

FILE COPY

# Workers Power

10p/5p strikers

paper of the Workers Power group

# ANSWER THE MINERS' CALL

# FIGHT FOR A



# GENERAL STRIKE!

AT LONG LAST a debate is starting in the Labour Movement which should have been resolved months ago. After the unelected Tory judges gave a Tory solicitor the right to claim "I am the NUM" the Conference of the Union has called on "the General Council (of the TUC) to be convened to mobilise industrial action in support of this union."

In a statement in *Labour Weekly* Arthur Scargill called for "the most massive mobilisation of industrial action our movement has ever known"

Tony Benn has said "The Labour Movement has now got to face the fact that a general strike might become necessary to protect free trade unionism, ballot box democracy, political freedom and civil liberties in Britain." Ken Livingstone has endorsed a similar call in the paper *Labour Herald*: "TUC leaders must immediately call out workers in key industries alongside the miners and make preparations for a general strike against the Tory Government."

When the Labour NEC met with Arthur Scargill both Dennis Skinner and Audrey Wise argued for a general strike in support of the miners. Eric Heffer followed this up by calling on the TUC to show the same courage as it did in 1972 when it announced its intention to call a one day general strike in support of the jailed Pentonville dockers.

## DISASTROUS? ■

Predictably Neil Kinnock has denounced the call with a vengeance: "Any calls for a general strike would be disastrous. The prospect for a general strike is nil and any threat of a general strike without a prospect of that threat being successful would be terribly damaging to the movement's chances of putting the case for coal over to the public."

Kinnock made it clear to Arthur Scargill that the Labour Party could "do nothing to support breaking the law". The fact is that what is unlawful is defined by the unelected Tory judges and altered from week to week to block off every resource the miners have for continued resistance. Kinnock is telling the miners in a mealy mouthed manner to give in! Give in to the courts, give in to the Government!

Striking miners will reject this Judas advice with contempt. But there is a real danger that both miners and their many thousands of supporters will be scared off calling for a general strike by the chorus of cynical jeers that a general strike is impossible.

For "Kneel" Kinnock, Basnett and Willis, it's not so much that a general strike is impossible as that, for them, it is totally undesirable.

They hate and fear the very idea like sin. They have been hard at work in doing everything they can to prevent one.

Kinnock's claim that the threat of a general strike damages the winning over of public opinion is laughable. Nearly sixty per cent of "the public" never voted for Thatcher and by every opinion poll finding never would. Millions of people already detest her. Even if 80% of the population supported the "case for coal" how would these millions go about winning the miners' demands?

## IRON CLAD ■

The Tories have an iron clad majority in parliament. There will not be an election for four years. Thatcher will not yield to public opinion. Nor will backbench revolts or Labour demonstrations in the House budge a government that is determined to crush the miners, has the police and the judges behind them and a slavish media to back them up.

Of course there is one example of an unpopular government "forced to the polls" - Edward Heath did so in 1974. But its not a good example for the leave-it-to-parliament brigade. Heath was obliged to try an election because a miners' strike and real effective blacking from the rest of the unions had him against the ropes. It was however a miscalculation. He lost the election. Thatcher would be very unlikely to repeat this mistake.

Apart from the self-serving arguments of the likes of Kinnock there are people in the Labour Movement who oppose calls for a general strike but who sincerely want to see the miners totally victorious. Their objections need to be answered.

Many will ask why a general strike is necessary as, after all, can't the

miners win alone?

The answer to the first part of this question is now staring the NUM in the face. The Tories went for the miners for two reasons. They want a slimmed down, but profitable coal industry. Jobs must go for this.

They know that the NUM is a powerful obstacle to their plans to attack other sections of workers- through privatisation, cuts, attacks on wages and so on. They knew that they had a battle on their hands the outcome of which would shape the whole future of the class struggle for years to come.

## POLITICAL STRUGGLE ■

It is in this very real and direct sense that the miners' strike is a struggle for the whole working class. In the sense that a government representing the employers as a class faces the NUM fighting for its class this is a political struggle. Moreover in waging that struggle the Tories had a powerful weapon at their disposal- the anti-union laws. These were used to rob the South Wales NUM's funds in August. Not only the miners face these laws. Last year the NGA were hit by them. This autumn the Austin Rover strike was demobilised by the use of the anti-union laws. When the TGWU refused to call off the strike(which had not been preceded by a ballot) they were clobbered for £200,000. The anti-union laws are aimed at the whole working class to destroy effective trade unionism.

The scale and nature of this attack calls for class wide action in reply. Workers are storing up disaster for themselves if they wait to see how the miners do before entering the fray. It is in their interests as well as the miners' interests to fight now.

## NECESSARY ■

The general strike is necessary to win a victory for the miners and destroy the anti-union laws. The experience of the two dock's strikes and the NACODS farce has left many NUM militants in a "go-it-alone" mood. Even if there is agreement about the desirability of a general strike, many miners still say they can win without

one. On the one hand this reveals the tremendous resilience of the miners. The determined belief in victory is a marvellous inspiration to other workers. On the other hand though, it stakes the future of the strike on a terrible gamble.

