them 'bloody minded'.

The government, in fact, was well aware of the tenuous nature of the allegations. Despite detailed investigation by the police little evidence was discovered about the activities of the communists in starting the unrest. Plans to bring out a dossier of events of the strike for sale to the public, which put the blame for the stoppages on the CP, were dropped on the advice of government lawyers who warned of possible action being taken by the CSU for defamation. The report was brought out, instead, unchanged, as a Command Paper which provided protection for the government under the Parliamentary Paper Act of 1840.

It would be a mistake, however, to understate the part played by the communists in the running of the dispute. Though clearly not responsible for starting the strike, once it had begun the Party enthusiastically set about to mobilise support and to collect funds for the dockers. In Bristol leaflets entitled 'Troops and Food' were distributed by the local CP, which stated that 'British troops are being mobilised to back employers who have wantonly and unnecessarily locked out their workers'. Willie Gallacher later recorded that in the East End of London the communists, supported by non-party workers, 'gave splendid service in raising funds and
providing food and lodgings for the striking Canadian seamen .....'. 76.

The series of stoppages in the docks between May and July 1949 were not part of an organised communist plot to disrupt the European recovery programme. Such a theory cannot explain why over 15,000 dockers gave wholehearted support to a dispute in which they themselves stood to gain nothing and which involved great financial hardship. In Liverpool alone it was estimated that the men lost over £50,000 in wages. 77. On the contrary the British dockers supported the Canadian seamen out of a genuine regard for the principles of trade union solidarity. The seamen in Canada had struck work when a claim for a wage increase was rejected at arbitration. The Canadian employers had taken the provocative step of recruiting blackleg labour from a rival union, and at the request of the CSU the dockers in Britain had refused to handle ships worked across the Channel by members of the ISU. One delegate to the 1949 TUC Congress described the dispute as 'one of the most magnificent struggles for trade union solidarity that this country has ever witnessed .....'. 78. There were also genuine grievances amongst the dockers at home which underpinned the strike.

Widespread unrest broke out again in the docks in April 1950 and in February and May of the following year. The government again placed responsibility for the stoppages firmly on the shoulders of a minority of extremists but once more there is little evidence to support such a claim. 79. In Salford in June 1951, for example, the local CP issued a leaflet apparently designed to keep the strike alive by
associating it with the agitation against re-armament but the dockers, anxious to repudiate any suggestion that the strike was political, voted to return to work. 80 A detailed study of the strike by students at Liverpool University, moreover, concluded that there had been 'hasty improvisation' by the strike leaders and that there was no evidence of efficient organisation behind the stoppage. 81.

It was not only in the docks that the government was apt to see evidence of communist subversion. During a strike of meat transport drivers in London in June 1950 the Cabinet claimed that 'those responsible for organising the present stoppage were moved by political motives rather than industrial grievances.' 82 The strike coincided with the outbreak of the Korean War and a heightening of the tension between East and West. In the Commons one MP insisted that 'the battle of Smithfield is closely connected with the battle of Korea' and that by impeding the British Army the strikers 'are acting as the unconscious agents of Moscow'. 83. As in the docks an unofficial committee had developed in the road transport industry - the London Road Haulage Stewards' Association - to direct the strike in the absence of official union support. Arthur Deakin accused this body of acting 'with the support of active communists' and of having 'a reckless determination to create the maximum difficulties for the country'. 84 The strikers, however, denied any communist involvement. The Chair of the strike committee informed a meeting of strikers at Victoria Park on 7 July 'that there was no truth in the suggestions that the CP was
behind the strike; it was just a question of the strike committee doing a job which the union was not prepared to do.' An official government report on the same meeting reached a similar conclusion. It stated that 'it is quite safe to say that in the minds of most of those present there was no association of the strike with any communist plottings'. The genuinely accepted role of the strike committee 'appears to be to ginger up the official leadership and to obtain wholehearted support from Transport House for rank and file claims'. This evidence is clearly at variance with the public statements put out by the government.

The Communist Party had acquired fairly considerable influence within the ETU after the War. When in February 1949 and again in December of that year unrest broke out in the London power stations the government was quick to unearth a communist plot. The stoppage at Barking power station, Isaacs informed Cabinet on 28 February, 'showed that certain extremist elements were prepared to take strike action in complete disregard of the public interest', whilst in December Gaitskell informed the Prime Minister of a 'good deal of evidence to show that this strike was deliberately fomented by "unofficial" communist elements after careful preparation.' The Chairman of the BEA, Sir Walter Citrine, was also convinced that the strikes had been 'carefully devised and organised' by 'the inevitable nucleus of active communists'. As on previous occasions, however, the government produced no evidence to support these allegations. It is also the case that the ETU and its communist leadership
failed to give official backing to the strike, a situation which would surely not have arisen if the strike had been planned by the Communist Party.

The industrial and political strategy of the CPGB, without doubt, underwent a dramatic transformation with the beginning of Marshall Aid and with the onset of the Cold War between East and West after 1947. Initial, if sometimes critical, support for the Labour government and a Stakhanovite attitude towards production was replaced in late 1947 by a policy of open hostility to both Labour and the production drive and by an increasing subservience to the Moscow line. At home the CPGB took a lead in the fight against the policy of wages freeze and the continued restrictions on the right to strike. Undoubtedly individual communists were active in unofficial disputes and local Communist Parties, in many areas, threw their political machines behind the industrial struggles taking place. Prior to the outbreak of the Korean War in June 1950, however, there is little evidence to suggest that the Communist Party was actively involved in a campaign to disrupt economic recovery in Britain through the fomenting of industrial unrest. After June 1950 the position is less clear cut. Communist opposition to the government's support for the South Korean army, and to the re-armament campaign in general, may have manifested itself in an attempt to disrupt the passage of military supplies overseas or of industrial activity at home. On 27 July 1950 the Daily Worker carried the headline, 'Not a man, not a gun, for America's war. Save Britain's sons'. 90. The New Statesman
which had been only too ready to condemn the government for attributing all unofficial unrest in the past to the work of communists, was inclined now to accept that the British Communist Party had received instructions to undertake a campaign of industrial sabotage. Other papers were less sure and called on the government to produce the evidence on which its accusations were based. The Communist Party itself flatly denied the charges.

In some ways analysis of CP strategy after 1947 is irrelevant. The Party's influence within the Labour movement was simply not sufficient, even if it had so desired, to bring out tens of thousands of workers in the docks and the power stations. The party, as we have seen, retained a fairly low key position in many unions after the war. Its membership, moreover, fell consistently during this period from a peak of 55,570 in 1944-45 to just 38,579 in June 1947. In February 1950 the Party lost its representation in Parliament when both Willie Gallacher and Phil Piratin lost their seats at the General Election. A theory which seeks to explain the unofficial unrest of the period as the work of a small band of communists cannot explain why thousands of workers should be willing to blindly follow communist directives, which they had so overwhelmingly rejected through the ballot box.

Significantly, concern was expressed in government circles that the communist threat was being overplayed. 'It is not always wise', Aneurin Bevan informed the House of Commons in February 1951, 'to interpret these acts in that way. It exalts the influence of the communists in a most
extraordinary fashion to suggest always that they are responsible'. In October 1950 Philip Jordan of the Lord President's Secretariat, wrote a letter to Attlee on the subject of communists and industrial unrest. It is worth quoting at some length:

We should be increasingly careful not to blame the communists for starting - as opposed to exploiting - unofficial strikes .... When we blame the communists for starting strikes whose origins are economic rather than political, we thereby credit them with more powers than they possess, and discredit our own absolute knowledge that, generally speaking they cannot create but only exploit a situation. .... The view is certainly growing that the major reason for these unofficial strikes lies in the leadership of the unions, out of touch with the Rank and File. Also it is argued that under Labour the power of the trade unions to hold the loyalty of their members must inevitably wither as 'the unions are so closely connected with the government that they must attempt the impossible task of running with the hare and hunting with the hounds.'

This brief study reveals that the communists were not responsible for the wave of industrial unrest after the war. It also suggests that the Labour governments were well aware that their accusations against the communist party were largely groundless. Why then did ministers persist in making these allegations? The answer is simply that it was in the governments' interest to perpetuate the myth of a communist plot. By placing the blame for the unrest on the Communist Party the Labour governments were able to gain acceptance of their strike-breaking policies from their own supporters in a way that would have been impossible had the strikes been presented as legitimate industrial disputes.
This point should not, however, be pressed too strongly. There was, in any case, a good deal of support from within the Labour movement for the governments' stand against strikes which threatened to hamper the nation's economic recovery and so wreck the radical programme of social and economic reform. It is to the question of the unions' response to Labour's anti-strike policies that I now turn.

The Attlee governments were well aware that they could not impose such a policy on a reluctant trade union movement; that union approval, or at least consent, was needed over the controversial issues such as the extension of Order 1305 and the use of troops during strikes. As we have seen there was, in fact, little organised opposition to the governments' industrial policy. The CP and certain left wing unions were vociferous in their opposition to the restrictions on strike action and the governments' strike-breaking tactics and there was wider opposition to the use of the Emergency Powers Act and to the withholding of unemployment benefit from those engaged in strike action, but on the whole Labour retained the support of the organised worker.

How are we to explain the unions acceptance of these unpalatable policies?

The unions were generally anxious to assist the government, 'their government', in every way possible, even if it meant sacrificing, in the short term at least, certain principles which had long been held to be sacrosanct. The TUC, for example, after an initially cool response, gave
enthusiastic support to the drive for increased production, a policy which in the past would almost certainly have been rejected as 'speed up'; whilst the freeze on wages was brought in with the concurrence of the trade union movement at a time when full employment gave the unions a degree of bargaining clout which they had not enjoyed for half a century.96. Even the governments' adoption of the pre-war strike-breaking instrument of the armed forces and their use of formal emergency powers embodied in the 1920 Emergency Powers Act, met with little criticism from the TUC and the wider Labour movement. The President of the TUC in 1946 told Congress that unofficial strikes which interrupt production would not be tolerated, 'no matter on what pretext they are brought about'.97. The continuation of Order 1305 was also accepted by the TUC and it was only with the prosecution of the gas workers in 1950 and the dockers in 1951 that TUC support for the Order was eventually withdrawn.

The trade union movement was certainly prepared to exercise a large degree of restraint in support of the Attlee governments. It would be erroneous, however, to view the trade union movement as a single, homogeneous body. There was opposition to certain aspects of government policy from the more militant unions. Moreover, the unofficial unrest of the period was often directed as much against the official union leadership as against the employers which suggests a split between the union leadership and the members. How did this split in the ranks of the union movement develop?
The Second World War can be seen as a watershed in the status and position of the trade union movement, which emerged from the isolation of the inter-war years into close partnership with the wartime coalition government. The fundamental importance of manpower to the war effort, the return of full employment and the presence at the Ministry of Labour of the powerful and imposing figure of Ernest Bevin from 1940 onwards, contributed to the rise of British trade unions to what Churchill termed 'an estate of the realm'. Trade unions were represented on all manner of governmental bodies and agencies during the war, concerned not only with industrial matters but with issues of wider, national significance. The most important of these tripartite bodies was the National Joint Advisory Council (NJAC) formed in October 1939 by Ernest Brown, Bevin's predecessor at the Ministry of Labour, although from 1941 Bevin chose to rely more on its sub-committee, the Joint Consultative Committee (JCC), to consult both sides of industry. The JCC discussed all the most important issues affecting industry and manpower during the war. It was from this body, in fact, that the recommendation for Order 1305 was made and later accepted by Bevin and the Cabinet. Its influence and importance was such that Keith Middlemas has argued that during the War the JCC almost took on 'the status of an unofficial government department'.

The trade unions had also been brought into the decision making process during the First World War, but this influence soon disappeared during the period of decontrol
and reconstruction after 1918 and during the depression of the inter-war years trade union power reached a low ebb. The same pattern was not to occur after 1945. On the contrary, the election of a Labour government in July 1945 served to strengthen and enhance the trade unions new found stature and power in the political system. The increased power of the unions was reflected in its size which grew from 7½ million members in 1945 to over 9½ million in 1948.99.

Relations between the trade unions and the Attlee governments were close. For one thing the 1945 Parliament contained no less than 120 trade union sponsored MP's, of whom 29 were given a place in the government, including 6 in the Cabinet, although this number had been reduced to 4 by 1951. In addition by late 1948 7 union officials had been taken from the General Council of the TUC and made full time members of the Boards of nationalised industries.100. Union representation on governmental boards and tripartite bodies after 1945 remained high. The unions were represented on the NJAC, the Planning Board, the Chancellor of the Exchequer's National Productivity Advisory Council on Industry and on Regional bodies and numerous joint advisory committees.101 In 1948, in fact, the trade unions had representatives on no fewer than sixty governmental committees. This compared with only twelve in 1939. In addition to the many official contacts between trade unionists and ministers, informal relations between the two were close.

One consequence of the ease of access between ministers and union leaders was a reduction in the importance
of the Ministry of Labour, which had been perhaps the key
department during the war. Symptomatic of this change was
the appointment by Attlee of the relatively unknown George
Isaacs as Minister of Labour. He had been in Parliament on
and off since 1923 but had held only three minor posts in
government and had never before been in the Cabinet. He was
sixty four years of age in 1945 and was Chairman of the
General Council of the TUC, a post from which he resigned
on his accession into government.\textsuperscript{102}. Isaacs was a political
lightweight and had a generally unhappy time at the Ministry
of Labour. The \textit{Evening Standard} in March 1946 concluded
that whilst 'Mr. Isaacs, Labour Minister, is a well-meaning
and likeable little chap, ..... (he) has made it plain that
he does not carry anything like heavy enough guns for the
job.',\textsuperscript{103} Whilst the Conservative MP, Anthony Marlowe, in
his weekly political commentary to Lord Beaverbrook, wrote
that Isaacs 'must give Mr. Attlee some nervous moments.
He has certainly improved after a shaky start, but is still
likely to have an off-day at any moment'.\textsuperscript{104} As early as
1947, in fact, Stafford Cripps had confided in Hugh Dalton
that 'George Isaacs should go'.\textsuperscript{105}

In the absence of a commanding figure at the Ministry
of Labour it is perhaps not surprising that Ernest Bevin
continued to play a central role in industrial matters.
According to his biographer:

\ldots although he had severed his formal
links with the movement, no Labour Cabinet
has ever had a minister who could talk with
Bevin's authority to the union leaders or
who retained until his death so great
a hold on the loyalty of the active
members serving on union committees
and delegations. 106.

Originally Chuter Ede, who was eventually
appointed Home Secretary in the Attlee government, was
earmarked for the Ministry of Labour. This, in any case,
was the wish of Ernest Bevin. Chuter Ede recalls in his
diary his unease on hearing of this rumour: 'It is clear
Ernest Bevin means me to be his mere stooge at the Ministry
of Labour, going to him for advice and instruction and
carrying out his policy'. 107. It is not surprising, therefore,
that Bevin was less than happy to see Aneurin Bevan replace
Isaacs at the Ministry of Labour in February 1951. Hugh
Gaitskell told Hugh Dalton that although 'George Isaacs isn't
much good, ..... EB (Bevin) regards him as his Under-Secretary,
and wouldn't like Nye there'. 108. Bevan for his part was
less than happy to move to the Ministry of Labour. 109.

Throughout the lifetime of the Attlee governments
Ernest Bevin continued to have the ear of leading trade
unionists which cemented the already close relationship
between the government and the unions. Bullock says that
throughout his ten years in office he kept in constant touch
with such figures as Arthur Deakin, William Lawther and
Tom Williamson. 110.

