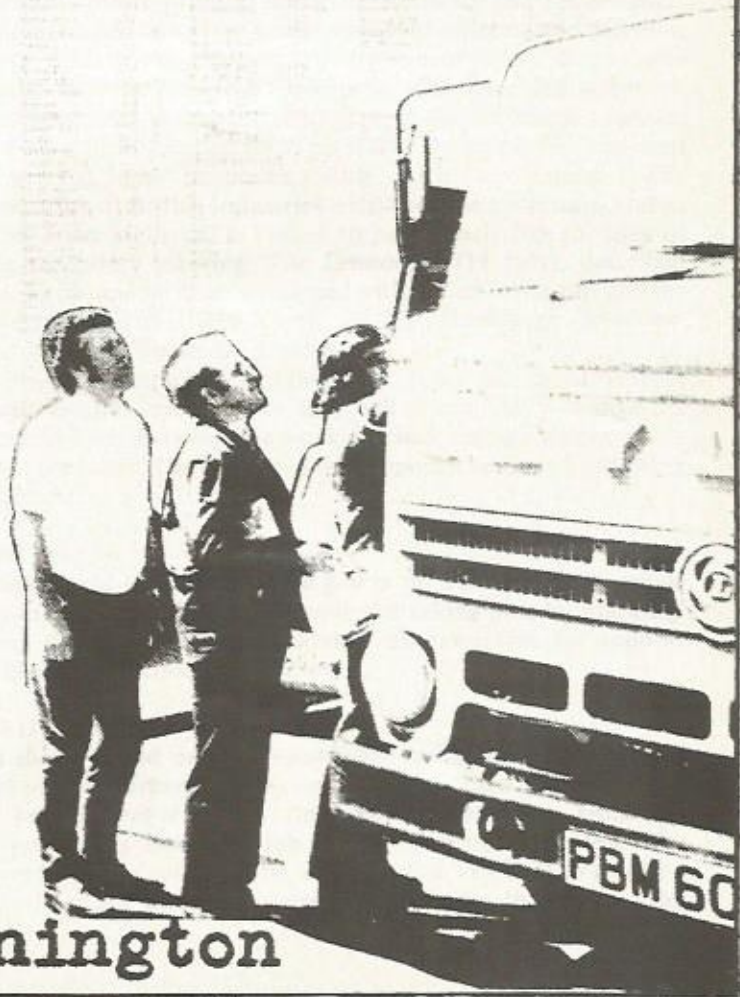


A Declaration of War

# THE PRIOR PROPOSALS



by  
Bob  
Pennington

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Pennsylvania

The Prior Proposals are a declaration of war against the working class. They are meant to strengthen the hand of the employers and the state in the drive to push up unemployment, hold down real wages, cut chunks off the welfare state and deny the oppressed their basic rights. The *Financial Times* writing about the Tory Budget made it very clear what the employers need when it wrote: *'If the problems (of British capitalism) are to be tackled at all... this involves not only a change of attitudes, but a change in the balance of industrial power. Years in which militancy has consistently won money gains have trained people to respond to a militant lead...*

*'Breaking this psychology — which has in fact been done in some enterprises — means bringing home the realities of risk and reward... Elsewhere it could be a more brutal matter of resisting and defeating militancy. This is the prospect... for the near term.'* Prior, who obviously reads the *Financial Times* with some care and attention, has been very quick to respond to its promptings for his package sets out to do just what it called for. This is why the employers and their press greeted his proposals with such enthusiasm. The Confederation of British Industries welcomed the proposals, and its chief, Sir John Methven, is known to particularly like the idea of banning secondary picketing. *The Economist* (14 July), described them as *'an optimistic feint'* combined with *'a stab in the gut'* and the *Daily Express* (10 July), with a big front-page headline, boasted: *'Maggie Takes On Unions'...*

The joy of the employers and their press is not misplaced. If these proposals are put into practice they will dramatically change the balance of power between the working class and the employers in favour of the latter. The essence of the proposals lies in the following measures:

### **PICKETING**

Picketing would be limited to the places of work of those people directly involved in a dispute. Anyone else taking part in 'blacking' or aiding the picket line, or picketing other workers for support would be liable to action by the courts.