The miners can only win on their own if total blacking of all scab coal from Britain or elsewhere was achieved or if the threat of increased action by other workers panicked the government and the bosses. Neither of these eventualities looks immediately likely. To wait for them is fatal.

Instead of fighting for solidarity action from other workers, militants spend all their time and energy raising money simply to sustain the strike. This exclusive concentration on fund raising has already pushed the strike backwards, reduced the pickets and the demos, reduced the mass character of the strike. Loyalty to the union and the strike and solid determination to carry on are vital in this struggle, but unless they are harnessed to a clear strategy for victory, then they cannot alone guarantee victory. The fight for a general strike provides that strategy.

Some will reply that a general strike in Britain now is impossible. If nine months of our struggle cannot stir other sections of workers to action, then what can?

## BY THEIR DEEDS ■

This approach to what is possible or not is no use to anyone. Back in March militants at Cortonwood did not sit in a circle and say- is a national strike possible, given 3 lost national ballots for action, given the lost battles at Lewis Merthyr and Kinneil, given the huge coal stocks. If they had left it at that there would have been no strike at all. Instead they said "It is necessary to save our pit. We will get Yorkshire out by picketing, we will get other areas out. We will do all we can. We are a major factor in what decides the possible."

The same is true of winning solidarity action and a general strike. No one can tell what is possible in advance. Men and women by their deeds and words determine what is possible. We should leave it to MPs and fossilised union officials to sit in their offices and

muse on what is possible. If it is necessary then we must do everything we can to make it possible.

It is undoubtedly true that millions of workers are not sitting on the edge of their seats waiting for the magic words to be uttered to come out on strike. But the reasons for this unreadiness need to be faced. The basic reason is that the left wing of the Labour Movement has not prepared them in any way for this.

When did Arthur Scargill in the NUM go out and campaign for a general strike? Leave aside rhetorical appeals at rallies, have the NUM speakers to other unions been asked to campaign for strike action? Has the TUC been told to come off the fence and call out members? Have the "left" union leaders like Buckton, Knapp and Bickerstaffe been asked to come out with the miners? Were the dockers or the TGWU approached to form united strike fronts?

## NO SERIOUS EFFORTS ■

The answer to all of these questions is no. The general strike seems impossible only because no serious efforts have been made by either the NUM leadership or the rank and file to fight for one.

The alternative is for cynicism in relation to the rest of the working class to set in. Whether a general strike is possible or not cannot be determined in advance of a struggle to achieve one. If it is necessary, we must fight for it.

Given the traitors who are at the top of most unions how can we achieve a general strike in the here and now?

Traitors at the top are not all powerful. They are at their strongest when the rank and file are at their weakest. But let's remember even company director Lord Joe Gormley was the leader on the NUM in 1972 and 1974- struggles that saw the miners beat the Tories. We can overcome the inactivity and prepare to defeat the treachery of the union tops in the fight for a general strike. We must force their hand. Arthur Scargill's appeals for "industrial action" need to be turned into a campaign to win it. Teams of NUM speakers must be sent to every

Continued on back page ▶



# The last time they betrayed the miners

MILITANT MINERS AND their supporters frequently refer to the TUC's treacherous betrayal of the miners in 1926. For close on seven months the miners were left to fight alone until they eventually went down to defeat on the coalowners terms. This bitter memory led many militants in the first months of this strike to argue that the TUC should be kept out of the dispute at all costs.

The NUM raised no calls on the TUC, preferring to fight with the backing of a few selected "left" leaders of the major transport unions. Since September's pledges of support by the TUC it has meant that most miners have expected little from the TUC.

The NEC has been left to fix what meagre degree of support they can get from the TUC "inner cabinet". As the TUC runs for cover and

MFGB delegates at the November Conference in Kingsway Hall.



away from a fight many will point back to 1926 to show that the treacherous breed who run the TUC never change and that the miners will have to fight alone as they did then.

If we look closely at 1926 there are important lessons to be learnt about how to combat betrayal and prevent isolation. The miners' leaders made major mistakes in 1926. Those mistakes made it all the easier for the TUC traitors to betray the miners. It is the job of today's militants to make sure that history is not allowed to repeat itself.

In 1925 the Tory Government and the coal owners backed off from an immediate attack on miners' wages in the face of a TUC commitment to strike in support of the miners. They used the nine month period of government subsidy granted to the coal industry to prepare to go on the offensive in the spring of 1926. In August 1925 the

Samuel Royal Commission was established to propose changes in the coal industry. In September 1925 the government formed the Organisation for the Maintenance of Supplies (OMS) in order to prepare to break any future general strike.