This integration of the trade union movement into
the political arena has been seen by some historians and
political scientists as clear evidence of a move towards a
corporate economy or the corporate state, and it goes a long
way towards explaining the TUC's support for the Labour
government over controversial matters such as the wages
freeze and the adoption of strike-breaking policies.¹¹¹
Bevan had recognised this trend during the war when he spoke
of the 'corporate role' of businessmen and trade unions
leaders,¹¹², and The Times in October 1946 commented:

There is scarcely a measure in the
extensive legislative programme of the
Government during the past year on which
it has not been consulted on questions
of principle and of detail. Nor is its
claim to consultation confined to industrial
and social policy........ It claims to be
heard on any subject affecting the working
man and, since there is nothing in public
policy which does not directly or indirectly
affect the working man, there is no sphere
on which it does not make its influence
felt. ¹¹³

The increased role of the unions in national
politics also helps account for the split which emerged after
the war between union officials and the rank and file, a
split which was perhaps most apparent within the dockers
section of the massive TGWU.

Alongside the trade union's new found power to
influence policy formulation was placed a responsibility on
the movement to surrender sectional and narrow class based
interests in favour of the National Interest. The General
Secretary of the NUM, Tom Williamson, told delegates at
the 1948 TUC Congress that 'We are in the most responsible
position we have ever attained'.¹¹⁴, In the cooperation with
the government over the retention of Order 1305, in the
voluntary agreement to freeze wages and in the support given
to the tough policy on unofficial strikes, there were clear
signs of the union movement operating within a national framework. It could well be argued that union members, in any case, were best served by the adoption of such measures and the resultant strengthening of the economy, but it should not obscure the fact that the underlying philosophy of the movement, in line with its increase in responsibility, was shifting away from the advancement of sectional goals towards support for policies which could be classified as being in the national interest. As the unions became integrated into the political structure and increasingly divorced from the aims and aspirations of its members, so one can begin to explain the growth after the war of shop-floor bargaining, the development of shop-floor committees and the appearance of unofficial strikes supported by unofficial strike committees. All of these developments can be seen as a consequence of the growth of trade union power and the increasing alienation of the unions from their members at a time when full employment and manpower shortages placed the movement in an extremely powerful position.

It would perhaps be disingenuous to suggest that the government was unaware of the moderating influence upon the TUC of this incorporation into the political arena. The government welcomed the elevation of the trade union movement to 'an estate of the realm' and shunned unofficial strikers and unofficial strike committees, which by their attack on official union structures threatened to undermine this corporate position. The Labour governments consistently refused to negotiate with unofficial strikers. During the strike in the Merseyside docks in Autumn 1945 Isaacs told
MP's that, whilst the government was anxious to do everything to produce an end to the stoppage, we 'will do nothing to impair the constitutional machinery of the industry'.

Similarly, during the dock strike in June 1948 Willie Gallacher urged the government to meet the representatives of the men on strike, but the Prime Minister refused on the grounds that 'it is the policy of the Government, and .... of this House, that we should deal with the union representative and support their authority'. Strong centralised trade unions were seen by the government as an important bulwark against militancy. Sir Hartley Shawcross summed up the government's attitude in 1946 when he said that:

Most people nowadays recognise that it is in the interests, not only of industry but of the state to have strong and powerful trade unions of which all the workers in industry are members, and which are able to guide and lead their members.

We must, however, be careful not to overstate the degree of influence exerted by the trade unions over the policy of the Labour governments. As Vic Allen has pointed out, whilst it is certainly the case that informal contacts between ministers and union leaders increased dramatically after 1945, the day to day relations between them were not altered by the presence of a Labour administration, which continued to use the established channels of communication. R.N. Martin has also argued that the level and degree of consultation between ministers and union officials between 1945-51 has been overstated. Certainly, over the development of an emergencies supply organisation, we have
seen that the government took the deliberate decision to limit discussions to representatives of industry and not to consult with the trade unions. It is also questionable whether much was achieved by the consultations that did take place. Although the NJAC continued to meet after 1946 it deteriorated, according to Allen, 'into a platform for the Minister of Labour to air his views or to test the feelings of trade unionists and employers on contentious matters'.

The TUC's influence over government policy making between 1945-51 was strictly limited. This has led Keith Middlemas to point to the tentative, fragile character of Corporatism after the War and he has suggested that the phenomenon could better be described as 'Corporate Bias' rather than as an 'irreversible trend' which the term Corporatism implies.

A number of commentators have turned away from the 'Incorporation thesis' and have pointed to the structure and composition of the TUC as being the fundamental reason behind the period of close collaboration that developed between the Labour governments and the unions. By 1947 a triumvirate of trade union leaders had emerged, Arthur Deakin of the Transport Workers' Union, Tom Williamson of the General and Municipal Workers' Union and William Lawther of the NUM, who were all moderate in policy and intensely loyal to the Labour government and who by their control of huge block votes were able, with the support of one or two smaller unions, to determine trade union policy. The TGWU and the NUGMW, for example, had more than one quarter of the
total votes at Congress at their disposal and whilst there was no formal machinery for consultation between the leaders of the main unions, informal contacts were frequent.\(^{123}\). Through their control of Congress the triumvirate was able to effectively stifle opposition to government policy from the more militant unions. One must be careful, however, in rejecting the existence of a homogeneous trade union movement, not to overstate the degree of division within the TUC. Haseler suggests that there is little evidence that the TUC was acting against the wishes of the membership of the unions in its support for government industrial policy and Hennessy points to the fact that there were few occasions between 1945-53 when action by the General Council was repudiated by Congress to conclude that the unions were not out of step with the rank and file.\(^{124}\). This analysis of course ignores the fact that the triumvirate was able to dominate Congress and thereby defeat all official opposition, and the most cursory examination of Congress Reports or union minutes or journals reveals a wide body of opposition to the TUC's policy of cooperation with the Labour government over such issues as the retention of Order 1305 and the use of emergency powers to break strikes.

By 1950 the TUC's uncritical support for the industrial relations policy of the Labour government was beginning to come under increasing pressure from the rank and file of the movement. In September 1950 the TUC was forced to withdraw its support for the freeze on wages and in early 1951, following the prosecution of the gas workers and dockers, it was forced to abandon its support for the
restriction of strike action and to campaign for the removal of Order 1305. The deterioration in relations between the Labour government and the trade union movement after 1950 might go some way towards explaining Labour's defeat at the polls in October 1951. Whatever the reasons for this defeat the trade union movement now found itself faced with a Conservative government led by Winston Churchill, a figure still widely associated in trade union circles with the General Strike and the harsh anti-union policies of the late Twenties and Thirties. The relationship between the Conservative government and the trade union movement between 1951-55 will be dealt with in the second part of this study in which I examine the policy of the new government towards industrial unrest and attempt to make a comparison with the Attlee governments' handling of strikes after the War.
REFERENCES


7. For speeches by Dr. Fisher see The Times, 9 November 1950, p. 3; The Times, 24 January 1947, p. 2; The Times, 13 July 1949. Prayer proposed by the Bishop of Rochester, quoted in Reynolds News, 4 February 1947.


23. On communist influence in the AEU and in the ETU, see M. Harrison, Trade Unions and The Labour Party (1960), pp.142-44 and pp.182-84 respectively.


27. J.R. Campbell, Trotskyist Saboteurs (1944), leaflet published by the Daily Worker.


40. The Times, 22 December 1947, p.4.

41. Report of the Annual Congress of the TUC 1949, pp.275-7. A second pamphlet was published in 1948 by the TUC entitled 'The Tactics of Disruption'.


43. The Times, 21 June 1949, p.3.


45. Ibid., p.360.


47. The WFTU had been formed in February 1945 out of Citrine's Anglo-Soviet Trade Union Committee. When Citrine retired in 1946 he was replaced as President by Arthur Deakin. There was little dissension in the early months of its existence. The TUC concurred with the WFTU over the critical line taken on Greece and to the severing of diplomatic relations with Franco's Spain. Tension grew

53. GEN 231/3rd Meeting, 19 December 1949; CAB 130/37.
54. CAB 124/4.
55. Lord Stansgate raised the Question of the exclusion of Communists from the John Lewis Partnership in Parliament. See the Papers of Lord Stansgate, HLRO: ST/123. Dr. Fisher's speech reported in The Times, 13 July 1949. On the other hand a statement was issued by the British Council of Churches, Strike and Lockouts: The Ethics of Christian Action, which warned against overstressing the role of communists in fomenting industrial unrest.
61. Emergencies Committee of Ministers, 21 June 1948; CAB 134/175.
62. Note to Mr. Stillwell at Ministry of Labour, 23 June 1948; LAB 10/783.
63. A. Eden to C. Attlee, 24 June 1948; PREM 8/1086. Also A.W. Peterson to Mr. Francis, 2 July 1948; PREM 8/1086.
64. Typescript of Broadcast by Minister of Labour, 13 April 1949; LAB 10/831.


70. LAB 10/833.


72. The Times, 14 July 1949, p.5; Socialist Commentary, July 1949, pp.156-8.

73. Mr. Cass to Mr. Sutherland, 6 July 1949; LAB 10/833.

74. Cabinet 44(49), 7 July 1949. See also LAB 10/1408.

75. LAB 10/833.

76. W. Gallacher, Rise Like Lions (1951), p.143.

77. Note by Philip Noel Baker, 10 June 1949; GEN 291/2.


80. Cmd. 8375, p.3.

82. Cabinet 40(50), 29 June 1950. See also Cabinet 43(50), 6 July 1950.


85. LAB 10/969.

86. LAB 10/969.

87. Statement by Minister of Labour to Cabinet, 28 February 1949; PREN 8/1082. See also Cabinet 21(49), 21 March 1949.

88. H. Gaitskell to Attlee, 24 December 1949; PREN 8/1290.


91. New Statesman and Nation, 23 September 1950, p.286. Around this time there were a number of well publicised defections from the CFGB, ostensibly over the Party's sabotage campaign. For example, B. Darke, The Communist Technique in Britain (1953), p.155. D. Hyde, I Believed (1952), p.246.

92. For example, H. Pollitt, "Sabotage" in New Statesman and Nation, 30 September 1950.


95. P. Jordan to Attlee, 9 October 1950; CAB 124/1194.

96. The TUC, initially, reacted coolly to the government's plans to increase production and bolster the export drive. Report of the Annual Congress of the TUC 1946, p.263.


103. Article by W.J. Brown MP in the *Evening Standard*, 19 March 1946.

104. August 1946, Papers of Lord Beaverbrook, HLRO; BSK C/241.


109. Bevan, according to Dalton, on being offered the post at first 'turned up his nose at it'; Dalton Diaries, 30 October 1950, BLPES, Vol. 38.


Part 2

The Churchill Governments

and Industrial Unrest, 1951-55
6. The Return of Conservative Rule

The General Election of February 1950 had seen Labour's majority slashed from well over one hundred and fifty to just five. In October 1951 Attlee again went to the country and, despite polling more votes than any other party, Labour lost the election and Winston Churchill embarked upon a second term in office.

Churchill was determined to improve relations between his Party and the trade union movement which had reached an all time low during the inter-war years. This period had seen the General Strike and the subsequent anti-trade union legislation of the Twenties, and the virtual freezing of contact between the government and organised labour during the 1930's, following the failure of the Mond-Turner talks. Although there had been a significant increase in contact between the government and unions during the war, largely due to the influence of Bevin at the Ministry of Labour, Churchill remained a figure of mistrust on the union side. His failure to implement the findings of Beveridge and his consistent refusal to repeal even the most offensive clauses of the 1927 Trade Disputes Act, served to further alienate the trade unions. Whilst Labour's landslide victory in July 1945 was undoubtedly the result of a number of complex forces, the Conservatives' record on industrial relations was clearly a contributory factor. The view was widely held at the end of the War that a Conservative victory would herald a repeat of the unrest which had followed the end of the First World War. Montague Norman, the Governor
of the Bank of England, from 1920 to 1944, wrote in 1946 that if Churchill had been Prime Minister 'I daresay we should have had more disturbances and ill-feeling within this country and possibly elsewhere in Europe', whilst Churchill himself is reported to have remarked on hearing the election result, 'I do not feel down at all. I'm not certain the Conservative Party could have dealt with the labour troubles that are coming.'\(^1\).

The 1945 election defeat convinced the Party that a thorough upheaval of both policy and organisation was required if they were to regain power and the next five years saw much work in both these directions. Lord Woolton, the Conservative Party Chairman, enthusiastically set about the task of reorganising the Party's organisation, whilst the work of updating Party policy was entrusted to the Conservative Research Department, under the leadership of R.A. Butler. Over the next few years a series of 'Charters' were produced by the Research Department on all aspects of domestic policy, all of which reflected the new 'middle way' in Conservative thinking. The most important of these Charters was, without doubt, the Industrial Charter of May 1947, which was produced by an Industrial Policy Committee of the Research Department and which was concerned with 'the future structure of British Industry'. This Charter, by its acceptance of the Welfare State and of full employment and a managed economy, and by its acceptance of the irreversibility and basic soundness of the nationalisation of the coal industry and the railway system, marked an
important shift in Conservative thinking on economic and industrial affairs, and although few of its provisions were to be enacted when the Party regained power in October 1951, the spirit and tenor of the Charter was to be seen clearly throughout the new government's dealings with the trade union movement. Harold Macmillan later wrote that 'The principles laid down in this document, guided our policies in the future Conservative Governments'.

The Charter, however, did not receive unanimous support from within the Conservative ranks. There were those on the Right of the Party who regarded the proposals as lukewarm and semi-socialist. Beaverbrook saw the Charter as evidence 'of socialism creeping into the Conservative Party', whilst Brendan Bracken complained to Beaverbrook of 'The neo socialists' like Harold Macmillan and Rab Butler 'and the other moles engaged in research to produce a 'modern' policy for the Tory Party'. According to Bracken, at the 1946 Party Conference the 'progressives' were given a hard time and were 'lucky to escape with their scalps'. The supporters of the Charter were undaunted by such criticism. Macmillan recorded in his memoirs that 'The Socialists are afraid of it and Lord Beaverbrook dislikes it.....What more can one want?.....' It is, he wrote, 'a challenge as well as a Charter. It is the true doctrine of the Middle Way'.

There was to be much common ground between the Conservative governments of the early 1950's and the Attlee administrations, especially in their approach to economic and industrial affairs, a trend which came to be known as
'Butskellism'. The beginning of this post-war consensus in British politics can clearly be traced back to the middle years of the 1940's and to the re-formulation of Conservative Party policy following its disastrous defeat in the 1945 General Election. Some commentators have, in fact, gone further and have suggested that this watershed in British politics took place during the coalition period of the Second World War.

Churchill's belief that defeat in 1945 had been partly due to the Conservatives record on industrial relations meant that as the date of the next election drew nearer, strenuous attempts were made to publicise the Party's new, politics, enshrined in the Industrial Charter. In opposition the Conservative Party seized on the opportunity presented by the outbreak of widespread unofficial strikes to argue that, rather than heralding a return to the class conflict of the inter-war years, a future Conservative government would bring a new harmony and realism to the industrial scene. Labour it was argued, had shown itself incapable of dealing with the post-war problems and had been forced to maintain many of the controls and regulations which had been introduced during the wartime emergency. In promising to 'set the people free', the Conservatives pledged not only to end rationing but to remove the constraints which had been imposed in the Labour market on collective bargaining and on the right to strike.

The incoming Conservative government in October 1951 was thus committed to pursuing a policy of cooperation
and conciliation with the trade union movement. As such Churchill's choice of Minister of Labour was of vital importance. It had been widely predicted that the job would go to Maxwell Fyfe, who had been Shadow Minister of Labour during the period of the Attlee governments. But to almost universal astonishment Churchill plumped for the relatively unknown figure of Sir Walter Monckton, who had only entered politics in 1950. Monckton was the embodiment of the Conservatives 'new direction', consensus politics and his appointment was to prove to be an inspired decision. Few, if any, Ministers of Labour, past or present, have been held in so universally high esteem by both sides of industry as Sir Walter Monckton. One maverick Labour back-bencher of the period, well known for his Left wing sympathies, has even gone as far as claiming that, after Michael Foot, Monckton was the finest Minister of Labour the country has seen.