### **CLOSED SHOPS**

Closed shops would only be established 'with the whole-hearted support of the workers' concerned, and even then the agreement would permit people to get financial compensation from the employers if they lose their job for not joining the union. The employer in turn would then be able to ask a Tribunal to award a payment from the union concerned to help meet the costs of the damages.

## **SECRET BALLOTS**

**Secret Ballots will qualify for public funds. This will cover elections of officials and the calling and ending of strikes.**

Above all else, the Government wants to deal with what it and the media describe as 'secondary picketing'. This means that they want to smash 99 per cent of strikes before they even start. The aim of secondary picketing is to make sure that the employer is made to pay the full price of strike action. It draws upon the solidarity of other workers in the industry and on that of workers dealing with the company's products. On nearly every occasion when the working class has taken on either the employers or the state in an important economic or political struggle, it has used the weapon of solidarity.

In 1972 and 1974, the miners did not restrict their picketing to the pits. They were all closed down anyway! Instead they organised 'flying pickets' which travelled all over the country to picket docks and power stations. After all, it was the coal which they had produced that was going to be used by the power stations. If they had not done this their strike would have been nowhere near as effective.

The lorry drivers strike of early 1979 was won by the use of secondary picketing. If the strikers had not stopped all the lorries, the bosses would have been able to move their goods by using their own drivers, or by getting scab firms to shift goods previously moved by the drivers.

The strike in the autumn of 1978 by the Ford workers — which broke the five per cent pay norm — owed its success not just to the fact that the Ford plants in Britain were closed, but because Ford UK was unable to import cars and parts from its overseas companies. The secondary picketing of the docks made sure of that.

Secondary picketing is even more vital when workers with less economic muscle go on strike. The nurses' pay award in 1974 was won because dockers and miners staged solidarity strikes in support of the nurses. Now with the health service and other sections of the Welfare State being ripped apart by the Tory Government, all sections of the working class must take solidarity action with public sector employees defending these services.

If the Prior proposals become law, every action described above would be illegal. The nurses who approached the Welsh miners for support, the miners, the lorry drivers, the Ford workers, and any public sector worker who asks other workers to take action to keep a hospital open, or to stop the closure of a school, would all be dragged before the courts.

Even people like Shirley Williams would have been liable to a court injunction when she went on the Grunwick picket line.

The Government is set on a course of making sure that the powerful strike-winning weapon of solidarity is taken out of working people's hands.

Prior and Thatcher have not only learnt the lessons of Saltley and the lorry drivers' strike. They have also learned the lessons of Grunwicks, the Firefighters' dispute and the bakery strike. At Grunwicks, as the mass pickets began to grow in number and the calls for cutting off vital supplies like light, gas and water grew, Ward stood on the brink of defeat.