Along with the TUC leaders the miners leaders failed to match the preparation of the bosses. The Miners Federation (MFGB) leader A.J. Cook himself did nothing to push the TUC into preparing for action. It was not until February 1926 that the MFGB executive first met with the TUC industrial committee, to discuss the impending end of the subsidy. And when, in March, the Royal Commission predictably came out in favour of wage cuts, the miners' leaders agreed to remain silent so as to allow the TUC time to negotiate the matter with the government.

The problem was that A.J. Cook was unable to overcome the limits of a trade unionist view of the dispute. What do we mean by this? Basically even an extremely militant trade unionist believes that it is *only* possible to bargain over wages and conditions within the framework of capitalism. The militant will bargain with the strike weapon—the right wing with negotiations. The self-limiting aim of *only* going for better terms for your members is common to both. Of course defence of jobs and living standards, wages and conditions under capitalism is vital. But this need not be the limit in struggle as it is for the pure trade unionist.

## POLITICAL ACTION

For the *revolutionary* trade unionist this defensive struggle can be linked to the need for political action against the capitalist system.

Take 1926 as an example. The defence of miners' wages and conditions had serious political implications. The bosses needed to tame a key section of workers the better to attack others. The restructuring of the coal industry was vital for the whole capitalist class. The involvement of the government on the side of the coal owners, the eventual declaration of the general strike as illegal, the use of troops to strikebreak all indicated the political nature and implications of the struggle.



A. J. Cook.

The task of the day was to work hell for leather to mobilise the working class on a political basis. But these tasks were, alas, beyond Cook. His belief in the purely trade union character of the struggle led him to commit serious errors.

He feared that the miners themselves were in a weak bargaining position given the feeble condition of much of the British coal industry at the time. Looking at the world through the spectacles of a trade unionist who would often repeat a phrase from *The Miners' Next Step*: "We can only get what we are strong enough to win and retain." Cook looked to the TUC for the strength that he felt the miners lacked. As he later explained it "I have never believed the miners could win alone."

1925 had shown the enormous potential strength of the TUC. To that extent the MFGB leaders were quite right to look to it to fight with the miners in a show of working class strength and unity. The problem was that they handed the entire conduct of negotiations with the government over to the TUC leaders in exchange for a verbal commitment to support the miners. As A.J. Cook put it "We handed over our case to the General Council to defend our present position."

In the face of an intransigent Tory government the TUC leaders wriggled desperately to avoid a fight. They had the full backing of Labour leaders MacDonald and Henderson in this. But the more the TUC leaders shied away from a fight the more strident were the calls from the coal owners for wage cuts and for a longer working day. The coal owners announced a lock out of miners who would not accept their terms to start on April 30th. Yet despite having been empowered to call a General Strike by a conference of Trade Union executives on May 1st the TUC leaders attempted to reach a deal with the government that accepted the Samuel Commission report and wage cuts. On the 2nd May they agreed with Baldwin that: "We will urge the miners to authorise us to enter upon a discussion with the understanding that they and we accept the report as the basis of a settlement, and we approach it with the knowledge that it may involve some reduction of wages."

## BOSSSES CALL BLUFF

Smelling victory the Tories broke off all negotiations and thus forced the TUC leaders to go through with their General Strike threat. The leaders were terrified of a showdown with the government. As railwaymen's leader Jimmy Thomas put it: "I have never disguised that in a challenge to the Constitution, God help us unless the government won!"

Not so the ranks of the organised working class who solidly responded to the strike call and paralysed the country in support of the miners.

Cook and the MFGB had made two major mistakes. They had put the conduct of their dispute and the General Strike itself into the hands of the TUC. Moreover they had not warned or prepared the rank and file miners or the ranks of the other unions to organise to prevent the TUC leaders calling the strike off. They took their own hands off the running of the strike and did nothing to ensure that the TUC's militant rank and file got their hands on the running of it.

Central Strike committees and Councils of Action were formed in every industrial centre. In many they took over the running of transport, provisions and order. In that way the strike daily threatened to challenge the Constitution that Baldwin, Ramsay MacDonald and the TUC leaders all professed such loyalty to. In many areas—Llanelli for example—local Action Councils went far beyond TUC guidelines and called out steel, brewery, electricity and gas workers who had been told to stay at work by the TUC.

The TUC leaders on the other hand crumbled in the face of an intransigent Tory government and under mounting pressure from their own ranks which threatened the bureaucrats' control of the strike and its outcome. The leaders of the MFGB had entrusted to run the dispute for them clutched at a cosmetic offer from Samuel and ordered the miners' leaders to settle on these terms: "You may not trust my word, but will you not accept the word of a British gentleman who has been governor of Palestine?" said Jimmy Thomas to A.J. Cook. When the miners' leaders refused to accept wage cuts the TUC ordered the end of the General Strike. The MFGB itself had made this

# SUPPORT CONFERENCE

## Centrists block action

ON DECEMBER 2ND over 1,000 delegates attended the Miners Defence Committee Conference. Many others were turned away due to lack of space. This enormous response showed just how many miners' support activists were looking for a lead in the struggle. They did not get one.