Monckton's appointment came as much as a surprise to himself as to everybody else. He was a lawyer by profession and had only entered Parliament at a By-Election in Bristol West in February 1951. He was sixty years of age at the time of the General Election and, according to his biographer, he had 'no political ambitions and no experience in industrial relations'. On being summoned to Churchill's room after the Election Monckton recalls that he expected to be offered the post of Attorney-General, but that Churchill told him 'Oh my dear, I cannot spare you for that, I have the worst job in the Cabinet for you.'
Monckton recalls that he felt 'pretty sure that that must be the Ministry of Labour ....'\(^9\). He protested that he 'had no political experience and should find that a great handicap in such a difficult post', but Churchill assured him that his great strength was that he had no political past. Monckton accepted Churchill's offer and was sworn in the same afternoon.

Monckton's success as Minister of Labour certainly owed much to his non-partisan, almost non-political character. He consistently turned down offers to speak at Tory Party conferences in an attempt to emphasise his independence and managed to gain the trust of the trade unions to a degree unprecedented amongst other Tory Ministers of Labour.\(^10\). He saw his job not as a Conservative minister but as a neutral conciliator and arbitrator. The *Yorkshire Post* summed up Monckton's appeal when it wrote:

> What is interesting about Sir Walter's popularity is that he is not, and does not claim to be, a politician in the ordinary sense, and, as he has assured himself, he is entirely without political ambition....Trade union officials like him and trust him.... 11.

Monckton had been told by Churchill on his appointment as Minister of Labour to avoid strikes at all costs. In fact he was warned that if he could not maintain close relations with the trade unions he should resign.\(^12\). His Parliamentary Private Secretary recalls that 'The very first day that I reported to his office as his PPS, I was rather staggered when he told me that he was there purely to conciliate and to keep the peace but that he was expendable,
and if a real row broke out and we had a major strike, his head would fall. Similar instructions were given by Churchill to the Minister of Fuel and Power, Geoffrey Lloyd. He remembers, on being appointed by the Prime Minister, being told 'Geoffrey, remember, no trouble with the Miners.'

Monckton's time at the Ministry of Labour was spent almost entirely in conciliating in industrial disputes. There was very little innovation during his period in office and none of the provisions of the Industrial Charter or the Worker's Charter, which had been drawn up by the Conservatives in Opposition and which included proposals for introducing contracts of service and 'equal pay' for 'equal work', were introduced.

If Churchill was prepared to lean over backwards to woo the trade unions then the union leadership for its part was equally willing to cooperate with the new Conservative administration. Immediately after the General Election the TUC issued a statement signalling its desire to work with the government. Monckton told the House of Commons that ministers 'warmly welcome the TUC's recent assurance of friendly co-operation', and that the government looks forward 'to the closest consultation with it in all matters of common concern, in pursuit of the common national object of strengthening and expanding the national economy.'

Despite the willingness of the TUC to cooperate with the new government Sir Walter Monckton's remit to avoid industrial stoppages was never going to be easy in the circumstances of the early 1950's. Between October 1950 and
May 1952 prices rose by 17½%, largely as a result of the Korean War and the devaluation of sterling in 1949, and this inevitably increased the pressure for wage increases at home. Government cuts in public expenditure in 1952, moreover, led to a wave of unofficial strikes and go sloms especially in the South Wales coal fields, and there began a fierce debate within the Labour movement over whether the unions should engage in 'political strikes' to overturn the cuts and force the government out of office.17. There was support for this line of action from the CP and from the more militant unions such as the ETU.18. At the 1952 annual Conference of the Labour Party held in Morecambe, a resolution was introduced by Salford West Labour Party demanding that the TUC organise strikes if necessary to cause the downfall of the Tory government, a resolution which received the support of Aneurin Bevan amongst others.19. It was fiercely opposed by the TUC leadership. According to Richard Crossman, after it was moved '.....It was denounced by Deakin and Lawther in the most ferocious language and both of them took the occasion to say that they controlled the money and the Labour Party would not have any if it passed this'.20. On another occasion the National President of ASLEF, Mr. Kellend, decreed that the trade union movement 'would never countenance industrial action against political legislation', whilst Tom Williamson called such proposals 'anarchy of the most dangerous kind, the negation of social democracy, and in violation of the principles for which we as a movement stand.'21.
In 1952 the government was also faced with the threat of industrial action over its proposals to denationalise part of the British Transport industry. In December workers of British Road Services agreed to take 'complete national strike action' on 19 January unless the government postponed the Transport Bill. It was claimed that the men represented nearly 10,000 employees in the nationalised transport industry, but backing from the Transport Workers' Union was not forthcoming and the strike action did not materialise.22.

Despite these problems strike activity during the first two years of Conservative rule remained at the relatively low level that had characterised the post-war period. There was certainly no appreciable increase in the number of strikes following the fall of the Labour government in October 1951. Monckton's policy of conciliation in industrial affairs and the moderation of leading union officials undoubtedly contributed to this period of industrial tranquility. With the end of the Korean War in 1953 the economy began to pick up and for the next two years Britain enjoyed a period of rapid economic growth. It is ironic, therefore, given the improved economic climate, that the close partnership between the Conservative government and the TUC began to show signs of breaking down by the end of 1953.

The major cause of this rift was the government's decision to further cut back the food subsidies which had been in place, in one form or another, since the war. In 1953, even allowing for the cuts made the previous year, £63 million was still being spent by the government on subsidising the
cost of food, a state of affairs which was at variance both with the Conservative's pledge to end controls and 'set the people free' and with the desire of the government to reduce public expenditure. At the beginning of 1953 a Cabinet Committee, under the chairmanship of the Chancellor of the Exchequer, R.A. Butler, met to review the proposals for reducing government expenditure. When it reported to the full Cabinet in February a split was evident between those ministers, led by the Minister of Labour, who argued against the removal of subsidies on the ground that any rise in the cost of living would prove to be 'a powerful stimulus to applications for wage increases', and those such as the President of the Board of Trade, Mr. P. Thorneycroft, who demanded that drastic cuts in government expenditure be made in order that there should be scope for a reduction in taxation. In the end the government chose to steer the middle course and Butler's Budget of April 1953, whilst introducing tax cuts and making small reductions in subsidies on such items as sugar, butter, margarine and cooking fat, did not lead to the wholesale removal of food subsidies. There was, nevertheless, an immediate rise of one point in the cost of living Index. In October 1953 the Cabinet agreed to further increases in food prices on beef, butter and cheese despite the protestations of Sir Walter Monckton who argued that 'wage stability could not be maintained in the face of a continued rise in prices of basic goods and services.'

292
Monckton's fears proved to be well-founded. A series of wage demands were immediately forwarded by the unions on the railways and in the engineering and shipbuilding industries and, whilst a one day national stoppage took place in the engineering industry, the Electricians Union embarked upon a strategy of 'Guerilla strikes' as part of its long running dispute with the British Electricity Authority. The New Statesman summed up the growing feeling of disquiet within the Labour movement when it concluded in December 1953 that 'nothing can now protect workers' living standards except trade union militancy and solidarity.'27. How the Conservative government dealt with this burgeoning unrest is the subject of the remaining chapters of the thesis. Comparisons and contrasts will be drawn, wherever possible, with the preceding Attlee administrations.
REFERENCES


3. Beaverbrook to Ralph Assherton, 9 July 1947; Beaverbrook Papers, HLRO. Brendan Bracken to Beaverbrook, 7 October 1946; Beaverbrook Papers, HLRO.


5. Amongst the newspapers which confidently predicted that Maxwell Fyfe would go to the Ministry of Labour was the Western Mail and South Wales News, 27 October 1951, p.1.

6. There was an interesting episode during the General Election campaign which may go some way towards explaining why Maxwell Fyfe was not chosen as Minister of Labour in Churchill's Cabinet. On 20 September Maxwell Fyfe repeated the pledge that the Party did not intend to take any legislative action on the unions, but added the rejoinder 'without prior union agreement'. The trade unions demanded to know what action the Tories were contemplating and what would happen if such 'prior agreement' could not be reached. Churchill was furious and immediately reiterated the pledge that the Conservatives had no intention of legislating to clamp down on union activity. For a fuller account of this episode see D. Butler, The British General Election of 1951 (1952), p.108. A. Seldon, Churchill's Indian Summer (1981), p.19.

7. The Labour MP in question is Ian Mikardo. Interview conducted by this author, 16 November 1983. Churchill brought into the Cabinet other figures on the Centre/Left of the Party, such as Eden, Maxwell Fyfe and Macmillan. Few representatives of the Tory Right were given jobs in the Government. A. Seldon, Op. Cit., p.81.


15. _The Times_, 1 November 1951. Tom Williamson of the General and Municipal Workers' Union reiterated the view that the TUC should deal with the Tory government. To do otherwise, he said, 'is not only dangerous talk, but not in accordance with responsible trade union thought or intentions.' _HMSO Journal_, December 1951, pp.368-9. Some union leaders, however, were highly critical of this policy, including Bryn Roberts, the General Secretary of NUPE. See. B. Roberts, _The Price of TUC Leadership_ (1961), p.73.


21. Mr. Kellend's speech reported in _The Times_, 17 March 1952, p.2. Williamson's speech was reported in _The Times_, 6 March 1952, p.3.


23. Cabinet (53)8, 10 February 1953.

24. Cabinet (53)38, 1 July 1953 and Cabinet (53)46, 28 July 1953.

25. Cabinet (53)57, 13 October 1953.


The election of a Conservative administration in 1951 brought little change to the emergencies organisation which had been re-established by the Labour government after the Second World War. The Churchill Cabinet on entering office did not even raise the question of the need for a permanent organisation to deal with the effects of widespread industrial unrest - its presence was accepted as an integral and crucial part of the structure of the modern state. The emergencies organisation was, in fact, maintained, its structure substantially unchanged, throughout the 1950's until the early 1970's when a major reorganisation took place.

Between 1951-1955 detailed emergency plans, including schemes for the deployment of service labour and for the taking of emergency powers under the Act of 1920, were drawn up in Whitehall and were brought to a high state of preparedness, ready to be introduced should an emergency arise. Many of the leading civil servants who had been responsible for emergency planning under the Attlee governments continued to play an important role in the organisation. Newsam, for example, continued to take the chair at meetings of the crucial Official Emergencies Committee, from where most of the detailed plans were drawn up. Conservative ministers, like their predecessors in the Labour governments, continued to have the final say over whether or not troops were deployed during a particular dispute, but the detailed planning was undertaken at an official level. Given this continuity in personnel between administrations, it is not surprising that the structure and function of the emergencies
organisation should remain virtually unchanged over the course of time.

There were several important differences between the Attlee and Churchill administrations in their approach to the taking of emergency powers during strikes. Perhaps the most important difference, certainly the most interesting, was that such powers were introduced by the Conservative government on significantly fewer occasions than had been the case when Labour held office. Whilst troops were introduced on a large scale during the floods in 1953, they were deployed only once and for a short period between 1951-55 during an industrial dispute. This was in comparison with the eleven occasions troops had been deployed by the Attlee governments. Clearly the marked reduction of widescale, unofficial strikes, especially in the docks, after 1951 was an important factor in reducing the need for troops, although there was no general decline in strike activity during the early 1950's. The Conservative administration, however, also showed a marked reluctance to deploy servicemen during strikes, partly because of a growing realisation that, apart from a few unskilled tasks such as the unloading of ships, troops were of little use and partly out of fear of spreading the unrest. The Conservative government was also keen to encourage industry to play a more important role in the maintenance of essential supplies and services and it is significant that when a state of emergency was declared in May 1955, during a national rail strike, the government (led by this time by Anthony Eden) chose not to bring in
troops to replace those on strike, but looked to the road transport industry to provide an alternative service.

The decline in major unofficial strikes after 1951 also had an effect on the structure of the emergencies organisation. The detailed regional plans, which had been prepared after the war, fell into abeyance and issues such as the role of local authorities during industrial emergencies, which had concerned the Labour governments, were pushed to the background. There was also little discussion of the use of civilian volunteers after 1951.

The Attlee governments, despite the fact that detailed contingency plans for the enrolment of volunteers had been prepared, decided against their use on the grounds that they were too provocative, and the matter was not seriously raised by the Conservative administration.

The first time that the emergency organisation was called into operation by the Conservative government was in October 1953, during a strike of petrol tanker drivers in the London area. The strike was unofficial and the TGWU made repeated attempts to persuade the men to return to work but without success, and by 22 October over 3,000 men were out. By halting the distribution of petrol and oil in London the strike posed a serious threat to essential services. The Cabinet was informed on 22 October that if the strike continued bus services in the Capital would be cut by 25%. The production of bread and the distribution of milk was also put at risk by the strike and there was a serious threat to the water supply and sewerage industry. The General Post
Office reported that both their inland postal and telecommunications services had been curtailed and, although the strikers had agreed to maintain supplies to the fire and ambulance services, there was evidence that some doctors and midwives were running dangerously short of petrol. Ministers were in agreement that if the strike continued it would be necessary to take action to keep the essential services going, but they were undecided as to the best course of action to follow. Two alternative plans had been prepared by the official committee on emergencies. The first involved the delegation of responsibility for maintaining supplies to the oil companies, which had drawn up their own emergency plan involving the use of volunteers from among the industry's white collar staff. The second plan was for the government to take responsibility for maintaining the supplies and services by introducing service labour or civilian volunteers to move the fuel.

The Minister of Labour strongly supported the use of troops arguing that, not only would volunteers be insufficiently skilled to cope with the various tasks they would be required to undertake, but that there use would risk a serious escalation of the dispute. This view was endorsed by the Ministerial Emergencies Committee, which also decreed that service labour should be limited in the first instance, to the preservation of essential services. A sub-committee was set up under the auspices of the Home Office to work out a scheme of priorities for the troops to follow and authority was granted for consultation with the...
oil companies in compiling this list. The government, fully aware that this might provoke accusations of strike-breaking, stressed that great care was to be taken to keep the meeting secret. On 23 October the Minister of Labour informed the House that troops would begin work on the distribution of essential supplies the following day. Monckton's statement received general support from all sides of the House. The Opposition's chief spokesman on labour, Alfred Robens, appealed to the men to return to work and to use the constitutional channels to settle their grievances. By 25 October over 4,000 troops had been deployed on the movement of some eight million tons of fuel.

The authority for the deployment of troops, in the absence of a declaration of a state of emergency, was drawn, as had been the case during the Attlee governments, from temporary wartime Defence Regulations which had been kept in force since the war. In 1952 the Home Secretary, Maxwell Fyfe, had proposed that Regulation 6 of the Defence (Armed Forces) Regulations be embodied in permanent legislation but Monckton, whilst accepting the continuing need for such power, argued that any attempt to make it permanent would lead to 'unnecessary and undesirable disputes with the trade union leaders and suspicions of the Government's intentions', and the proposal was dropped. In July 1954 the Emergency Legislation Committee agreed that Regulation 6 should be allowed to lapse, without anything being put in its place, but this decision was reversed by Monckton and Maxwell Fyfe who were fearful that without this Regulation
the only way of introducing troops in an industrial dispute would be under the 1920 legislation which was both cumbersome and provocative. Regulation 6 was to remain in force until 1964. The government's anxiety that the introduction of troops might extend the strike was not realised to any great extent, though sympathetic action was taken by workers at London Transport garages at Peckham and Dalton which severely restricted bus services. The action threatened by meat transport workers and lightermen over the handling of 'black petrol' did not materialise and, after a steady trickle of men back to work on 26 October, the strike terminated the following day and the troops were withdrawn.

The government was clearly delighted with the smooth working of the emergencies organisation. The London Transport Executive received about 80% of its requirement of fuel during the dispute and, although there was some inconvenience to the travelling public, dislocation was not as great as had been feared. The BEA had managed to ease the strain on domestic fuel consumption by refueling abroad wherever possible. Ministers, however, warned against giving publicity to the success of the troops. The government should not, it was argued, appear to be exalting 'over the success of the troops in rendering the strike innocuous'. This is most important. Despite its professed intention to maintain only those services essential to the life of the community the government had, by its own admission, 'rendered the strike innocuous' by the use of service personnel, thereby successfully blurring the distinction between strike-breaking and the maintenance of
essential services. In its determination to reduce the hardship and inconvenience to the public resultant from the dispute, the government had acted in such a way as to undermine completely the effectiveness of the strike, thereby hastening a return to work by the men on the employers' terms. The employers were certainly grateful to the government for the swift and effective action which had been taken. The Chairman of the Oil Companies Co-Ordinating Committee, which had been set up during the strike, wrote to the Minister of Fuel and Power, Mr. Selwyn-Lloyd, after the strike was over expressing his thanks:

For the firm stand and prompt action taken by HMG and for the help so quickly rendered by the service personnel allocated to us for the purpose ..... We are sure that the manner in which we all worked together helped to shorten the period of the dispute and allowed reasonable counsels to prevail. 12.