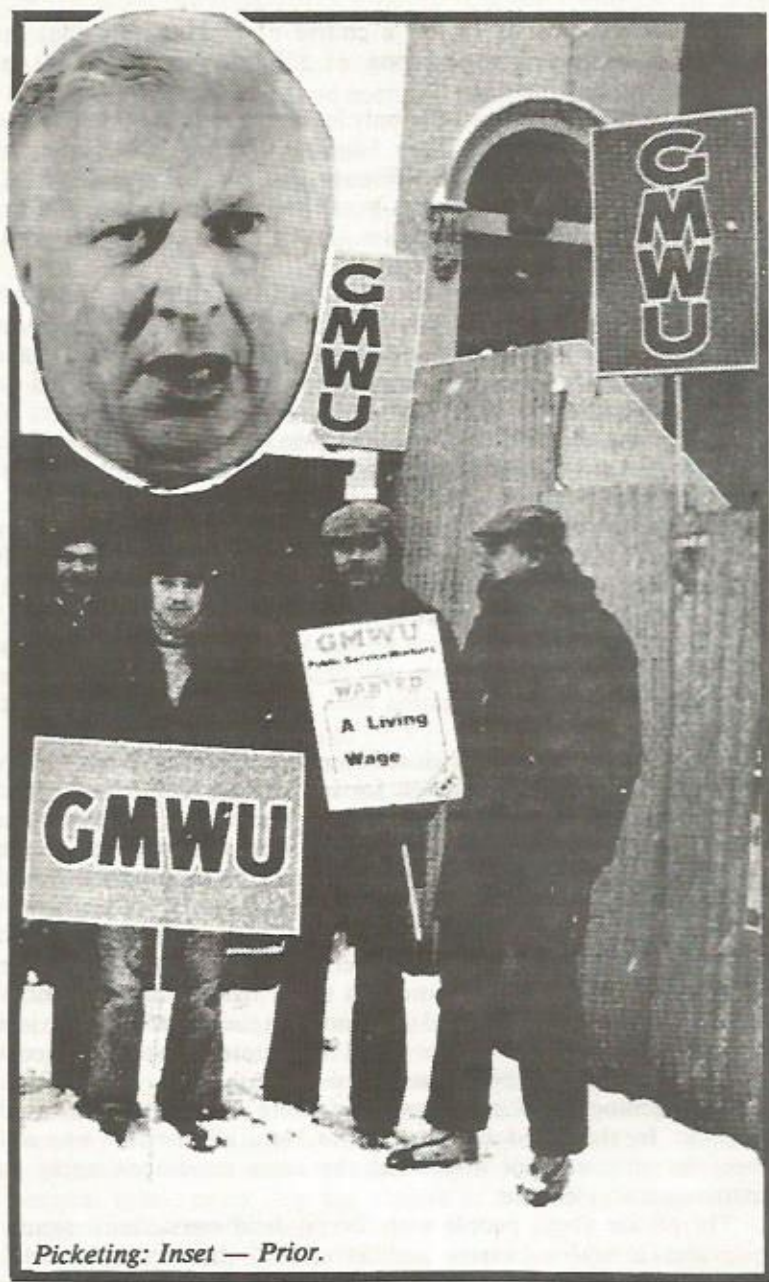
The cowardly retreat of the TUC and its refusal to call such actions left the strikers isolated and the pickets dwindled to almost nothing more than a token force. Ward was saved, and trade unionism suffered a defeat. Although the Firefighters enjoyed an enormous amount of public goodwill, petitions and messages of support on their own are not enough to win strikes. The failure of the TUC to give any solidarity action doomed the strike to isolation and the Firefighters were forced back to work.

Because the bakery workers did not immediately start secondary picketing of the flour mills — owned by their own bosses — and left the smaller bakers alone, their strike lacked any real bite. In the end, after weeks of strike, they were forced back for a miserable pittance.

This is what the Government wants to do to all disputes — isolate them, render them ineffective, and create a mood amongst people that there is no point in fighting back because it is not possible to win.

The proposal around the closed shop is notable for its ambiguity and for its 'touching' concern for individuals with 'deeply held convictions'. The working paper talks about only establishing a closed shop providing it has 'the wholehearted support of the workers concerned', and no new closed shop could be established unless it was supported by an 'overwhelming majority' of workers in a secret ballot. The phrases 'wholehearted support' and 'overwhelming majority' have been inserted with a deliberate purpose in mind. They are intended to be used against a majority vote so that the employers and the courts can claim that although in a particular factory, 45 per cent voted for a closed shop, 20 per cent abstained, and 35 per cent voted against, this lack of an 'overwhelming majority' shows that there is not 'wholehearted support' for the closed shop at that firm. Naturally the MPs who will vote for this will not insist that the same conditions apply to parliamentary elections.