The NUM executive was meeting on that very day in emergency session to decide how to respond to the Tory takeover of the union. Yet delegates sitting through the conference proceedings could have been forgiven for thinking it was "business as usual" in the miners' strike. Any sense that there was a crisis that needed resolute action and leadership was completely absent from this conference.

This was not surprising. The conference organisers—in particular the representatives from Socialist Action and the Socialist Workers Party—had made sure by a number of manoeuvres that there would be no debate of any amendments and in particular of the resolution passed by Coventry support committee and the Keresley Strike Committee.

Despite two successive votes at planning committee meetings in favour of taking resolutions and amendments, the leaders of Labour Briefing and Socialist Organiser finally capitulated to the bullying tactics of the Socialist Action and the SWP and, flouting all previous decisions, banned amendments and resolutions. They used the excuse that the NUM "would not like" the Coventry Resolution.

### BUREAUCRATICALLY STIFLED

This self-appointed group of "conference organisers" then bureaucratically stifled every attempt to get previously circulated resolutions back on the agenda.

In the conference it became clear why these organisations were so hostile to the debating out of different perspectives for the strike. Their own were so pathetic they would not have stood up to a ten minute argument. Socialist Action could only repeatedly argue throughout the day that the way forward was a "massive one day demonstration" led by the NUM and Labour Party leaders. How this was to transform the strike was anybody's guess!

The SWP made its perspective clear in the solidarity "workshop" which was the biggest of the conference. Member after member got up to repeat at tedious length what they'd already done—to take collections, to contact workplaces, to get levies. This was all the SWP would argue as a way forward after 9 months on strike, with a Tory solicitor trying to take over the NUM, the TGWU about to be sequestered and the TUC leaders in flight from the anti-union laws!

In contrast the resolution which these centrists made sure was not debated attempted to tackle the urgent needs of the miners' strike. Lip service was paid occasionally by the organisers to the need for industrial action. Three platform speakers emphasised the need for industrial action. But there was virtually no discussion on how to achieve it. The Keresley/Coventry resolution proposed a real drive to the workplaces to win delegates to the support committees.

### LEADERS' COWARDICE

In the face of the cowardice being shown by the trade union leaders, the support committees have the potential to link rank and file militants at a workplace level in the fight for industrial action. Only by transforming these committees into real working class organising centres which represent workplace organisations, shop stewards' committees, community and tenants organisations etc., can resolutions calling for industrial action be turned into reality. Such committees, drawing on the NUM at a rank and file level, could become the centres for extending support for the miners.

It is little wonder that the SWP and Socialist Action blocked against this resolution. Their own "perspective" for these committees sees them as little more than collection agencies for the strikers. The SWP's "drive" for a workplace orientation means little more than a drive for more collections and levies—a totally inadequate response to the present situation of the strike. In fact what united these two groups at the conference was their refusal to go beyond what they thought the NUM was asking for. The SWP's complete pessimism flowing from its "downturn" "theory" makes it an actual block in the struggle for industrial action. It puts it at one with the cravenly subservient Socialist Action. The Socialist League's chronic adaption to the officials of the trade union and Labour movement makes them little more than foot soldiers for the bureaucracy, offering friendly advice ("please hold a demonstration") while bureaucratically attacking anyone who threatens this friendly relationship with demands which the Socialist League thinks will alienate their bureaucratic friends.

It was these positions which made both these organisations do everything in their power to prevent any discussion of mass industrial action and a general strike. The SWP, because it thinks the working class is only up to taking collections, the Socialist League because it will not risk offending its bureaucratic friends.

The resolution they blocked would have allowed an argument with the delegates as to why a

general strike was necessary to smash the bosses' offensive. It could have won them to it and armed them with the arguments needed in the workplaces. Ironically these positions put the centrists well to the right not only of growing numbers of rank and file militants who recognise the need for general strike action to defend the unions, but even of Arthur Scargill and Tony Benn both of whom have actually raised the necessity of mass industrial action!

Socialist Action, always quick to adapt its position to the latest pronouncements of left leaders, quickly launched a call in the week following the conference for a "24 hour general strike" (S.A. No.81). Of course this inadequate demand, (the idea that a one-day strike limited in advance will force the Tories to retreat is laughable) remains firmly on paper for the Socialist League. How seriously they intend to fight for this in the working class was shown by their deliberate manoeuvring at the December 2nd conference which ensured there was *no* discussion at all on the question.

If militants had expected any better at the conference from Socialist Organiser, which has been formally arguing for a general strike in the pages of its paper for some time, they were to be disappointed. S.O. had obviously decided to boycott its own positions and actively went along with the suppression of any discussion of the general strike. The nearest they would bring themselves to raising the question was when Paul Whetton declared from the platform that industrial action was needed and "maybe a general strike"!