It was not until May 1955, during a national strike on the railways, that the emergencies organisation was next called into action. There was a major unofficial strike on the docks in September 1954, during which careful consideration was given to the introduction of service labour, but for a number of reasons the government, on this occasion, chose not to use its emergency powers.

The strike began in the port of London on 20 September 1954 ostensibly over the sorting of a cargo of meat, although the causes went much deeper and included both a long running dispute over overtime and an element of inter union rivalry between the two dockers' unions, the huge
TGWU and the very much smaller Stevedores' Union, NASD. The Stevedores' Union, which in 1954 was based almost exclusively in London, had been operating a ban on overtime from the beginning of the year in support of its claim that overtime should be classified as voluntary rather than compulsory, a claim which was rejected by the employers and the TGWU. It had also been seeking recognition by the Port employers in the negotiating machinery outside London, a move which was strongly opposed by the Transport Workers' Union.

There was a long history of rivalry between the two unions. In 1925 NASD had been expelled from the TUC for poaching members from the TGWU and had only been reinstated in 1945. Tensions between the two unions continued after the war as the predominantly left wing leadership of NASD proceeded to give support to a number of unofficial disputes in the London docks, much to the chagrin of Arthur Deakin and the leadership of the TGWU which blamed the unrest on communist manoeuvrings and consistently refused to make the strikes official. In May 1954 matters came to a head when an unofficial strike in Hull broke out over dangerous methods of unloading grain. The TGWU, which had a virtual monopoly of organisational rights in the Northern Ports of England, refused to support the strike but NASD gave the strike official backing and, as a result, several thousand T & G members, who had been growing increasingly disillusioned with Deakin's style of leadership since the war, decided to transfer their membership to NASD.
This was the background to the trouble in the London docks in September 1954.

On 1 October NASD made the strike in London official and immediately the stevedores were joined by over 10,000 members of the T & G who came out in defiance of their National Executive, which refused to sanction the strike. By 15 October over 22,000 men were out in the London docks, including some 15,000 members of the TGWU. The Port of London was brought to a standstill and on 19 October Sir Walter Monckton informed the House of Commons that the government would 'take any steps which may become necessary to protect the National Interest'. Plans were prepared for the introduction of 7,000 troops to maintain essential services in London, although it was estimated that the three services could provide up to 60,000 men. As had been the case under the Attlee administrations it was stressed that no publicity was to be given to the emergency preparations. It was also laid down that in the event of an emergency the Port of London Authority would be invested with the responsibility of setting up a Port Services Committee to organise the use of troops. The Attlee governments had similarly sought to transfer much of the responsibility for maintaining essential services to industry during industrial emergencies after the war. As food supplies were in no immediate danger the decision was taken to delay the introduction of troops. On 15 October Monckton set up a Court of Enquiry. By 16 October, however, the situation had deteriorated. The lightermen had joined

304
the dispute in London and dockers in Birkenhead had also stopped work in sympathy. By 19 October 9,000 dockers were out in Liverpool and the strike had spread to the Ports of Hull and Southampton. Such was the tenseness of the situation that Churchill advised the Queen against going into the dock area during her visit to Liverpool. The strike was clearly having a disastrous effect on the national economy. It was estimated in Cabinet on 22 October that exports were being delayed at a rate of five million pounds a day and there was a threat of unemployment as the shortage of raw materials forced certain industries to drastically cut back production. The Cabinet verdict on whether or not to resort to service personnel to get supplies moving again was, as Harry Crookshank noted in his diary, 'no troops as there may be a settlement'. The Minister of Labour expressed concern that the introduction of troops would lead to an extension of the stoppage to Smithfield market, a fear echoed by Arthur Deakin of the Transport Workers' Union. It is also significant that neither the Port Employers' Association, the British Transport Committee or the oil companies wished to see the use of troops. Clearly the experience of troops in the docks under the previous administration had convinced both government and employers alike that their use was, more often than not, inflammatory and counterproductive.

The strike was called off on 1 November following the publication of an Interim Report of the Court of Enquiry which ruled that reasonable levels of overtime were obligatory. Monckton received letters from close friends
congratulating him on 'bringing the dockers back without bringing the troops in'. NASD was suspended from the TUC for a breach of the Bridlington Agreement which forbade the poaching of union members by a rival union, but this did not signal the end of trouble in the docks. Between October 1954 and the summer of 1955 NASD further extended its membership into the Ports of Liverpool and Manchester and in May 1955 it called a further strike to support its claim for representation on the joint negotiating committees in the Northern ports. It was the railways, however, that in 1955 most concentrated the mind of the government and provided the next major test for the emergencies organisation. *

On 28 May 1955 over 60,000 footplatemen, members of the union ASLEF, went on strike over the issue of the narrowing of differentials between the various grades in the railway industry. On 31 May the government proclaimed a state of emergency and introduced a series of emergency regulations for the purpose of maintaining essential services and supplies. The Regulations remained in force until 21 June, by which time the men had returned to work having failed to achieve their demands. The government in May 1955 was extremely well prepared to deal with the effects of a national rail strike. Emergency transport arrangements had been introduced in 1953 to cope with the effects of the disastrous floods which hit the country's East coast and detailed plans for the use of road transport had been drawn up during the crises on the railways in December 1953 and December 1954.

* In April 1955 Winston Churchill was succeeded as Prime Minister by Anthony Eden. In the same month Eden called a General Election and the Tories were returned with an increased majority.
The railways were a potent source of unrest in the early 1950's. There had been a series of strikes and go-slows in early 1951 which had only been settled with the intervention of the Minister of Labour, Aneurin Bevan. In July 1953 railwaymen put in another claim for 15% which was referred by the employers to the Railway Staff National Tribunal. On 5 December the Tribunal made an award of 4/- which was immediately rejected by the three railway unions. The NUR gave notice of its intention to begin a national strike on 20 December. The Minister of Labour admitted that the award 'was an unexpectedly low figure' and that 'there would probably be a measure of public sympathy for the railwaymen', whose wages 'had failed to keep pace with the general movement of wages'. But, whilst Monckton worked hard to reach a negotiated settlement, officials were preparing emergency plans to deal with a strike.

The contingency plans drawn up closely resembled those prepared under the Attlee administrations. In the event of a strike taking place service labour was to be deployed on work of a technical nature and civilian volunteers were to be recruited, through the offices of the Ministry of Labour, to take charge of the less skilled operations. The question as to whether emergency planning should be kept within the confines of the governmental machine, an issue which had also occupied the minds of Labour ministers, was raised in Cabinet. Some ministers were of the opinion that for the emergency plans to run smoothly it was essential that discussions be held beforehand with the chairmen of interested bodies such as the British Transport Commission,
the British European Airways and the Road Haulage Authority, but Monckton was anxious that wider consultation would increase the likelihood of plans being leaked at a delicate stage in negotiations and proposed that all planning be kept within the government service. Although this view was accepted by Cabinet it was not long before the decision was reversed and discussions initiated with interested bodies outside of government, although, as had been the case during the Attlee governments, a strict ban was retained on all discussions with the trade union movement.

Churchill and Monckton were both determined to avoid a damaging strike over Christmas and a settlement was eventually reached on 16 December when the BTC, under pressure from the government, granted further concessions to the railwaymen. Praise for Monckton was forthcoming from many quarters. According to the Daily Mirror:

> It was a night of triumph for Sir Walter Monckton when he announced the agreement in the Commons. When Mr. Isaacs, .... said that the settlement had been won largely by Sir Walter's personality, there was not a man in the House to disagree.

> Then, amid cheers from all sides, many Labour MP's crossed the floor to pat sixty-two year old Sir Walter on the back. 24.

The Daily Telegraph echoed this praise and the chairman of the Travellers Club, Sir Ronald Stores, congratulated Monckton 'upon an effort .... which pulled us all out of an intolerable Christmas'. There were those, however, who were not so impressed with Monckton's conciliatory skills. The government had forced the Transport Commission to overturn the decision of the railways own tribunal in order to avert the strike
and Brendan Bracken, writing to Lord Beaverbrook, told of 'a large number of Monckton's colleagues' who were 'alarmed lest he should give way to the engineers, the builders and the many other trade unionists who want sharp increases in pay .....'.

Monckton, himself, held that the strike 'represented ..... a victory for the extremists', which 'would increase the difficulties of dealing with wage claims in other industries'.

The settlement also sowed the seeds for further trouble in the railway industry by narrowing the differentials between the grades. The averting of the strike did, however, provide the government with an opportunity to finalise its emergency arrangements.

When emergency transport arrangements had been introduced into flood hit areas of Britain in 1953 serious delays had resulted and in January 1954 the Road Haulage Association wrote to the government with the suggestion 'that in future emergencies there should be earlier contact with the Association and its members, so that the available resources may be used at the earliest possible moment'.

This was, of course, directly contrary to the decision taken during the December rail crisis to keep emergency planning within the confines of government, but in July ministers reversed the decision and approved a list of bodies and persons which could be consulted in the preparation of contingency plans.

In the summer of 1954 a meeting was held between the RHA and the Ministry of Transport and Civil Aviation to draw up detailed plans for the organisation of road transport during an emergency. The organisation was to function through a system of Emergency Transport Committees at national and regional levels, with a Ministry of Transport organisation.
in parallel at each level. Representatives of the various branches of public and private transport as well as representatives of the coal and petroleum industries were to be included on the Regional Transport Committees, the function of which, during an emergency, would be to assess the available transport resources in an area and to ensure that this transport be used in accordance with a list of priorities prepared by the government. The principle on which this organisation was based was that the industry or trade itself, and not the state, should be responsible for maintaining an effective road transport system in the event of a national rail strike. Government involvement in the first instance would be limited to the removing of restrictions and disabilities on the use of private transport. Troops or volunteers would be introduced only as a last resort.

This was a departure from the practice adopted by the Attlee governments which tended, during major disputes, to take direct responsibility for maintaining services through the deployment of troops and it reflected not only the Conservative government's desire to involve private industry in the affairs of the state to a much greater extent, but also growing concern in government circles that the use of troops was provocative and likely to spread unrest and that on tasks involving any degree of skill or training such as railway work, service labour was of little use. In June 1955 private industry was to play the leading role in maintaining essential services during the national rail strike.

In December 1954 a further claim by the NUR for a 15% increase in wage rates was rejected by the Transport
Commission and new strike notices were issued. The government's emergency arrangements were immediately put on standby. The Emergency Transport Committee was convened in December and a list of priorities for road traffic was drawn up.  

The Cabinet was sharply divided over the response that should be adopted to the strike threat. Some ministers, who had been critical of what they saw as Monckton's capitulation to the railwaymen one year earlier and who were, in fact, becoming increasingly disconcerted with the conciliatory approach of the government as a whole which they saw as inflationary, urged that this time the government must stand firm. Lord Woolton recalls in his diary the argument put forward by certain members of the Cabinet 'that whilst we should lose trade union support if we had a strike, we should lose a great deal of our own supporters if we gave way'.  

Interestingly, he recalls that Monckton 'for the first time ..... was against giving way', on the grounds that 'it would start off another series of demands from the miners, postmen, engineers, etc.....'. Eden was also against giving way to the railwaymen. The Prime Minister, however, remained firm in his belief that averting the strike was the number one priority. He was, according to Lord Woolton, 'frightened ..... that a strike now might ruin our election prospects and also the budget.....'.  

Churchill was under no illusions that sooner or later the government would be forced to withstand the pressure for wage increases in the nationalised sector but he was determined to ensure that the government should choose
its own time for making such a stand. Clearly the Christmas holiday period, with an election due some time in the new year, was not the ideal time for the government to take on the might of the National Union of Railwaymen. If the strike could be averted until the summer the government, Churchill reasoned, would be in a far stronger position to cope with a national stoppage. Woolton recalls in his diary how Churchill's 'mind went back to the railway strike of 1924 and the subsequent general strike of 1926. He bought off the first strike but said 'I prepared and beat them at the second'.' Harold Macmillan supported this approach and advocated the appointment of a Court of Investigation to delay the threat of strike action until the summer.

A Court of Enquiry was set up under Sir John Cameron and its Interim Report published on 5 January 1955 came down in favour of paying the railwaymen a 'fair and adequate wage'. On 6 January the strike was called off. There was praise, once again, for the conciliatory skills of the Minister of Labour. The Star referred to Monckton as the 'Prince of industrial peacemakers'. Not all the reaction was favourable. The Minister of Transport and Civil Aviation, Boyd-Carpenter, and the Chairman of the British Transport Commission, Sir Brian Robertson, both thought the demands were 'outrageous' and should have been resisted. The settlement, by increasing the wages of the lowest paid workers, laid the foundation for further unrest in the railway industry. When trouble next broke out in the summer of 1955 the government, as Churchill had predicted, was well prepared to
take firm and decisive action to minimize the effects of the strike.

The agreement reached between the BTC and the NUR in January, which provided for a general increase in rates, was confirmed in April by the Railway Staff National Tribunal. ASLEF was incensed by the award which had the effect of narrowing the differentials between the different grades in the industry and on 16 April called a strike of its members to take effect from 1 May. The government made it clear that it was not, on this occasion, prepared to intervene in the dispute, although at the request of the TUC Monckton brought the parties together for talks on 27 and 28 April. The unions rejection of the award of the tribunal threatened to undermine the collective bargaining machinery of the industry and the NUR had given notice that if any concessions were made to restore differentials they would once again press a claim for an increase in the wages of the lowest grades. The government, in any case, as we have seen had decided in December that further concessions to the railway unions could not be countenanced and it was agreed in Cabinet that the time had now arrived to make a stand. The timing of the strike in early summer was ideal so far as the government was concerned and the threat of strike action in the industry in the winter of 1953 and 1954 had allowed time for the emergency plans to be brought up to date.

Attempts by Monckton to persuade ASLEF to reconsider the decision to strike were unsuccessful, although the original strike notices were withdrawn whilst discussions were proceeding, and at midnight on 28 May over 60,000
footplatemen went on strike. The crisis was intensified by a dispute in the London docks, caused by the long standing rivalry between the TGWU and NASD. On 23 May 18,000 stevedores in London, Merseyside, Manchester and Hull struck work, but it was the situation on the railways that most concerned the government. On 29 April the ETC was convened and a list of priorities for transportation during the strike was drawn up. On 31 May the government proclaimed a state of emergency and introduced a series of far reaching emergency regulations to deal with the crisis.