The phrase about people with 'deeply held convictions' simply provides a scab's charter and invariably these 'deeply held' convictions never prevent the holders from taking pay rises won by



*Picketing: Inset — Prior.*

the union, enjoying holidays with pay — won after years of trade union struggle — or working shorter working weeks, another product of trade union struggle and organisation.

The closed shop is a gain for the working class. It makes sure that the bosses cannot intimidate or bribe other workers into doing work that has been 'blackened' or work that the members consider dangerous or hazardous to a workers' health. The closed shop makes it possible to put an embargo on work that affects other workers who are on strike and it also makes it possible to 'black' work done by non-unionists. This not only helps the workers in the closed shop, but also strengthens the entire trade union movement.

In the first case, it enables other workers to win their strikes. In the second case, it is a very effective means of getting workers in scab firms to join the unions. The interests of the working class demand a strong trade union movement and that means fighting to enforce the closed shop everywhere. Any measures by the Government and the state to undermine the closed shop serve only the interests of the employers.

## COLLECTIVE DECISIONS, COLLECTIVE ACTION

At a time when the Government is making massive cuts in public expenditure, cuts that will mean physical suffering and in many cases premature death, the fact that they are prepared to dig in the public kitty to help to pay for union ballots shows how important they think this is. The aim of the secret ballot is to divide people. It is intended to allow the press, radio and television full scope to influence people's judgement and opinion.

This is the same media that is jumping for joy at Prior's working paper, and the same media that unflinchingly supports moderates against so-called extremists. The 'moderates' are the ones who are prepared to see a factory closed, who accept the need for cuts in living standards and are sophisticated enough to know that it is necessary to shut down a hospital or an old-persons home.

The 'extremists' are those wild people who think we should all have a job, are against cuts in living standards and are crazy enough to fight for people's health and lives. This is why moderates like Gormley, Chapple, Boyd, etc., are so popular with the press, and why they and their proteges would always get support from that quarter in union elections.

Voting to take strike action is a serious business and workers do not do it lightly. This is why it is best done out in the open. At mass meetings they can listen to the arguments put forward from their workmates. They can debate these arguments, and they can see when

the hands go up, how many are for action, and who is for action. The vote at the mass meeting is a collective decision and shows workers the value of collective action; that is what trade unionism should be about.

Missing of course from the Tory proposals on secret ballots is any suggestion that all trade union leaders should be elected to office and subject to re-call. Nor is there any proposal that before an employer sacks a worker or closes down a factory, he or she should ballot the workforce. Meanwhile, before the workers can take any action against these measures, they must have a secret ballot. Prior is not in the least concerned with democracy. What he wants to do is change the rules of the unions for the benefit of the bosses.

## THE TUC

The Prior Proposals, if put into practice, would deal a massive blow at basic democratic rights and are intended to pave the way for further onslaughts against the unions. Even the TUC recognises this. In a letter from Len Murray, TUC General Secretary, on 30 July 1979, the TUC told Prior: *'They appear to be part of a wider programme being followed by the Government...'* But instead of telling Prior to go to hell, and bluntly informing him that if the Government dares to try and put these proposals into practice, the TUC will call a General Strike, they still agreed to a meeting late that August. After all, on some of Prior's proposals the TUC have quite a lot of common ground with the Employment Secretary.

In the early part of 1979 the TUC, after faithfully acting as watch dogs for the Labour Government's pay restraint policy, suddenly found the ground being swept from under its feet. Workers in road transport and in the public sector not only challenged the Government's pay norms, but began to use secondary picketing on a large and very effective scale. As the flying pickets defeated the haulage bosses, and workers took it on themselves to decide what constituted an emergency service, the media went mad with rage.