### WORTHLESS POLITICS

The December 2nd conference, the largest delegate meeting during the miners' strike, showed not only the worthless politics of these centrist groupings but also how these organisations can be an active block to working class action. Given the opportunity to lead and persuade a very large core of activists in a crucial moment of the strike the centrists chose to bureaucratically stifle any discussion. They sent 1,000 delegates back to the areas with no clearer idea of how to win this struggle than when they came. In doing this they graphically demonstrated why the struggle for working class victory has to go hand in hand with the struggle against the centrist groups too.

The organisation of solidarity cannot be left to those who hijacked this conference. The NUM, and other workers taking solidarity action, must act at every level to organise real Councils of Action that can mobilise workers against the Tories. ■



# WORKERS POWER MINERS: WATCH YOUR LEADERS

EVENTS OVER THE past fortnight, since the High Court gave a Tory solicitor the entire national funds of the NUM, must have given militants great cause for concern. The TUC and the Labour Party have both refused point blank to honour the pledges of their conferences. More importantly the leadership of the NUM, in particular its three senior officials Arthur Scargill, Mick McGahey and Peter Heathfield and a majority of its Executive did an alarming wobble on the question of intransigent defiance of the Courts. They were thankfully pulled back into line by the delegate conference and Kent leader Jack Collins' determination.

The NUM leaders' wobble over the question of returning the unions' funds appears at first sight to be only a minor question. **Not so!** Firstly the three senior officials by appearing before the High Court breached the NUM's practice to date, of not appearing before the courts. It appears now that Arthur Scargill, Mick McGahey and Peter Heathfield either believed or had been induced by their lawyers to hope that the court would be appeased by their appearance before it.

Yet the rabid anti-working class judges are doing what they are doing as part of a carefully designed plan to bankrupt the NUM and either make the strike impossible or to throw it onto the TUC's charity which the judges and government hope will lead to an imposed sell-out deal.

Not learning from this lesson the NUM Executive voted 11 to 6, with the Yorkshire delegates abstaining, to bring the money back to England.

They are reported to have done so on the advice of their lawyers and with the support of Arthur Scargill, Peter Heathfield and Mick McGahey who did not vote at the meeting.

Doubtless on good information, John Lloyd of the *Financial Times* gave the following explanation of the decision: *Their hope was that the sequestrators might help themselves to the £200,000 contempt fine and costs and that the High Court would then lift the receivership to allow them to get on with the strike in peace.* (FT.5.12.84)

If this is indeed what the eleven man majority thought then they must be living in cloud cuckoo land. The courts would have held onto every penny of the NUM's money until the NUM "purges its contempt". What does this fine phrase mean? It would mean withdrawing official recognition of the strike and therefore abandoning the use of national funds and resources in its pursuit. Almost certainly the court would have ordered the NUM to hold a ballot. Recalling the money would have signalled a crumbling resolve to the miners, to the rest of the trade unions and last but not least to Thatcher and co.

The delegate conference, on the initiative of the Kent NUM, acted very wisely when it rejected this first step on the slippery slope of compromise. It wisely threw out the executive proposal as reported by Arthur Scargill.

The role of the Scottish Area in the whole affair needs to be carefully examined. Their Vice President George Bolton spoke for the recall proposal. Bolton belongs to the "Eurocommunist"

wing of the Communist Party. It would be interesting indeed to know what his immediate boss in the Scottish Area of the NUM and in the CP Mick McGahey thought of this. Abstention hides his and Arthur Scargill's views from the members.

Jack Collins- also a CP member belonging to the hardest elements of the "hard" faction - led the opposition to compliance. He correctly stated "The executive mis-read the mood of the meeting. We had to send a clear message to the lads on the picket lines that there is no compromise, no surrender."

Once the amendment was moved it is reported that Arthur Scargill argued for it. This can only indicate that he observes a cabinet style secrecy with regard to the conference. This is very bad. Of course unity in action is essential. Of course secrecy and security will often be necessary but the delegates of the NUM conference should know what every major official of the union thinks and does.

Since the conference Arthur Scargill has continued to zigzag. His first correct response to the conference's call for TUC backing was to be found in his speech at Goldthorpe Colliery near Barnsley. He said: *We are not asking for moral support or resolutions. We are asking now for practical assistance and we have asked the General Council to be convened to mobilise industrial action in support of this union.*"

Anticipating the TUC's whinings that they would not consider breaking the law Scargill said: "This trade union movement was not born because people complied with law that was unjust. It was born because they couldn't accept a law that was unjust and an unjust system of society."

The speech was followed up by an article for *Labour Weekly's* front page. It repeated a clear call to stand with the NUM in its hour of need: "There is only one way to meet that challenge, only one way forward for the trade union and labour movement. There must be industrial action- the most massive mobilisation of industrial action our movement has ever known, and we must have it now. There is no other way to stop the court's attempt to destroy the NUM."

On Thursday 6th December the NUM delegates went to see the so-called seven wise men of the TUC. In fact one "wise man" Moss Evans of the Transport and General Workers union failed to turn up or send a deputy.

The NUM went in with the demands of the delegate conference: "that the General Council mobilises industrial action to stop this most vicious threat in our history to the freedom and independence of British Trade unionism."