The Act of 1920, under which the state of emergency was proclaimed, provided that the Regulations were to be laid before Parliament within five days. As Parliament was not sitting at the time the government was forced to advance the opening date of the new Parliament, but even so the Regulations were not laid before the House until 7 June, leading to claims of constitutional impropriety from the Opposition, a charge that the government vigorously denied. The proclamation of the Emergency was officially announced in the Queen's Speech on 9 June. In seeking Parliamentary support for the regulations the government made much of the fact that the Attlee administrations had on two separate occasions resorted to such action. 'There is no party question arising on the use of such powers', declared the Lord Chancellor. The purpose of the Regulations 'is to secure the supplies and services essential to the life of the community and to see that they are maintained despite the grave situation which has been created'. In the circumstances the Labour Opposition could do little else but support the taking of these powers.
In fact, as Richard Crossman noted in his diary, the Labour Party did not interfere in the strike nor did it take sides in it.\textsuperscript{42}

The Regulations were based on those of 1949 and consisted, in large measure, not of the creation of new offences but of provisions suspending or relaxing certain of the ordinary requirements of the law, particularly those concerned with the use of road transport. The first seven regulations, in fact, were concerned with increasing the use of road transport. Under Regulation 1 the Minister of Transport and Civil Aviation was empowered to issue a general authority permitting the use of goods vehicles without the authority of a carriers licence, whilst under Regulation 2 regional transport commissioners were able to authorise the carrying of passengers by public service vehicles without having a road service licence. The third Regulation dealt with the question of volunteer labour and allowed for unlicenced individuals to drive or conduct buses or trains. The fourth Regulation, astonishingly, gave exemption for the use of vehicles which did not comply with construction regulations, though instructions were given that vehicles were not to be used unless they had proper brakes. Vehicles for which a third party insurance policy was not in force were to be allowed on the road under Regulation 6. Potentially the most dangerous aspect of the regulations, and that which aroused the anger of the Junior Opposition spokesman on transport, James Callaghan, was the removal of Section 19 of the Road Traffic Act of 1930.
which strictly limited the amount a lorry driver could work at any one time. The force of the Opposition's argument was seriously undermined, however, when Mr. Boyd-Carpenter, the Minister of Transport and Civil Aviation, divulged that a similar provision had been included in the 1949 regulations. Regulation 8, which had also been included in the 1949 code, gave the Post-Master General power to restrict the postal, telegraph or telephone services.

These eight regulations were widely used during the emergency. Regulations 9, 10, 11 and 12 were concerned with the supply and distribution of power, liquid fuels and foodstuffs. Only Regulations 14, 15, 16 and 17 directly created new criminal offences. The penal regulations in fact, were fewer than under the 1949 code. The regulations in 1955, for example, did not include a regulation giving the police power to stop and search vehicles. As in 1949 there was nothing in the Regulations making it an offence to take part in a strike or to peacefully persuade another person so to do although it was made an offence to hinder the performance of essential services or to trespass or to loiter near any premises used for the purpose of essential services. Regulations 16 and 17 made it an offence to obstruct or interfere with any member of the armed forces or any other person acting under the Regulations, including civilian volunteers. The vast increase in road traffic arising out of the strike threatened to bring chaos to the roads of London and, under Regulation 18, police reinforcements were brought in from outside to assist the Metropolitan forces.
The most notable thing about the government's handling of the dispute is that troops were not deployed at any time on the railways. The tanker drivers' strike of 1953 had clearly shown that the Tory government had no objection in principle to the use of troops to break strikes but the government in June 1955 was reluctant to take action that might extend the dispute. In particular they were determined not to incur the wrath of the NUR without whose help, (NUR members had remained at work throughout the dispute), the railway system would have been brought to a complete standstill. It was also the case that there were insufficient numbers of skilled men within the services to run the railway system. A War Office report in 1953 had estimated that there was only about 50 servicemen capable of carrying out the technical duties of the railway worker.

Neither was the government anxious to recruit civilian volunteers as replacement labour. In 1926 volunteers brought in to run the trains had proved disastrous and the General Secretary of the NUR, Campbell, had threatened that if civilians were recruited his union would strike in sympathy. It is interesting that Churchill, who had stood down from the premiership at the beginning of April, was one of the strongest critics of Eden's handling of the strike, demanding firmer action and the deployment of servicemen to run the trains. This must have rankled with the Prime Minister. As Lord Moran, Churchill's private physician, noted 'It was, after all, only a few weeks since he claimed that he had done more than anyone else to prevent a strike on the railways.....'.

317
Government preparations and emergency planning worked well. The inconvenience and economic dislocation of the strike was not as great as had been feared, although it was estimated that £1 million a day was lost to the nation during the dispute. Much of the traffic normally carried by rail was transferred to road transport but a skeleton rail service, of about one sixth capacity, was also kept going due to continued working by the 11,000 footplatemen of the NUR. On 31 May, the first day of the state of emergency, over 2,000 passenger trains and 850 goods trains were running.\(^{44}\) The rail service was coordinated through an Emergency Headquarters situated at Kings Cross. The Minister of Transport, Boyd-Carpenter, recalls in his memoirs an occasion when he visited Kings Cross and was told that the only item of news 'was that the Flying Scotsman, with a volunteer driver, was running twenty minutes ahead of time'.\(^{45}\)

Road transport, aided by the relaxation of restrictions in the Emergency Regulations, was able to cope with all the demands made upon it and only in the case of one or two types of transport was there any serious delay. The effectiveness of the emergencies organisation can be gauged by the manner in which it handled the movement of coal. Under normal conditions approximately 700,000 tons of coal per day could be moved, 600,000 by rail and 100,000 by road. During the dispute the railways were able to carry only 200,000 tons but the tonnage moved by road rose three fold to 300,000 tons and, although there was still a
sizeable shortfall in carriage, pits managed to store the excess coal and not a single pit closed down during the strike. The strike did result in some loss of production in industry. In Swansea, Barrow in Furness, Lincolnshire and Scotland steel plants were forced to close down on 3 June but they resumed working a couple of days later. Imports were not badly hit during the strike although exports were considerably curtailed.

The state of emergency might not have been intended as a strike-breaking measure. The government's stated purpose was quite clearly that of maintaining essential supplies and services which were threatened by the strike. But, although strike-breaking might not have been the deliberate intention of the government, the fact that the effectiveness of the strike was greatly reduced by its action means that the emergency measures did act to break the strike. Some supporters of the government, moreover, were quite open in their desire to see the Regulations used for the purpose of strike-breaking. Lord Calverley expressed his 'personal hope that the Government will not cancel the emergency proclamation until they have hammered a little sense into those sections ..... who take unofficial action .....'. The strike ended on 14 June and the Regulations were revoked on 21 June. The Railwaymen had achieved very little by their action. Harry Crookshank wrote in his diary that 'They got nothing out of it' whilst, according to Boyd-Carpenter, they went back for less than they would have had without striking.
Emergency powers were resorted to on fewer occasions between 1951-55 than had been the case under the Attlee administrations and this trend was to continue for the remainder of the decade. Between 1955-66 troops were deployed only once during an industrial dispute, on the occasion of an unofficial seamen's dispute in 1960 and it was not until 1966 that a state of emergency was next declared by Harold Wilson's Labour government during a seven week seamen's strike. 50.

Despite the fact that it lay dormant for much of the period after 1955 the emergencies organisation, as it had developed after the war, was to remain intact and largely unaltered until the early 1970's. The Miners' strike of 1972 revealed certain inadequacies within the organisation. In particular, it was shown to be incapable of dealing with the increase in trade union power and with the increased technical sophistication of industry. Troops were found to be of little use as replacement labour for skilled workers in the coal industry or in the electricity generating industry and as a result a radical upheaval of the emergencies organisation took place. Control over emergency planning was transferred from the Home Office to the Cabinet Office and the new streamlined organisation, the Civil Contingencies Unit, which emerged was to prove an effective strike breaking body in the later years of the decade. 51.
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33. GEN 480/1st meeting, 10 December 1954; CAB 130/104.

34. Woolton Diaries, 13 December 1954, Bodleian Library, Oxford. Woolton's memory seems to be at fault here. There was a rail strike in January 1924 but it occurred during the first Labour Government. Woolton is probably thinking of 'Red Friday' in July 1925.


39. For detailed discussion of the Emergency Regulations made under the state of emergency see Hansard, Vol. 542, Cols. 276-90, 13 June 1955.


46. Notes on the General Emergency Organisation prepared by the Public Relations Officer of the RHA, 30 June 1955; Papers of RHA, Modern Records Centre, University of Warwick.

47. Hansard (House of Lords), Vol. 193, Cols. 78-9, 14 June 1955.


51. Ibid., p. 237.
8. **Strikes and the Law 1951-55**

The attitude of the Conservative Party towards the law as a means of dealing with industrial unrest underwent a radical transformation during the years of Labour rule after the war. In 1945 the Tories strongly supported the Labour government in its decision to continue in force the wartime ban on strikes and lock-outs laid down in Order 1305 and it was Conservative Members who led the call for the prosecution of those engaged in illegal strikes during the immediate post-war years. In 1946 the government was severely criticised for repealing the 1927 Trade Disputes Act and the Conservative Opposition gave notice that it would restore the main provisions of the Act, including the restrictions on strike action, at the earliest opportunity.¹

By the end of Labour's period in office, however, Conservative policy had shifted dramatically on the issue of legal restrictions on strikes and the Party's election manifesto in 1951 bore no trace of this earlier pledge. This shift in policy was part of a deliberate attempt to make the Party more acceptable to the trade union movement by moving away from the hard line politics of confrontation which had characterised relations between the government and the unions in the inter-war period. The new policy of cooperation and conciliation with the unions was illustrated in September 1951 with the publication of a pamphlet entitled 'A New Approach', by six young Tory MP's, with an introduction by the Conservative spokesman on Labour, Sir David Maxwell-Fyfe, which declared that a Conservative
government would introduce no fresh trade union legislation without first seeking the agreement of the unions. This shift in policy was also a recognition of the failure of the criminal law to deal effectively with strikes after the war. Conservative opposition to Order 1305 began to mount after 1950 as the impracticality of bringing proceedings against workers engaged in unofficial strikes threatened to bring the law into disrepute. In March 1951 the Conservative MP, David Eccles, demanded the withdrawal of the Order and its replacement by a system of compulsory arbitration, worked out in advance with the unions, although he did advocate the retention of 'limited powers for the courts to act against ring leaders who incite men to defy an award....' There was support from the Conservatives for the repeal of Order 1305 in July 1951 and the lifting of the restrictions on the right to strike.

The relative tranquility in industrial relations during the first two years of Conservative rule kept the question of anti-strike legislation very much in the background and the government was able to fulfil its promise to the trade union movement not to introduce fresh restrictive legislation. With the resurgence of widespread industrial unrest in the latter part of 1953 the issue was, once again, brought to the forefront of the Cabinet agenda.

In October 1953 an unofficial strike of tanker crews in London broke out in response to a decision of the oil companies to transfer some of their distribution work to sub-contractors. The strike threatened to halt the
distribution of oil and petrol in the London area and the government, faced with the prospect of chaos in the transport system and severe disruption of essential services, introduced troops on 24 October. Consideration was given to prosecuting the strikers and their unofficial leaders. On 26 October the Attorney-General, Sir Lionel Heald, circulated a memorandum to the Cabinet Emergencies Committee outlining the legal aspects of the oil strike and the options open to the government. The strike was not since the revocation of 1305, Heald explained, a criminal offence but, because it was unofficial and involved a breach of contract, there was a possibility that the strike leaders could be charged with conspiracy at common law. The 1875 Conspiracy and Protection of Property Act, however, offered protection to workers from such a charge if the act in question was done 'in contemplation or furtherance of a trade dispute', so prosecution could only be taken if the dispute could be shown to be 'politically' motivated. The Attorney-General concluded that he had received no evidence to suggest that the strike was anything but a legitimate trade dispute. Whilst it appeared that the government could not prosecute the strikers it was open for the employers to sue for civil damages for breach of contract. As had been the case during the Attlee administrations, however, the employers were reluctant to take upon themselves the onus of prosecution. Only in the coalmining industry were employers willing to use the civil law and, even here, an alternative to court action was often preferred. In Durham
a system known as 'mitigated penalties' was adopted by agreement between the Coal Board and the union. It involved the imposition of a fine for breach of contract which was deducted from the men's wages, on the understanding that the workers would get the money refunded if there was no further trouble in the industry for a period of one year. Elsewhere, employers, including those of the London tanker drivers, were unwilling to risk a long term deterioration in relations with their workforce and steered clear of the civil law.

The law had, once more, been shown to be an ineffective weapon for dealing with industrial unrest and, in the wake of this dispute, the Emergencies Committee gave consideration to introducing fresh restrictive legislation, along the lines of Order 1305. But there was little enthusiasm for this suggestion amongst ministers who were committed to the relinquishing of wartime controls and the matter was not brought before the Cabinet proper. Churchill, however, had become increasingly concerned at the resurgence of strike activity in the latter part of 1953, especially in essential industries, and in October he wrote to the Minister of Labour with a suggestion of his own for dealing with the problem. It was a strange proposal, indeed, and involved the classification of all workers engaged in 'key' occupations who would be credited with a special additional payment of £25 a year and who, after a qualifying period of five to ten years, would be entitled to draw £25 a year from this account. In the
event of them going on strike. The money in their account would be forfeited. 'They would be entitled', Churchill wrote, 'if they so desired, to a diploma or badge of honourable responsibility, on receiving the first payment'. Monckton rejected the proposal out of hand on the grounds of cost (to be effective the scheme would have to have encompassed all the public utilities, oil and food distribution, the docks, railways and the coalmining industry) and because in the face of genuine grievances it was, he felt, extremely unlikely that the scheme would act as a deterrent to strike action. There was also a more fundamental political objection. Such a scheme, it was argued, 'would attract political hostility both from the Right and the Left being stigmatised on the one hand as bribing a man to do his plain duty and on the other as bribing him to renounce his freedom of action...'.

Although Churchill was acting in accordance with his firmly held belief that strikes which interrupted essential services could not be tolerated, he was also responding to the clamour from outside for fresh legislation to deal with the growing strike threat. The Times asked in October 'How the Nation is to be protected against these recurrent outbursts....', and went on to suggest that 'the time has come to subject men who deliberately break faith with their employers, their trade unions and the community at large to the penalty of their actions. There must, that is, be sanctions, applied in the courts and in industry and by the unions, against the wreckers....'.
In Parliament the Minister of Labour was pressed to take steps to outlaw 'guerilla strikes' in those industries affecting the export trade and the defence programme, but, although consideration was being given to such matters behind the scenes, in public the government repeatedly turned down calls for tougher action. At the end of January 1954 Churchill declared emphatically that the government had no intention of departing from the principle that the trade unions should be left to the fullest extent possible to manage their own affairs free from state interference.

In March 1954 the campaign for new anti-strike legislation received a boost when Harold Watkinson, the Parliamentary Secretary to the Minister of Labour, entered the debate. Speaking in Buxton Watkinson said that a system whereby all unsolved disputes were automatically referred to arbitration would render strikes as 'unnecessary', as a sound system of arbitration would secure that 'Justice is both done and seen to be done'. This suggestion, a restatement of an idea first raised in March 1953 by Godfrey Ince, then Permanant Secretary at the Ministry of Labour, envisaged the extension and enactment in permanent legislation of the provisions of compulsory arbitration already in existence under Order 1376. This Order, which had replaced Order 1305 in July 1951, had removed the prohibition on strikes and lock-outs but had retained the system of compulsory arbitration. Monckton raised the matter with the Economic Committee of the TUC but there was little enthusiasm for the proposal.
The unions had, over the past few years, become increasingly dissatisfied with the workings of the arbitration system which, they claimed, had been used by the Conservative government as an indirect method of restraining wages. There is some evidence to support this claim. When the Conservatives took office in October 1951 they were confronted with a situation of mounting inflation. Weekly wage rates in October 1951 in the main industries and services was some 10% above the level of 1950, whilst industrial productivity, during the same period, had risen by only 4%. This sharp rise in prices was largely the result of the 1949 devaluation and the disruption to world trade brought about by the Korean War; between 1949 and 1952 Britain's import prices rose by 40%. The inflationary situation was also a consequence of the full employment which the country was enjoying. Trade unions found themselves in a strong bargaining position whilst the employers, for their part, were willing to bid up the price of wages in an attempt to attract the scarce manpower.