In many instances the trade union leaders were pushed aside by the rank and file and were forced to give grudging consent to these tactics. Fearful of losing control of their members, wilting under the pressure of the media, and pressurized by the right-wing Labour leaders, the TUC produced the Concordat. It was their offer to police the trade unions.

The Concordat contained proposals that give weight to Prior's arguments. It too wanted ballots. Like Prior it hedged about the 'size of the majority required'. Like Prior, the TUC are also worried



about picketing. Where, when, and how to picket is, or *should* be, the decision of the membership involved and its elected representatives. They are on the spot. They know the firm concerned. They have a vested interest in winning the strike so they are unlikely to take half measures.

That is what concerns the union bureaucrats, so the Concordat was quite explicit on this when it said: *'It is important that any requests for members of another union not to cross a picket line should be addressed to the appropriate official or body of the other union...'* The aim was to stop rank and file workers in both unions taking decisions, which is the most effective and quickest way to get action.

Like the Tories, the TUC is none too happy with workers turning up on other workers' picket lines. Therefore it suggested that badges or arm bands be *'carried or worn by pickets, so that they are clearly identifiable as authorised pickets.'* This is nonsense, and plays right into the hands of the press and the police. Other trade unionists would then be marked out as *'extremist trouble makers'* and would easily be picked out by the police. This is why the Grunwick Strike Committee rejected such a proposal from the TUC.

Pickets are best when they are large so they can stop scabs getting in, stop goods going in or out, and are too big for the police to smash up. Anybody who supports the aims of the strike should be welcome, and whether they are other trade unionists, students or unemployed workers does not matter. What counts is that they make the picket stronger and more effective.

The Concordat takes entirely the opposite view. It suggests a union official *'is in charge of the picket line'* and that *'he should ensure that the number of pickets is no larger than necessary.'* The idea of the full-time official keeping the picket line down to the minimum is of course meant to take control out of the hands of the members.

Prior's proposals on the closed shop might well have been borrowed from the Concordat. The Concordat insisted that the closed shop *'need not be a rigid arrangement'* and told the unions to *'bear this firmly in mind'*. So all those people with their *'deeply held convictions'* have got the go ahead from the TUC and the Tory Government to weaken trade union organisation on the shop floor.

## THE RANK AND FILE

Whether or not the Secretary for Employment passed around copies of the Concordat to the TUC members at the August meeting, I am unable to confirm. But there is no doubt he pointed out that there



*Marching against the I. R. Act.*

was much in common between his proposals and theirs. Unlike the Industrial Relations Act, brought in by the Heath Government, the Prior proposals are aimed more to attack the rank-and-file members, and are less severe on the full-time union bureaucrats.

The Industrial Relations Act made unions nationally responsible for the actions of their members and the Courts could be used to fine the unions. The Act also invested enormous powers in the Secretary of State, granting him the right to apply to the Industrial Court — set up under the Act — for a compulsory ballot against strikes, go-slows, work to rules, etc.

These threats to the union's finances and erosion of the union leaders powers were immediately seen as a threat by the union bureaucracy. Trade union bureaucrats see themselves as negotiators between the working class, the employers and the state. As they wrote in the Concordat: *'There is no answer in confrontation. Solutions to our problems have to be found in agreement. But agreement wil only be found if our people recognise that we are all part of a community of interest'*.

The Act cut into the role of the union leaders in making such agreements and thereby challenged the main reason for their existence. Although the TUC dragged its feet in organizing a real showdown, it was nevertheless bitterly opposed to the Act. They wanted consultation and arbitration, and saw demonstrations like the one held on 21 February 1971, which brought out over 100,000 people, as means simply of pressurizing the Government into changing its mind.

But even their verbal opposition and condemnation of the Act stimulated the mass movement which culminated in the surging strike wave that grew up over the arrest of the Pentonville 5. This forced the TUC to issue a call for a one-day General Strike. This was not due to the fact that the winds of militancy had inspired the inhabitants of Great Russell Street. Rather it was a recognition that the mass movement had smashed the Industrial Relations Act and, faced with this accomplished fact, the bureaucrats desperately moved to take over.