The union's representatives asked for the TUC to provide the NUM with a headquarters and to pay its staff in the event of the total seizure of the union's resources, material as well as financial.

The *Guardian* - a paper on good terms with the TUC leaders-summed it up when it reported the TUC's response thus: "The TUC flatly told Mr. Arthur Scargill yesterday that it could not take action to assist the NUM which would lay itself open to contempt of court charges."

Thus the TUC referred the NUM's requests



for help with headquarters and its staff salaries to a meeting between its own lawyers and those of the NUM. In short the wise men said nothing doing.

On the more substantial point of industrial action the TUC offered only to "redouble its efforts"- whilst at the same time asserting that "they were doing all they could to encourage the rank and file members to support the NUM."

The unanimous team that met the NUM ranged from left-wingers like Mr. Ray Buckton leader of the traindrivers union and Mr. Bill Keys of the print union Sogat through to Mr. David Basnett.

The worth of the TUC's "left-wingers" is becoming abundantly clear. Rank and file railworkers should put Ray Buckton on the spot for his actions. He takes all the applause for the rank and file's blacking whilst acting in unanimity with Norman Willis, David Basnett and co. to prevent the mobilisation of mass action to win the miners' struggle and throw back the legal onslaught.

Despite these rebuffs at the hands of the TUC and the Labour leaders Arthur Scargill could still say that it had been "a very good day for the miners". This was a "mealy-mouthed reply". The bosses own papers - the ones they read themselves rather than produce as poisonous propaganda for the masses- know very well what the TUC is up to. *The Economist* put it this way: "This week it has become clear that Mr. Scargill will not get that support (TUC, LP, railworkers -WP) much longer if he refuses either a ballot or to compromise on a settlement. More significant the operation of the law and the arrival of a receiver have forced him to appeal to the TUC for cash, which will not be granted without strings. Plausible leverage on him at last looks possible."

In the miners' lexicon, leverage on their union is called "treachery."

The moguls of the TUC understand that, given leverage, they must sooner or later barter with the energy secretary Mr. Peter Walker, a revision of the Plan for Coal, some new wording about current pit-closure proposals and a consultative procedure whose closure criteria will also be buried in fudge. In return they will offer Mr. Scargill's head, an offer the government will find it hard to refuse."

These sarcastic remarks indicate two things. The editorial writers of *The Economist* may not know what the miners are made of but they sure do have the measure of the TUC!

The strike has moved into a new phase. The courts will try to strip the NUM of the means to resist and intimidate its friends in the Labour Movement into leaving it isolated. The NUM has only one option: to break through to the rank and file of the Labour Movement and win them over to mass solidarity strike action - a general strike. That will tip the balance decisively against the Tories.

The miners cannot expect to get that help if they do not clearly and unequivocally ask for it. If they do not ask the other union leaders and if and when refused denounce them to their membership, then other sections of workers will not believe the miners are serious. The NUM must offer an organised fighting relationship at all levels, from pit to union branch up to executive level to all who will come out alongside the miners.

The NUM leaders still refuse to do this. The rank and file must- as they did at the beginning of the strike- take the lead. The vacillations of officials even in strong militant areas like Yorkshire indicate what we have said all along. The NUM rank and file need to get organised into a movement to reform the union, hold the officials to account and remove the weak, indecisive or rotten elements at all levels of the union. □

treachery all too easy for them. In most areas the miners did not organise outside their own communities during the nine days of the General Strike. In South Wales, for example, there were no links created between the locked out miners' organisations and the strike committees in Newport, Cardiff and Swansea which represented the major sections of workers taking action alongside the miners. This too served to weaken the hands of those workers who wanted to resist the sell-out and fight to break the government's wage-cutting plans.

The abject betrayal of the miners strengthened the hand of every employer. The Railway Companies in particular posted notices declaring that those workers who had struck were deemed to have broken their contracts. They would only be taken back with new contracts negotiated individually. The bosses attempted a wave of victimisations in this way. As a result the strike continued in many areas as a fight against sackings. The day after the General Strike was called off by the TUC (May 13th) even the BBC was declaring that there was "as yet no general resumption of work."

It took over a week to reach a settlement on re-employing lockers and railmen in Swansea and nearly that long on the Newport docks and trains. Yet the miners' leaders made no attempt to link the miners up with those workers to resist the TUC's treachery. Instead the MFGB leaders and the membership prepared to go it alone in their battle against the Tories.

## LIMITATIONS OF TRADE UNIONISM

Cook had never been confident that the miners were capable of delivering sufficient trade union bargaining strength to beat the government and the employers. After the TUC's betrayal he searched both for a way out of the strike and for the means of keeping the strike solid enough to get the best possible terms. This was the logic of his trade unionism, and its limitations.