In such a situation the government immediately took steps to restrict increases in wages. As early as November 1951 the Chancellor of the Exchequer, R.A. Butler, called for restraint in personal incomes and personal spending and in May 1952, at a meeting of the NJAC, he outlined a plan for linking wages with productivity, along the lines of the Attlee government's White Paper of 1948. This proposal was accepted by the BEC but rejected by the TUC and Monckton told the Cabinet later in the month that there was virtually no prospect of
the trade unions accepting any general standstill in wages.\textsuperscript{15} The government, committed as it was to 'setting the people free', was not prepared to impose a statutory wage freeze and turned, therefore, to more indirect methods of stabilizing wage rates. In July 1952 Monckton referred back the proposals of certain Wages Councils, (as he was entitled to do under the Wages Councils Act of 1945), for increases in wages for one and a half million workers in twelve distributive trades, on the grounds that they were not in harmony with the warning by the Chancellor of the dangers of inflation made to the NJAC. The Minister of Labour told Cabinet that there were indications that a check had been administered to the mounting pressure for wage increases by this action.\textsuperscript{16} The TUC protested to the Prime Minister that it would seriously undermine the confidence of its members in the wage fixing machinery and when the Wages Councils reaffirmed the increases in August Walter Monckton gave them his sanction.\textsuperscript{17} This was not the first time that such action had been taken. The Attlee administration had similarly referred back proposals from certain Wages Councils, following the publication of the White Paper in 1948 and Monckton in December 1951 had referred back two such proposals on the grounds that they allowed for a cost of living sliding scale agreement which was deemed undesirable.\textsuperscript{18}

The charge was also levelled against the government of attempting to influence the findings of the arbitration tribunals. From the beginning of 1952 to April 1955 over one thousand awards were issued by arbitration bodies appointed by Monckton. In the second half of 1952 the Industrial
Disputes Tribunal, set up under Order 1376, made a number of awards around the 7/- mark and in 1953 a number of awards of 4/- were made. The awards were less than had been anticipated and this, together with their uniformity of value, led to accusations that the Tribunal was enforcing a wages policy. The government fiercely denied that it had intervened in the arbitration process. Sir Walter Monckton announced in the House of Commons that it was government policy 'not to issue instructions or guidance of any sort'. 'On the contrary', he said, 'the Government have scrupulously respected their independence'. Whilst it may well have been the case that there was no direct government interference, it would be extremely unlikely if the Tribunals had not been influenced by the constant stream of official statements on the need to keep wage settlements down. Monckton had, in fact, told his Cabinet colleagues in July 1952 that he was confident that the Tribunal would pay regard to the economic state of the country when making its awards and in July 1953 Rab Butler made another statement to the NJAC on the dangers of pay increases without higher output. In these circumstances it is hardly surprising that trade union faith in the independence of the arbitration process was seriously undermined.

By the end of 1953 the system of compulsory arbitration had begun to break down completely and, in four separate disputes, in the electrical, mining and engineering industries and on the railways, the unions
concerned either refused to be bound by arbitration or to accept the awards of the arbitration bodies. The engineering union, which had had a claim for 15% turned down in November, refused to be bound by arbitration and called a one day national stoppage on 2 December which involved over one million workers, whilst the NUR refused to accept an award made by the arbitration body and only government pressure on the Transport Commission to grant concessions averted a nationwide rail stoppage. In February 1954 a Court of Enquiry, which had been set up by Monckton in December to report on the disputes in the engineering and shipbuilding industries, issued a report which said that wider economic interests must be taken into account when settling wage demands. It proposed the establishment of an 'authorative' and 'impartial body' to consider the problems and to 'give advice and guidance as to broad policy and possible action', but the proposal was rejected outright by the TUC.

Despite these problems, compulsory arbitration continued to receive the support of the TUC and was maintained throughout the lifetime of the Churchill administration. The overwhelming majority of cases brought before the Tribunal were at the request of the unions, not the employers and compulsory arbitration continued to be of benefit, in particular, to small, weak unions which were able to force reluctant employers to negotiate with the threat of binding arbitration. Paradoxically, given the criticism by the unions of the impartiality of the arbitration process, it was the employers and not the unions who finally requested in 1957 that the
system of compulsory arbitration be brought to an end. Employers had grown increasingly concerned at the action of certain unions in disregarding the decisions of the Tribunals. At the beginning of 1955 a dispute involving the Constructional Engineering Union was referred by the Minister of Labour to the Industrial Disputes Tribunal, but the union refused even to attend the proceedings and the Tribunal, not surprisingly in the circumstances, found against the union. The union, however, ignored the award and embarked upon a series of 'guerilla' strikes and eventually the employers were forced to make concessions beyond the award. There was also a change in government attitude to compulsory arbitration after 1955. During the Monckton era arbitration had been used extensively as a means of avoiding industrial unrest but its use had, according to some critics, been responsible for excessive wage settlements. After 1955 the government abandoned this policy of conciliation at all costs. Increasingly, the tackling of inflation, rather than the maintenance of industrial peace, came to be seen as the number one priority and the continuation of compulsory arbitration was seen as an impediment to this goal. In 1958 compulsory arbitration was finally brought to an end, despite the protests from the TUC. It had been in operation, in one form or another, for eighteen years.

In the spring and summer of 1955 the government was confronted, for the first time since the war, by a series of national strikes which had the official backing of the
unions concerned. In rapid succession there followed a four week dispute in the newspaper industry which resulted in the laying off of 20,000 union members in the printing industry and which kept all London weekday and Sunday papers and their Manchester and Glasgow editions off the street, a national dock strike and, most serious of all, a strike by footplatemen on the railways which led to the declaration of a state of emergency. In addition there were a number of smaller, unofficial disputes in the Scottish and Yorkshire coal fields and amongst members of the Seamen's Union. The strikes in the docks and on the railways were peculiar in that they arose, not out of a dispute over wages or conditions of employment, but out of inter-union rivalry and conflict. Furthermore, the strikes in early 1955 were concentrated in the nationalised sector of the economy which only served to fuel claims that the country was being held to ransom and to increase demands for government legislation to deal with the strike threat. The Leader of the House of Lords, the Marquis of Salisbury, told Peers in July that strikes in the nationalised industries could not be seen as old fashioned disputes between workers and employers, but 'as a trial of strength between one section of and the rest of the community.'

On 5 April Churchill finally stood down from the Premiership and was replaced by his heir-apparent, Anthony Eden, who dissolved Parliament on 6 May and called a General Election for the end of the month. With the newspaper strike already underway and with the threat of unrest on the railways and in the docks looming large on the horizon,
the question of legal restrictions on the right to strike, inevitably, featured prominently in the run up to the election. The President of the British Employer's Confederation (BEC), Charles Connell, called for a comprehensive review of the machinery for handling industrial relations, a view which found favour with a number of leading trade union officials who were becoming increasingly concerned at the threat posed to trade union authority by the wave of unofficial and inter-union disputes.27. Tom O'Brien, a former Chairman of the TUC, criticised the wave of 'irresponsible', unofficial strikes and warned that such action 'is bound to invite, sooner or later, the introduction of repressive legislation to prevent such conduct.'28. The Economist demanded fresh legislation after the election and the abandonment by Monckton of his conciliatory approach.29. The Labour Party warned that the Tories, if returned to power, would introduce restrictive legislation and Patrick Gordon-Walker, Labour candidate for Smethwick, urged the unions to give a decisive vote at the polls of 'hands off the trade unions'.30. The more militant of the trade unions, such as the ETU, vowed that any measures to outlaw strikes would be met with 'resolute resistance'.31. The Conservative Party, for its part, strongly denied that it intended to legislate on unofficial strikes without first consulting with both sides of industry through the NJAC. Monckton told his supporters in Bristol West that 'no responsible statesman..... wants to take away the right to strike', but that 'all men of good will
want to see the weapon of the strike used only as a last resort.\textsuperscript{32}. Despite the many references to the strike question in the pre-election speeches Butler, in his study of the 1955 General Election, concludes that, as an issue, it did not have any great bearing on the result.\textsuperscript{33}. In the event the Conservatives were returned to power with a slightly increased majority of fifty eight.

The national stoppage on the railways in June once more led to a demand for new anti-strike legislation. In the House of Lords, Lord Amwell declared: 'There is no moral right to strike' and that 'where there is ample machinery for industrial negotiation the strike, as a weapon, should be banned.'\textsuperscript{34} A number of suggestions were put forward, from both within Parliament and outside, as to the best way of dealing with the problem.\textsuperscript{35}. One proposal was for the introduction of legislation requiring a secret ballot of all members of the trade union concerned before strike action be taken. A failure to comply with this requirement was to result in the unions losing their immunity from the normal process of the common law for action done in furtherance of a trade dispute. Legislation along these lines had been demanded by Sir Waldron Smithers as early as January 1954 and the proposal generated a large amount of public interest in 1955.\textsuperscript{36}. According to Nigel Fisher, during the general Election in his constituency of Surbiton, 'there was not a single meeting at which the question of strikes and suggestion of secret ballots, \ldots \ldots \ldots \ldots \ldots was not raised'.\textsuperscript{37}. The proposal was
based on the assumption that the union rank and file would normally choose arbitration to strike action if given the opportunity to express their opinion in secret and there was, at least, some evidence to support this view. Both the Confederation of Shipbuilding and Engineering Unions in 1950 and the National Federation of Building Trade Operatives in 1953 had balloted their members to choose between strike action and arbitration, and in both cases a large majority had come out in favour of arbitration. Experience during the Attlee years, however, showed that such a conclusion was by no means inevitable, and concern was expressed that a strike, sanctioned by a ballot, was likely to be solid and that in such a situation the trade unions would be far less likely to seek a compromise settlement. It was also the case that any such change in the law would deal only with official strikes, leaving untouched the far more pressing problem of unofficial disputes.

A second proposal for dealing with the problem of strikes, which received wide support in the summer of 1955, was to outlaw unofficial strikes. This had been contemplated by the Labour government in 1950 and rejected. Such a course of action ran the risk of making all strikes official as union leaders, whilst critical of unofficial action, would probably not have been prepared to see their members incur legal penalties or run the risk of them being drawn into a rival union which offered support to the strike.
In addition, the experience during the war and during the Attlee administration had revealed, all too clearly, the practical problems of attempting to impose restrictions on strike action. Another recommendation, which found favour in sections of the Press, was for a tightening up of state payments to unofficial strikers. Yet, as we have seen, in the vast majority of cases strikers, whether official or unofficial, were already denied unemployment benefit or national assistance. There was some support for the reimposition of compulsory arbitration along the lines of Order 1305 but Monckton rejected this out of hand as 'a solution which seems to impinge upon the right to strike'.

Another suggestion was for government legislation to provide for a period of reflection and consideration, a 'cooling off period', of perhaps two weeks between a decision to strike and its implementation. This would have ensured, on the one hand, that the established machinery for negotiation and arbitration in the industry had been fully exhausted and, on the other hand, would have given the government ample time to bring into operation its emergency plans in the event of a strike taking place. The Cabinet gave careful consideration to these suggestions and both Monckton and Churchill gave tentative support to the 'period of reflection'. Both men, however, were determined to honour their pre-election pledge not to introduce legislation in the absence of agreement with the TUC and the BEC. The Lord Chancellor, Viscount Kilmuir, summed up the view of the government that restrictive
legislation without trade union agreement would be both
impracticable and politically unsound. 'In so far as
these remedies rely upon compulsion', he told Peers in
July, 'they are contrary to the basic assumptions of
freedom of association and freedom of negotiation on which
our system of industrial relations rests. Without the
good will of the trade union movement, they would be
politically impossible; and in any case it is not practicable
to deal with serious industrial unrest by penal measures.'^{41}

Monckton, similarly informed the House of Commons that
there was no intention of dealing with this problem 'with-
out first having full consultation with the TUC, with the
BEC and with the nationalised industries'.^{42}

In June and July 1955 Eden invited representatives
of both sides of industry to 10 Downing Street, for what
R.A. Butler described as 'informal and exploratory'
discussions on ways of improving the climate of industrial
relations.^{43} It was not until the end of July that the
matter was finally referred to the NJAC for detailed study.
On 27 July the committee, under the Chairmanship of Sir
Walter Monckton, met to discuss a document, prepared by
the Ministry of Labour, outlining the various suggestions
for improving industrial relations which had been raised
in Parliament and in the public debate over the summer.
It was clear from the outset that there would be no
agreement on these proposals. Representatives of the TUC
rejected outright any form of legislation which restricted
the right to strike, arguing that the problem of unofficial
strikes was a matter for the unions themselves and for the TUC and not one that required government interference. The Labour Party gave its support to the TUC. A motion passed at the annual conference in 1955 demanded total resistance to any legislation which might interfere with the right to strike. More surprisingly, the BEC and the chairmen of the nationalised industries also rejected legislative action. The government, faced with such united opposition, abandoned the proposals to legislate against strikes but sought agreement to extend arbitration and to introduce a period of reflection on a voluntary basis.

In September the Joint Consultative Committee, a sub committee of the NJAC, met to discuss these proposals. Again the union side was adamant in its opposition. The proposal that all unresolved disputes be referred to arbitration, even on a voluntary basis, was seen as tantamount to giving up the right to strike, whilst the suggestion of a voluntary two week 'cooling off' period before calling a strike was rejected on the grounds that it would add to the delays in negotiations and would make unofficial strikes more rather than less likely. Agreement was not even forthcoming on the less contentious proposals for speeding up the negotiating procedure, improving joint consultation and developing profit sharing and co-partnership in industry. In fact, all that was achieved at the end of this series of tripartite discussions was a weak agreement by the TUC and the BEC to produce a joint statement stressing the importance of adhering to constitutional agreements, of strengthening joint consultation and of retaining the right to strike.
The Churchill administration, like the Attlee government before it, gave consideration to the prosecution of workers involved in unofficial strikes. Once again, however, the law was found to be an unsuitable instrument for dealing with industrial unrest and no such action was taken. With the return of widespread, official disputes at the beginning of 1955 pressure was placed on the government to take fresh legislative action to restrict the right to strike but, despite detailed consideration of a variety of proposals by the Cabinet and despite the firm belief of a number of ministers, including Churchill himself, that unofficial strikes and strikes in essential industries could not be tolerated, the government chose not to act. The Conservative Party, on returning to office in 1951, had ordained that conciliation and not confrontation be the order of the day on the industrial front and with the unions declaring themselves to be unalterably opposed to any legislative move in this direction, the question of restricting the right to strike was ruled out. It was not until the wave of unofficial strikes in the 1960's that the issue came to the fore once again and a Labour government, drawing heavily on the recommendations of the late 1940's and 1950's, produced detailed proposals to restrict strike action. 46.
REFERENCES


4. Memorandum by Attorney General, 26 October 1953, EC(M)(53)3; CAB/34/857.


6. EC(M)(53)22 Meeting, 26 October 1953; CAB 134/857.


10. LAB 10/987.


15. Cabinet 57(52), 29 May 1952.

16. Cabinet 75(52), 31 July 1952.

17. For TUC criticism of Monckton's action see TUC Annual Congress Report, 1952, pp. 80-89.


21. Cabinet 75(52), 31 July 1952.

22. Cabinet 75(53), 2 December 1953.


28. *The Times*, 9 May 1955, p.4. This view was echoed by Tom Williamson of the NUGMW. See the union Journal for June 1955, pp.176-7.


35. A motion was passed in the Oxford Union claiming that 'the right to strike must be restricted'. See *The Times*, 11 June 1955, p.9.


45. JCC, 7th Meeting, 28th September 1955; JCC, 8th Meeting, 28th November 1955. Also Memorandum by Minister of Labour and National Service, JCC 312. Consulted at the TUC Archives, Congress House.
46. It is also interesting to note that the Conservative Governments' Industrial Relations legislation of 1979-84 owed much to the proposals drawn up by the Labour and Conservative administrations in the late 1940's and early 1950's. See the leader in *The Times*, 3 January 1986. Also letter from Lord Earl of Hadley in *The Times*, 8 January 1986, p.13.
Complaints continued to be heard after 1951 that the system of state benefits was acting as an incentive to strike action. According to The Times in October 1953, during a strike of oil tanker drivers in London:

A strike was once a serious matter for strikers and their families. Now full employment, generously administered relief, and PAYE rebates have combined to create 'Featherbed' conditions for them. 1.

As with the 1945-51 period there is no evidence to support such claims. During the dock strike of October 1954, for example, reports from the Assistance Boards suggested that the families of some of the strikers were beginning to feel 'the pinch of hardship', despite the fact that on 28 October over £22,000 in tax rebates had been paid in London to the men on strike with a further £20,000 being paid on 4 November. 2. In Cabinet the view was expressed that the men might be forced back to work through financial hardship. 3. It must be concluded, therefore, that the system of state benefit continued to be an important strike-breaking weapon in the early 1950's.