The Prior proposals have taken the experience into account and the Tories have been careful not to attack the direct interests of the union leaders. They also remember how the TUC behaved over the Shrewsbury Pickets, when building workers were jailed by the use of the conspiracy laws. The TUC protested and made speeches calling for the dropping of the charges but did not take one single step of action to get them out of jail.

The conspiracy laws were aimed at smashing rank-and-file militancy, but because the full-time union officials did not see them

as a threat to themselves they let the pickets stay in jail. The Tories have gambled — not without some justification — on the fact that the trade union leaders will bluster and make militant noises, but will be reluctant to take mass strike action to kill off the Prior proposals.

The Tories need to get these proposals on the Statute Book. On every front — wages, unemployment, welfare services, the rights of women, black people and youth — they are drawing up the battle lines.

Their programme of four billion pounds worth of cuts in public expenditure will either run into massive resistance or working people will face longer dole queues, malnutrition, premature death, backstreet abortions and increasing state repression. It is to break the back of the movements that will oppose these measures that Prior drafted his proposals.

### WORKERS' DEMOCRACY

The Tories are governing on behalf of capitalism, and that capitalism is in a state of chronic decline. It can only be saved if the power of the organised workers' movement is broken.

This is why the proposals concentrate on secondary picketing, secret ballots and the closed shop. They know full well that these are powerful weapons in the armoury of the workers' movement and they want to take away the workers' democratic rights to organise, run and control their own struggles. Here they will find an accord with the trade union bureaucracy, who also constantly fight against workers' democracy, because they dread being responsible and accountable to the mass movement.

For socialists and militants the reverse is the case; in the battle against the Prior proposals we must take up the fight for the *extension* of rank-and-file democracy. Every strike must involve the maximum participation of the strikers. This is not only necessary to make sure that the full strength of the workers is brought to bear in action. It prevents isolation and makes it possible to draw out new ideas and new talents. This is best achieved by holding regular mass meetings, where the strike leaders, both full-time officials and lay-members, are accountable to the workforce, and where they can be changed and replaced by new people if the workers consider it necessary.

Every trade union official, ranging from the General Secretary right down to the local branch officials, should be elected and subject to re-call. The elections for officials should take place either inside the branch or at specially convened district mass meetings. This makes sure that all the membership have an opportunity to

listen to the arguments from their fellow trade unionists on whether or not they should vote for or against particular individuals.

The arguments of traitors to the labour movement like Woodrow Wyatt in the *Sunday Mirror* or Paul Johnson in the *Evening Standard* on who they would like to see elected and how elections should be held, are arguments against democracy and are against the interests of the working class. Although the fight against the Prior proposals starts as a defence of trade union and democratic rights, to be successful it means extending democracy inside the unions.

### **HOW TO SMASH THE UNION BASHERS**

Of course, the Prior proposals are not unique. In the late sixties Harold Wilson's Labour Government tried to impose *In Place of Strife*, another piece of anti-trade union legislation. Then the 1970-74 Heath Government introduced their Industrial Relations Act.

Both these measures were defeated by organised resistance from the labour movement. And it is from these past battles that we can draw the guidelines on how to deal with the Thatcher Government's legislation.

To defeat the Industrial Relations Act, dozens of local committees were set up — the most authoritative being those set up by local trades councils or powerful shop stewards committees. This must happen again. Now is the time to start calling city-wide, regional and national conferences to set such bodies up. In Manchester on 26 June the Rank and File held a Conference attended by over 1100 delegates to discuss '*How to Defend Our Unions*'. The Conference adopted a seven-part Code of Practice (see inside back cover) which gives an excellent basis for fighting the proposals.