As the lock out wore on, Cook was dropping his famous slogan "not a penny off the pay" in his speeches by June. In July he reached agreement with a gaggle of Bishops and clergymen to settle the dispute. The Bishops' statement would have meant returning to work pending a negotiation period of four months and compulsory independent arbitration should no agreement be reached in that time. In August Cook was urging the MFGB's conference to accept district by district agreements with the coal owners as the strike signs of cracking as increased numbers came back on the coalowners' terms.

On all these occasions Cook's attempts to climb down were balked by the militants in his own union. Organised under Communist Party leadership in the Miners' Minority Movement, which organised within and across the coalfields, the militants were able to ensure that the Bishops' Agreement was defeated in a ballot, despite it having the endorsement of an MFGB delegate conference. As late as November the Minority Movement organised to secure a ballot rejection of conference-recommended local discussions.

The key problem that faced the miners was how to break out of the isolation that the TUC traitors had imposed on them. The communities created the machinery to ensure their own immediate survival. Soup kitchens run by women's support committees were set up by the strike committees. Brass bands and male voice choirs toured in Britain and abroad to raise funds. The Soviet trade unions delivered over £1 million to the miners' relief fund. Many strike committees dictated maximum prices and the provisions stocked to local tradesmen.

As the trickle back to work began so the areas organised to resist police sent out into the coal-

fields to protect the scabs. A "council of war" was formed in the Afan valley which organised the most able young miners for attacks on scabs and their protectors. A.J.Cook and other militants tirelessly toured the areas urging miners to stand firm. Minority Movement leader Nat Watkins successfully pulled a thousand Leicestershire miners from Coalville back out on strike in October. But this in itself was not enough to take the strike forward or reverse its isolation. And isolation increased the chances of the strike crumbling.



As the lock out ground on the TUC attempted to distance itself ever more from the miners. In June the union executives refused a request to black the movement of coal. But having placed all their hopes in the TUC at the start of the strike the MFGB leaders now studiously refused to take up the fight against the TUC leaders and forge links with other workers in order to wage that fight. At the September conference of the TUC Cook sprung to the rescue of the TUC traitors by denouncing attempts by the Minority Movement to refer back a whitewash report on the TUC and the coal dispute which was put to conference. Not asking for any action whatever, Cook and the MFGB

left the traitors of 1926 to police and divert the rest of the working class. It left militants in other unions in the lurch and at the mercy of the Trade Union leaders.

In the end then, Cook's failure to broaden the struggle, openly denounce the traitors, in other words transcend the norms and limits of trade unionism, paved the way for the miners' defeat. His brief period in the Communist Party had not been sufficient to teach Cook the perils of rigidly separating the trade union struggle and the political struggle.

In the early months the militants in the MFGB concerned themselves primarily with solidifying their own struggle. In October the Minority Movement won South Wales and then the MFGB to withdraw all safety cover, to initiate a propaganda campaign in the weaker areas and to demand a special TUC to discuss a 5% levy on employed members to support the miners. But the opportunities had been lost to break out of isolation and fight the architects of that isolation - the TUC leaders. Only after a series of betrayals did the MFGB ask for support once again and now they asked only for money having lost the chance to fight the traitors in their own TUC conference.

## LEARN THE LESSONS

The lock out defeated the miners in November. Symbolically the militant South Wales area switched over to accepting district agreements on the coal owners terms. The coal owners and the TUC had won. No wonder then that miners today remember the architects of the 1926 betrayal with such bitterness. But the problem is to learn the lessons right. Willis and Basnett no less than the 1926 traitors have tried to isolate the miners at every stage. They have in their hands an enormous apparatus for betrayal and for striking their own deals with the bosses against the miners.

However to ignore the TUC leaders, to raise no demands on them, is in fact to fail to fight them. In 1926 the MFGB failed to fight the traitors, first by giving all the power to them and then setting its sights on struggling on its own.

The membership of the NUM must lend their weight to the fight to root out the TUC traitors of 1984. Learning from 1926, miners must get to every trade union branch and workplace to demand action, to offer a joint struggle and to warn what betrayal of the miners would mean for other workers.

History must not be allowed to repeat itself!



# SMASH THEIR JUDGE- MADE LAWS



Did any of you elect any of them? Me neither! Funny, that.

ARTHUR SCARGILL WAS absolutely right when he said, "The trade union movement has a choice - it has either to be in contempt of the law or in contempt of its membership." The courts have been outlawing the miners' strike bit by bit. The options have been narrowing daily. Either you follow the strike or follow the law.

At first the Tories and the NCB were reluctant to use the courts against the miners. They hoped that the strike would disintegrate and that the police could bottle up the pickets. They therefore feared that an early use of the courts would even persuade some scabs to come out in defence of their union. They obviously used the law as a weapon to be employed or not depending on the political advantage to be gained.

So much for all their talk about the law being "above politics". The one use the courts did have (and continue to have) in the early months served to underline the political bias in the law. The arrest of thousands of pickets, mostly on minor public order offences, led not to a trial - which

## ■ ARBITRARY ■

were long postponed for a majority - but to completely arbitrary bail conditions. Instead of conviction and a small fine to pay, the magistrates imposed the threat of imprisonment if they picketed again!