The Churchill government did not cut back on social services to the extent that Labour had predicted. The Family Allowances and National Insurance Act, 1952 provided for a general increase in retirement pensions, unemployment, sickness and widows benefit. Unemployment benefit for men, for instance, was raised from 26/- to 32/6. a week. 4. In addition the Family Allowance and
National Insurance Act, 1954 raised the level of industrial injuries benefit. The return of a Conservative government in 1951, moreover, brought no change to the administration of national assistance during strikes. Relief continued to be paid only to the dependents of those on strike or, in exceptional cases, to strikers in urgent need. During the dock strike in October 1954 it was revealed that, whilst over £16,500 had been paid out in public assistance to the families of those on strike, only eight payments totalling £13 had been paid to the dockers in need. Assistance Boards, moreover, maintained the practice, adopted by the Attlee administrations, of taking into account every source of income in determining levels of benefit. During an official strike of ship repair workers in November 1954, which involved over 8,000 workers, voluntary donations from trade union branches were deducted from national assistance payments, a practice denounced in the Commons as 'mean and pettifogging'.

The practice of encouraging 'subbing' off the employers also continued after 1951. In 1954, during a strike of bus workers in London, the local Assistance Board refused to make further payments when the London Passenger Transport Executive offered an advance of wages. A similar situation arose during the railway strike of June 1955. Again, there was much criticism of this practice. One MP argued in the Commons that the practice of 'subbing' threatened to undermine the whole basis of the National Assistance Act. By forcing men to 'go and sub off the
employers' the assistance authorities, it was argued, were introducing a radical new principle to the scheme; 'that the power to borrow could be used as evidence of means!'. They introduced a radical new principle to the scheme; 'that the power to borrow could be used as evidence of means!'.9.

The Churchill government, moreover, proved to be as unsympathetic as the Attlee governments had been to requests by the TUC for reform of the trade dispute disqualification from unemployment benefit. As we have seen the TUC was particularly unhappy with those clauses in the National Insurance Act of 1946 which removed entitlement to unemployment benefit from individuals engaged in a trade dispute arising out of a breach of agreement by the employer, and which denied benefit to individuals thrown out of work due to a trade dispute at their place of work, even though they were not themselves involved in the dispute.

On 14 January 1952 the TUC met the Minister of Labour, Sir Walter Monckton, to discuss the first of these complaints.10. As with the Labour governments the Conservative administration was concerned not so much with the practical difficulties of the proposed change as with the principle of paying benefit to strikers which, Monckton argued, 'might be thought to be inconsistent with the main purpose of the Unemployment Insurance Act.' The fear that unemployment benefit might act as an encouragement to strike action clearly lay at the heart of the government's opposition to any change in the law and on 6 May 1952 Monckton finally announced that the government did not intend to restore Section 4(1) of the 1924 unemployment Insurance Act. The
matter was not raised again by the TUC during this period, although individual unions continued to press for change.\textsuperscript{11}

The TUC also kept up the pressure for reform of that section of the National Insurance Act which deprived workers of unemployment benefit, so long as they could be held to benefit from the dispute, even if they themselves were not participating in the strike.

In 1953 members of the TGWU at the Austin Motor Works were thrown out of work and were disqualified from unemployment benefit as a result of a trade dispute in the vehicle building section of the Austin works in which they played no part. Vehicle builders belonging to the AEU were also disqualified and, in all, over 6,500 claims for unemployment benefit were disallowed.\textsuperscript{12} The 2,300 vehicle workers on strike, although disqualified from unemployment benefit and national assistance, did at least receive strike pay from their union. A basic rate of £2 per week was given plus five shillings for each child. Most of the strikers, it was estimated, were also in receipt of income tax rebates of between twenty and thirty shillings a week. Whilst this in no way compensated for the loss in wages the vehicle builders were significantly better off than the 'non strikers' who had been thrown out of work and who received only £1 per week 'hardship money' from their union, although they were eligible for public assistance.\textsuperscript{13} The basic injustice of this situation increased the pressure for a change in the law.
On 8 July a deputation from the TUC met the Minister of National Insurance, Osbert Peake. The General Council representatives, whilst stressing the sense of frustration and resentment caused by the disqualification from benefit of 'non strikers', were not prepared to press for the complete revocation of the disqualification clause. There was genuine concern that an amendment, which removed the disqualification from members of a 'grade or class' participating in a dispute, would do so on grounds of union membership, and this, it was argued, ran the risk of discriminating against union members in favour of non-unionists. The Minister undertook to carry out a thorough examination of the offending clause but there was never much hope of the government agreeing to its repeal, and on 3 February 1954 Peake informed the General Council that no change in the law was proposed.

Despite numerous attempts by the TUC to alter the provisions of the trade dispute disqualification — between 1948-1954 four separate deputations were made to the government on this question and discussions were held with six different ministers — not one modification to the law was made. Both the Labour and the Conservative administrations ruled out reform as both impracticable and, in principle, inadvisable. The system of state benefits was seen by successive governments as a useful instrument for bringing pressure to bear on those engaged in strike action. The issue, however, would not
go away and it was to surface again towards the end of 1955. In 1970 the Labour government put forward proposals to abolish the 'grade or class' and 'financing' disqualifications from unemployment benefit, but these proposals fell by the wayside. In any case, it must be stressed that such limited reforms would have done little to alter the basic iniquities and injustices of the benefit system which denied benefit to those engaged in strike action.
On the eve of the strike the level of the union's dispute benefit was £2 per week, plus 20d. per child below the school leaving age. During the dispute the union paid £329.251 on dispute benefit to members. See J. Gennard, *Financing Strikes* (1977), p.87.
The Conservative administrations of the early 1950's, like the Labour governments which preceded them, saw the maintenance of an efficient broadcasting service as a crucial element of emergency planning.

In 1954 the sub-committee, which had been set up after the war to investigate the technical problems of maintaining a broadcasting service during an emergency, submitted its findings to ministers. The report was optimistic, concluding that with sufficient forward planning it would be possible for the Corporation to provide a skeleton service, even during a period of severe industrial disruption. 1 During the nationwide rail stoppage in the spring of 1955 this optimism was shown to be well founded and at a meeting of the Board of Management of the BBC on 25 April it was confirmed that sufficient steps had been taken to ensure the maintenance of services during the strike. 2

As with the Attlee governments, however, the Conservative administrations were not satisfied simply with maintaining a skeleton broadcasting service. The content and presentation of the service provided was seen as fundamentally important and attempts were made on a number of occasions to influence the BBC in its coverage of strikes. This was despite the strong support given by the governments in public to the principle of an independent BBC. For example, in May 1953 Churchill wrote to the new Director General of the Corporation, Ian Jacob, stressing the importance 'that the BBC should not only be impartial, but be seen to be impartial in its political attitude.' 3
Conservative governments steered clear of invoking the powers of direction and control contained in the Charter and Licence. During the state of emergency in May/June 1955 no regulations were introduced which affected the independence of the BBC. Instead, during times of unrest, informal approaches were made by ministers to top officials at the Corporation requesting that, in the national interest, ministers be put on the air, programmes be restructured or broadcasts cancelled. The BBC, once again, attempted to resist any such erosion of its editorial independence.

The presentation of the news was one area of particular concern to the government. We have seen how during the 1948 dock strike the Labour government censured the BBC for focusing in its news bulletins on the numbers on strike rather than on those dockers who had remained at work. In June 1955, during a strike by members of the National Union of Seamen, the BBC similarly fell foul of the Conservative government over coverage of the stoppage.

On 5 June the Minister of Transport, Boyd-Carpenter, wrote to the BBC requesting that the Corporation should include in the news bulletins a statement that, although five liners were strikebound (as had already been reported by the BBC), all others were sailing normally and that the strike was 'confined to Liverpool and Southampton'. The BBC's reply was that the Ministry should issue a statement on the strike which would then be included in the News, but this the Ministry refused to do. The government clearly felt that an official statement on the strike was likely to
be treated with scepticism by the strikers whereas an 'objective' account on the News, which appeared to suggest that the strike was having little success, would help bring about a return to work. The BBC, for its part, was not prepared to alter the content of its bulletins unless provided with a source from which to quote directly. According to the Editor of the News Department, the Ministry's statement 'would have given a misleading impression' of the strike, as only six liners got away normally as against the five which were strikebound. Eventually, however, a statement along the lines suggested by the Ministry of Transport was issued by the National Maritime Board and this was included in the 9 p.m. bulletin. 4.

During major disputes between 1945-51 the Labour governments sought access to the air-waves to broadcast appeals to return to work. On each occasion an assurance was sought from the BBC that the right of reply would not be granted to the strikers, on the grounds that the strikes were unofficial and illegal under Order 1305. The Corporation consistently refused to give such an assurance arguing that, in order to uphold the principle of impartiality and independence from government control, the BBC was duty bound, if requested, to grant a right of reply to the strikers. A similar controversy arose in April 1954.

The occasion was a threatened strike by members of the Union of Post Office Workers. At a meeting on 7 April between Mr. T.A. O'Brien, the Public Relations Officer of the General Post Office, and the Director of the Spoken Word
at the BBC, Harman Grisewood, it was divulged that plans had been prepared by the Post Master-General to broadcast to the nation in the event of a breakdown in negotiations between the union and the GPO. The broadcast was set to include an explanation of the nature of the dispute and an analysis of the likely effect of the strike on postal services. The Post Master-General, it was revealed, had also proposed to use the occasion to make an appeal to the public for cooperation in lessening the load on Post Office workers remaining at work and to make an appeal to the public for volunteer help. Grisewood was alarmed that such a broadcast would seriously undermine the Corporation's independence and he wrote to the Director-General asking that Earl De La Warr be asked to omit the most controversial points from his speech, namely those concerning the government's explanation of the nature of the dispute and the appeal for volunteers, before the go ahead for the broadcast be given. It was also suggested that the BBC would have to provide facilities for a right to reply by the union if it was to uphold its position of neutrality in the coverage of controversial matters. There was support for Grisewood from the Director-General and the Board of Management. In the event, however, the strike did not take place and the broadcast was dropped.

Not only was the Conservative government anxious to gain access to broadcasting facilities during major disputes, it was also determined that 'militant' trade unionists be kept off the air. During the dock strike of October 1954, which arose out of rivalry between the two
major unions organising in the docks, the TGWU and the NASD, the government attempted to exercise just such control over the BBC.

The incident arose out of an invitation to Arthur Deakin, by the Talks Department at the Corporation, to broadcast in the series 'Harding Interviews'. Although Deakin himself was not seen as a threat to the government and, despite the fact that the producer gave an assurance that all references to the strike would be avoided, the government requested that the programme be cancelled. The fear was that if Deakin was allowed to broadcast then Mr. Barrett, the General Secretary of NASD and a figure widely associated in official circles with industrial militancy, might demand the right to reply. The BBC, in this instance, bowed to governmental pressure and postponed the broadcast, which took place instead on 1 November after the strike had ended.7

During periods of severe industrial unrest the BBC could usually be relied upon to grant the government unrestricted access to the air-waves. This had certainly been the case in June 1948 and, again, in July 1949 when Labour's Prime Minister and Minister of Labour had broadcast to the nation, without right of reply, during stoppages in the docks. The situation was to be no different under the Conservative administrations.

At 1300 hours on Sunday, 29 May 1955, the day after the declaration of a state of emergency by the government following the strike of railwaymen, the Prime
Minister, Anthony Eden, broadcast a message live from Chequers. The speech was geared to undermining public support for the strike. The stoppage, Eden declared, will cause damage to all of us and to the nation. 'Supplies to factories will be affected at once', which 'must bring unemployment on a rapidly increasing scale to workers in no way involved in this dispute.' He also stressed the government's determination to minimize disruption. 'Hardship and loss there must be, but we will do all we can to protect the nation from the worst effects of this strike.' Essential supplies and services would be maintained and the government, Eden announced, would 'not hesitate to obtain any further powers that may be necessary for this purpose'. Significantly the BBC did not, on this occasion, offer the right of reply to the men on strike. The following Sunday Eden broadcast for a second time on the strike. He pointed to the success of government emergency planning: 'Food, and milk and mails have been delivered and power stations have been maintained ....' and he praised the public for facing the nation's difficulties 'with good humour and good sense.'

It is difficult to assess the effect the broadcasts had on the outcome of the strike. Emergency planning had been brought to a high state of preparedness by the spring of 1955 and this undoubtedly was a major factor in the defeat of the railwaymen. It does seem reasonable to suggest, however, that the Prime Minister's broadcasts, by undermining public support for the strike and by sapping the morale of the railwaymen (with reports of the success of the emergency
measures), played a part in bringing the strike to a swift and, from the government's point of view, satisfactory conclusion. In any case the important point so far as this discussion is concerned is that the government was granted free access to broadcasting facilities during the strike, a service which was denied to the union or to the men on strike. This must inevitably raise doubts about the independence and political neutrality of the BBC.

The analysis so far has focused on attempts by the Conservative governments to influence the BBC's coverage of industrial disputes. There is clear evidence that, like the Attlee administrations after the war, the Conservative governments saw sound broadcasting as an important additional instrument in the battle against strikes. There is some evidence too, however, that the BBC itself engaged in strike-breaking activity.

Between March and April 1955 a newspaper strike broke out which paralysed the production of all national dailies, although it did not affect the provincial papers or the news agencies. Immediately the BBC took the decision to lengthen its Home News Bulletin and, when it became clear that the strike would not be settled quickly, more elaborate plans were drawn up. Special arrangements were put in hand for extending the news service and for introducing new programmes to fill the void left by the papers. On 29 March all news bulletins on radio and television were lengthened by five minutes and extra coverage was given to current affairs, entertainment and to sport. In all during the
strike some 15,000 alterations were made to programme schedules. At a meeting of the Board of Management on 23 March 1955 it was suggested that broadcasting facilities should be made available to the editors of the national press, but this proposal was rejected on the grounds that it might constitute strike-breaking. The BBC, during the course of the strike, in the absence of daily papers, provided an important national service. Nevertheless, it could well be argued that, by offering many of the services normally provided by the papers, the Corporation was serving to weaken the impact of the strike and so undermine the bargaining position of those on strike.

The Conservative governments of 1951-55, as with the preceding Attlee administrations, showed themselves to be quite willing to sacrifice the independence of the BBC during periods of acute industrial unrest. The BBC, for its part, during this period coinciding, perhaps, with the departure of the fiercely independent Director-General, Sir William Haley to The Times in 1952, offered less resistance to government interference than had been the case in the immediate post-war years.

On 4 August 1954, under Section 1(3) of the Television Act of 1954, after many years of heated debate both within Parliament and outside, the BBC's monopoly was finally broken and the Independent Television Authority was set up, to run for an initial period of ten years. The first independent television programmes were broadcast on 22 September 1955. With the onset of paid advertising on television (later
extended to radio) the issue of the independence and political neutrality of the broadcasting service entered a new and more controversial phase.
1. EC(0)(54)12, 30 November 1954.

2. BBC Written Archives Centre, Caversham; R34/881/3.

3. The Daily Telegraph, 3 January 1954, p.5. Sir William Haley left the BBC to take up the editorship of The Times in July 1952. He was replaced as Director-General by Ian Jacob in December 1952. Between July and December 1952 the post had been temporarily filled by Mr. B. Nicholls.