Militants should attempt to get it adopted in the local and regional committees as well as getting the greatest possible number of trade union branches, committees and executives to support it. The supporters of the Code of Practice, in alliance with every militant who is for action against the Prior proposals, have got to build a campaign inside the unions for strike action.

Already the TGWU Conference has gone on record 'for maximum trade union resistance' to the proposals. TGWU members should be flooding their executive with resolutions calling for demonstrations and strike action.

It was the five national strikes called by the AUEW that acted as a tremendous stimulus in the fight against the Industrial Relations Act. The Pentonville 5 were freed because of the strikes that took place when they were sent to jail and because of the threat of a

General Strike. The National Industrial Relations Court was consigned to the historical dustbin because the AUEW called an all-out strike against it.

It is actions like these which forced Heath to retreat and made the Labour Government that succeeded him wipe the Act off the Statute Book. It is similar actions that can force the Thatcher Government to retreat. It is also the kind of action that will make sure that Len Murray and the rest of the TUC do not arrive at some sell-out compromise with Prior and the Government. A mass united opposition, rooted in the base of the unions and the workplace, is the *only* guarantee that the TUC will act. It was built against the Industrial Relations Act and it can be built again.

Of course such a movement will not grow up overnight. It will have to be worked for, and fought for. That is why it is so important to start in the localities now. That is why organizations like the Liaison Committee for the Defence of the Trade Unions and Rank and File should start building demonstrations and working towards industrial action against the proposals, even if this action at the beginning is restricted to certain areas or workplaces.

The TUC should be told in no uncertain terms there is nothing to discuss with Prior about picketing, trade union democracy or the closed shop. They are the concerns of the workers movement and its allies, they have nothing to do with the agents of the bosses! The first job for the TUC is to call a one-day National Strike as the beginning of a campaign towards all-out strike action.

# THE CODE OF PRACTICE

TEXT of the Code of Practice for disputes, adopted at Rank and File's 'Defend Our Unions' conference last month with the objective of campaigning to make the Code official union policy.

1. No crossing of picket lines.
2. For the establishment and defence of 100 per cent closed shop, and for sanctions to be applied against any individuals breaking the closed shop.
3. For full rank and file decision making by traditional democratic procedures — no enforced secret ballots.
4. Strikes to be run by elected strike committees and pickets to be positioned at whichever location necessary to win the dispute, and in sufficient numbers to ensure that the picket line is observed.
5. All appeals for blacking, and financial assistance for disputes to be carried out.
6. Support calls made by strike committees for mass sympathy pickets.
7. No settlement of disputes without full reports back to, and decision making by, the members concerned — no enforced 'arbitration' or enforced 'official' settlements.

We urge all readers of this pamphlet to put these proposals for adoption in their trade union branch.

This pamphlet was produced by the International Marxist Group, British Section of the Fourth International. If you are interested in the IMG and would like to be put in touch with your local branch, please complete the form below and return to IMG, PO Box 15, London N1.

*The Prior Proposals*, like *In Place of Strife* and the *Industrial Relations Act*, constitute another attempt to cripple the ability of the trade unions to fight for worker's rights.

In this pamphlet, Bob Pennington explains what Prior is proposing and, using the experience of past struggles against similar Bills and Legislation, shows how the Tory Government's plans can be defeated. He points to some important differences between the *Prior Proposals* and the *Industrial Relations Act*, explaining how these proposals are aimed essentially at the rights of the rank and file, and how Prior has been careful to avoid encroaching on the preserves of the union bureaucrats. Bob Pennington is a member of the IMG Political Committee and has written a number of pamphlets including *Revolutionary Socialism — why and how; For a Revolutionary Party; A Socialist Challenge to Immigration Controls*. He also collaborated with C. Hampton in writing: *The Industrial Relations Act — A Declaration of War!*

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**The Prior  
Proposals**  
ISBN  
0-85612 311 0

*Other*  
**The / Press**

**The Other Press, 328, Upper St. London N1**

**15p**