4. BBC; R34/881/3.

5. BBC; R34/881/3.

6. Note by Director of the Spoken Word at the BBC, 8 July 1954. BBC; R34/881/3.

7. BBC; R34/881/3.

8. Transcript of Prime Minister's broadcast statement of 29 May 1955. BBC; R34/553/2.

9. Transcript of broadcast of 5 June 1955. BBC; R34/553/2.

10. BBC; R34/881/3. During the fuel crisis of February 1947 the editors of five weekly journals, which had stopped production, were invited to broadcast on the BBC. Since the trouble was not caused by an industrial dispute the question of strike-breaking was not seen to apply in this instance.
11. **Conclusion: An Industrial Butskellism?**

In this concluding chapter I shall address myself to a number of important issues. Firstly, I shall attempt to analyse the relative success of the Churchill/Monckton era of industrial conciliation in the first half of the 1950's. Following on from this I shall examine the degree of continuity between the post-war Labour and Conservative administrations, focusing in particular on their strike-breaking policies and on the relationship fostered between the governments and the trade union movement. I shall also, at this point, look briefly at the involvement of the Communist Party in the early 1950's and attempt to draw parallels with its role in disputes after the War. Finally, I shall attempt to place this study in a wider historical and political perspective.

Monckton was certainly successful in forging close and harmonious links with the leaders of the largest trade unions. William Lawther described Monckton as a 'great Minister of Labour', whilst Arthur Deakin proclaimed that 'Sir Walter Monckton has given us a square deal and we have been able to do things that were difficult to do under our own people'. The *Daily Express* reported in 1952 that Monckton was affectionately referred to in some trade union circles as 'the squire of St. James' Square'.

Initially, Monckton's conciliatory approach paid outstanding dividends in keeping industrial unrest to a minimum. Despite Labour's forebodings of grave industrial troubles following the Conservative return to power, there was no
appreciable increase in strike activity prior to the second half of 1953. Brendan Bracken, commenting on the first two years of the new Conservative government, concluded that Monckton, along with Harold Macmillan, had been the most successful minister.3.

Inevitably, however, there were critics of Monckton's policy. The 1922 Conservative Back Bench Committee was especially critical and even the Chancellor, R.A. Butler, who appreciated Monckton's outstanding ability as conciliator, nevertheless felt that 'weaknesses were often shown and too many concessions were made on wage increases'.4. John Colville, Churchill's Private Secretary, recalls that Monckton earned the reputation amongst some Tory MP's 'as the architect of slippery slopes'.5.

By the end of 1953 the government's policy of maintaining industrial peace was beginning to come under increasing strain. 1953, in fact, represents a watershed in the post-war trend of industrial unrest in Britain. Between 1946-52 the level of strike activity was comparatively low and the general trend was downwards. This period was also characterised by the absence of official strikes. 1953 on the other hand saw the largest number of people engaged in industrial disputes for over twenty years (with the single exception of 1937), as well as the return of the official, industry wide strike. It also marked the beginning of an upward trend in strike activity that was to continue for the remainder of the decade and beyond.6. Monckton then clearly did not
preside over a golden age of industrial peace, as it has often been suggested. However, it is important to place Britain's strike record in an international context and, once this is done, the performance of the Churchill government looks reasonably impressive. In 1955 Britain was second only to the Netherlands in the international 'table' of strike-free countries. Her performance was twice as good as that of Sweden, three times that of Japan, four times as good as the United States and Canada, and Britain was seven times less likely to suffer from industrial unrest than France.

Concern at the inflationary consequences of the Monckton approach to industrial relations led to a shift in policy by the government towards the end of 1955. Initially, on taking over the premiership from Churchill, Eden had been every bit as ready to allow Monckton to give way to strong unions in order to avert damaging strike action. In the summer of 1955, however, Eden confronted and defeated the railway drivers and this victory appears to have convinced the new Prime Minister that the time was right for a new, tougher approach to the unions. 'We must put the battle of inflation before anything else', Eden informed Butler in December 1955, and in that same month a Cabinet reshuffle was carried out with Ian Macloed replacing Monckton at the Ministry of Labour and Harold Macmillan moving to the Treasury. It was, as Eric Wigham has pointed out, a tougher, less conciliatory team that became involved in the largescale industrial stoppages in 1957 and 1958.
In their handling of strikes the Conservative administrations of the early 1950's displayed a marked degree of similarity with the post-war Labour governments. Troops were used after 1951 to maintain essential supplies and services, though not with anything like the same frequency that they had been deployed during the Attlee period. 'An Emergencies Supply Organisation was kept in being by the Churchill government and a state of emergency was declared in 1955 by Anthony Eden, just as Attlee had taken formal emergency powers in 1948 and in 1949. Whilst the anti-strike regulations had been liberalized before Churchill took office the Conservative governments, nevertheless, gave serious consideration to invoking criminal proceedings against unofficial strikers. Unlike the Labour governments, however, such powers were never used. The social security system and sound broadcasting were also similarly used by the Conservative governments to bring pressure to bear upon those engaged in strike action. There were other similarities in industrial relations policy between the Labour and Conservative administrations.

The incorporation of the trade unions into the national political structure, a trend which had begun in 1940 and which was strengthened by the return of a Labour government in 1945, continued after 1951, and lends further support to K. Middlemas' theory of the development of 'Corporate Bias' after the War. The National Joint Advisory Council, which had played second fiddle to the
Joint Consultative Committee from 1946, was resurrected by the Churchill government and met throughout the period to discuss major problems affecting industry and labour. There was, in fact, no reduction after 1951 in the number of government committees on which trade unionists were represented. In 1953-54 trade union leaders sat on no fewer than eighty-one tripartite committees. Whilst informal contacts between ministers and union leaders inevitably declined after the Conservative's return to power formal deputations from the TUC on matters of concern to the unions were received by Churchill on a number of occasions.

This close relationship fostered between the Churchill government and the TUC was fiercely opposed by certain sections of the Labour movement. Criticism, for example, was voiced when it was revealed that leading union officials had dined with the Prime Minister at 10 Downing Street, and there was widespread opposition to the publishing of a goodwill message to Churchill from Tom O'Brien, the President of the TUC, in the name of the trade union movement, when he visited the United States in January 1953. Disquiet was also expressed over the report that O'Brien had visited the Prime Minister whilst on holiday in the South of France. There was a further outcry in January 1953 over the acceptance of a Knighthood by Lincoln Evans, General Secretary of the Steel Union, whilst plans were afoot to denationalise the steel industry. But for the most part relations between the Conservative government and the trade unions were good.
The Conservative governments were well aware that this process of 'incorporation' was likely to have a moderating influence on TUC policy and, as with the Attlee administrations, active steps were taken to increase the authority of the union leadership and to isolate unofficial movements which threatened to undermine the corporate position. In March 1954 Sir Walter Monckton informed the House that the 'principle of self-government is one which I follow and was followed by my predecessors. We do not intervene until the machinery of the industry has itself been fully used and no settlement arrived at ...... That is the only way that constitutional machinery can be preserved ......'. Ministers thus refused to negotiate with unofficial strike leaders, the one exception being an unofficial dispute in the Yorkshire coalfields in May 1955. This strike, however, was an exception to the rule. Not only was it the largest strike in the coalmining industry since 1926, involving 115,000 workers at almost one hundred pits in Yorkshire, but it came at a time of acute industrial unrest. With trouble threatened on the railways, in the docks and in the newspaper industry in the spring of 1955 the government decided to buy off the miners by negotiating a settlement before the end of the strike, even though this ran the risk of undermining the established bargaining machinery and the authority of the NUM.  

The Conservative governments of 1951-5, were also keen to stress the role of communists in fomenting the
unrest. As with the earlier period, however, there is little evidence to support such a charge.

The docks and the electricity supply industry were, once again, pinpointed as the centres of communist activity. In early 1952 the ETU put in a demand for a substantial increase in wages. The response from the employers was unsatisfactory and in November the union called a series of strikes at chosen construction sites around the country. Sir Walter Citrine, Chairman of the British Electricity Authority, told Churchill that 'the ETU was controlled almost completely by the CP' and that 'its leading officers and members of the Executive were practically all avowed communists'. In August 1953 Monckton intervened in the dispute to try and bring about a settlement. The Union rejected the government's offer of arbitration and on 1 September strike action was resumed. Churchill felt that the strike 'was more like a conspiracy than a strike ....' and he talked of the 'new and sinister techniques adopted by this Union'. The Report of the Court of Enquiry, however, which had been set up to investigate the causes of the dispute concluded that there was no evidence that the dispute had a political motive behind it and, after a further series of 'guerilla' strikes, the employers increased their offer and the union called off its action.

Unrest continued to flare up in the docks throughout the first half of the 1950's. As had been the case during the immediate post-war years much of the trouble
arose out of inter-union rivalry between the massive Transport and General Workers' Union and the very much smaller National Association of Stevedores and Dockers. In the autumn of 1954 a major dispute broke out in the Port of London over the issue of the recognition of NASD, which was opposed by the TGWU. Arthur Deakin, the General Secretary of the TGWU, accused NASD of being 'the spearhead of a communist conspiracy' and of being 'led by a moronic crowd of irresponsible adventurers'. The Left Wing weekly Tribune immediately sprang to the defence of the dockers and in an article entitled 'Slander on the Dockers' refuted Deakin's claims of a communist plot and issued a stinging attack on his style of leadership in the TGWU. A similar critical analysis of the structure and leadership of the T & G was made by the veteran writer on Labour history, G.D. H. Cole. The NASD was clearly not controlled by communists. Mr. Barrett, the Union's General Secretary, was, according to Michael Foot, 'the most notorious non-communist east of Tower Bridge', and, although individual communists undoubtedly played a part in the dispute, support for the strike was withheld by the Party leadership. The Communist Party, whilst highly critical of Deakin, was also critical of the 'Blue Union' for recruiting in ports outside London and Harry Pollitt issued a call to all dockers to stay in the TGWU and fight for better representation, rather than risk splitting the union movement. It is also important that once more the official Court of Enquiry found no
evidence that the Communist Party had been behind the strike. 24.

The Communist Party, without doubt, continued to give its support to strike action during this period but, as had been the case during the late forties, its influence within the Labour movement was simply not sufficient for it to be held responsible for starting the unrest. Ian Birchall, in a study of the CPGB after the Second World War, has argued that, despite the tough anti-communist policy of the government and the TUC in the late 1940's, the Party managed to maintain its industrial base during the early 1950's. Keith Middlemas, on the contrary, has concluded that communist influence in industry diminished rapidly between 1951-55, and it is this latter view which is borne out by the available evidence. 25. In 1952 the CP journal Fact declared that 'there was never a time in the Party's history when communist influence was so weak', 26. and membership of the Party tailed off significantly during this period from its post-war peak.

With the end of the Korean War and the death of Stalin in 1953 a gradual thaw began to take place in East West relations, which was reflected in an easing of the anti-communist offensive at home. On matters of internal security, however, the government, like Labour, maintained a tight grip and between March 1952 (when new positive vetting procedures were introduced), until November 1953 eleven civil servants were dismissed or transferred on grounds of communist association. 27.
The similarity in many aspects of the domestic policy of the post-war Labour and Conservative governments is well documented. In 1951 Richard Crossman observed in his diary that 'we really have an undercover coalition between the last Labour Cabinet and Butler's section of the Tory Party', whilst The Economist coined the term 'Butskellism' to describe the economic consensus which emerged during the post-war decade. In the handling of industrial unrest, as we have seen, the degree of continuity between the two administrations was especially marked, so much so, I would suggest, that the term 'Industrial Butskellism' can usefully and meaningfully be added to the vocabulary of the historiography of the period.

One must be careful, however, in linking the administrations together in this fashion not to suggest that the strike-breaking policies adopted by the Attlee and Churchill governments were in any way peculiar to the post-war decade. On the contrary, government strike-breaking policy has developed along an even, and almost uninterrupted, path from the development of the Supply and Transport Organisation after the First World War until the present day. The significant point which emerges from this study, therefore, is not that the Churchill government should have followed the Labour government in using strike-breaking troops and emergency powers, but that the Attlee administration should have deemed it right and proper to resort to these traditional anti-union
practices. Viewed in this light the real continuity of policy lies not so much between the Churchill and Attlee administrations as between the post-war Labour governments and the governments of the inter-war period.

This study provides some support to those historians and political scientists who have argued that the 1945-51 Labour governments, contrary to the popularly held view of the period as the golden age of British Socialism, did not bring about a radical or dramatic transformation of British society. Many of the policies of the Attlee administrations, it is argued, showed a marked degree of continuity with government policy between the wars and during the war time period. It must be stressed, however, that this study is concerned with only one small, albeit important, area of government policy and it might well be the case that in other areas the Attlee administrations did break new ground.

This study also has a contribution to make to the debate surrounding the role of the state in modern industrial society. This debate has centred around two conflicting theories. On the one hand there is the Liberal, democratic theory of the state, advanced by such figures as Aron, which views the state as a wholly independent and neutral agency, responsible not to any particular sectional interest but to the community as a whole. The alternative theory is advanced by Marxist writers such as Poulantzas and Miliband who argue that far from being neutral and impartial the state should be seen as a product of the capitalist society and a tool of the dominant economic class.
The period covered by this study is particularly pertinent to this discussion. On the face of it the election in July 1945 of a Labour administration, committed to such radical measures as the taking into public ownership of vast chunks of British industry, would seem to add weight to the liberal democratic theory which stresses the independence of the state from the capitalist class. Not necessarily so according to the Marxist writers. They point to the fact that the Attlee governments went out of their way to repudiate the charge that they would rule in the interest of the working class, stressing instead time and again their commitment to ruling in the national interest. In modern industrial societies structured along capitalist lines the 'national interest' according to these writers, is synonymous with the employers' interest, hence the conclusion is reached that the state under Labour rule continued to function as an instrument of the ruling capitalist class.

Dominic Strinati has pointed out the dangers of sticking too closely to this structuralist view of the state, yet there is at least some evidence from this study to support such an approach. The Attlee governments' commitment to ruling in the national interest was demonstrated nowhere more clearly than in its attitude towards industrial unrest. Despite its claim that the deployment of troops and the declaration of states of emergency or the prosecution of strikers was undertaken in the national interest to safeguard production and bolster the export drive, the
reality of the situation is that such action inevitably benefitted the employers at the expense of organised labour by lessening the impact of collective action. The Labour governments' strike-breaking policies, as we have seen, differed little from those adopted by the state under Conservative rule both between the wars and after 1951.

Due to the Thirty Year Rule covering the release of public papers very few detailed studies have been undertaken to date of government policy after the Second World War. It is to be hoped, now that the vast majority of papers are open for public scrutiny, that more studies will be carried out which will help to shed further light both on this important question of the role of the state and on some of the other major issues raised during this study.
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10. The Leader of the House of Commons, Harry Crookshank, noted in his diary in October 1952 how 'there were eyebrows raised' because Churchill had invited three trade union leaders - Tewson, O'Brien and Evans - to a party at No. 10; Diary of Harry Crookshank, 15 October 1952, Bodleian Library Oxford. See also Lord Moran, Churchill: The Struggle for Survival (1966), p.395.
11. On the disquiet caused by O'Brien's goodwill message see correspondence between Sheila McNeil and Lord Beaverbrook, 8 January 1953; Beaverbrook Papers, HLRO. Sheila McNeil was the wife of Hector McNeil who had been Minister of State at the Foreign Office and later Secretary of State at the Scottish Office during the Attlee governments.
16. Papers of Sir Walter Citrine, 7/7; BLPE.


29. For example, R. Miliband, Parliamentary Socialism (1972), Chps. 9 and 10. And D. Coates, The Labour Party and the Struggle for Socialism (1975), Chps. 3 and 4.

Comparison of Trends in the Wages Index and the Cost of Living Index, June 1947 - May 1954

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Source: Hansard (House of Commons), Vol. 529, Cols. 2337-9, 8 July 1954.
Figure II

Industrial Disputes: Working Days Lost, 1945-1955

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Sources: Hansard (House of Commons), Vol. 477, Col. 1520, 15 July 1950; Vol. 484, Col. 102; Vol. 512, Col. 547, 5 March 1953; Vol. 529, Col. 115, 1 July 1954.
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     MT 33
     MT 50
     MT 55 (Circulars to Regional Departments)
     MT 62
     MT 63
     MT 81 (Dock Labour Scheme)
   National Assistance Board: AST 7
     AST 17
   National Dock Labour Board: BK 1
     BK 2
   Pensions and National Insurance: PIN 7
     PIN 16
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