Since the summer, the Tories have changed their tactics. An impor-

tant watershed was reached when a South Wales lorry firm took the South Wales NUM to court in July for secondary picketing - unlawful under the 1982 Employment Act. By August the South Wales NUM's refusal to pay the fine led to the sequestration of its entire assets. The rest of the labour movement failed to respond.

Taking heart from this cowardice the Tories set about using the law with a vengeance. Every few days seems to bring with it a new legally sanctioned kick in the teeth.

First they ruled the strike unofficial and fined the NUM £200,000 for refusing to act on the ruling. Then they set out to steal the NUM's £8.3 million assets.

Frustrated and annoyed by their lack of success in getting the NUM's cash from Dublin, Zurich and Luxembourg banks the scabs and courts thought up another ruse. Since the union trustees (Scargill, McGahey and Heathfield) behaved improperly in exposing the NUM's funds to sequestration they they were obviously unfit to manage the union's money! Answer? Appoint a solicitor with 30 years' experience as a Tory councillor behind him.

Nor is the end in sight yet. On December 10th scabs will apply to the courts to have a receiver appointed for the Yorks NUM. Later in the week another set of scabs will try and make the NUM executive personally responsible for paying the £200,000 contempt fine. And in January there will be an attempt to force a national ballot through the courts!

## ■ 'KNEEL' KINNOCK ■

No one can doubt then that the scales of justice have been tipped heavily against the NUM and the strike. But there are those in the labour movement - notably 'Kneel' Kinnock and the TUC leaders - who have defended the courts and the bevy of anti-strike decisions. They stubbornly refuse to contemplate any action that might run foul of the law. The reason for this is simple. One day Kinnock hopes to inherit the whole apparatus of law and order. He knows that he too will have to use this apparatus against the working class should the ruling class ever trust him with office.

What is it that lies behind this 'rule of law' that Thatcher, Kinnock and Willis worship? Parliament is meant to be the supreme law-maker. Its rule is law. Yet because it is a product of universal suffrage and subject to infrequent election the ruling class were never prepared to let real power reside there. Increasingly after the 1840's real political power was concentrated into the hands of those who are unelected and unaccountable, the police, the civil service and, of course, the courts.

This is not to say that Parliament and statute law hasn't been an important weapon for the Tories throughout history and today. It certainly has. The Combination Acts of the late 18th century made trade unions illegal. The Trade Union Act, 1927 put the seal on the General Strike defeat of 1926 and helped shackle effective trade unionism for a whole period.

During the last four years we have seen the Tories use their massive parliamentary majority to push through three anti-union acts. But the use of

these acts have not been the prime focus for the Tories latest legal onslaught. Only in the case of the South Wales NUM were these laws crucial since the case was brought against 'secondary picketing' - unlawful under the 1982 Employment Act. In fact, as much damage has been done to the strike by the Public Order Act 1936. Nearly 50% of the 8,000 strikers who have been up before 'the beak' have been charged under Section 5 of this Act.

## ■ ORGAN GRINDER ■

The Tories are very conscious of the fact that ripping the NUM apart with laws passed by a Parliament that is a rubber stamp for the Tory Party can misfire. It certainly doesn't help the argument that the "law is above party politics". That's why *The Economist* argued, "if the courts are seen to have played a major part in the strike's conclusion it will be useful that Mr Scargill is becoming ensnared not in Conservative employment laws, but in common law as wielded by NUM members."

Although scabs miners are undoubtedly fronting the various court cases against the NUM, it is laughable to believe that they instigated them. Ever since 1975 the right-wing Freedom Association has been in existence solely to provide funds for and initiate legal actions against the trade unions. Not even the scabbiest Notts miner can earn enough in a week to pay a day's wages for the barristers who are queuing up to have a go at the NUM.

The Thatcherite Institute of Directors is happy to fork out money as well. In addition, it is well known that the NCB is consulted in advance of any actions taken by scabs. It is the organ grinder, not the monkey, who calls the tune.

The *Economist* and the bosses claim that the courts are impartial and that 'common law' unlike statute law cannot be tainted with the accusation that it is political. It is one of the greatest myths of the legal system that 'common law' somehow represents the codified common sense of the people throughout the centuries.

## ■ FEUDALISM ■

As a body of law it has been built up and refined through the claim and counter-claim of various court decisions. It is case law. Throughout the centuries there has been radical change in the underlying presumptions of 'common law'. At first, under feudalism the notion of custom and tradition as lending legal authority was prevalent. This reflected an essentially static and unchanging society based on the hereditary title to land.

The growth of a merchant and later industrial bourgeois class saw this class revolutionise the basis of 'common law' to bring it into line with its own class interests.

They captured the legal apparatus, particularly at a local urban level. Through this they were in time able to assert the legal claims of their class over those of the old feudal classes.

Chief among them was the notion of 'equity' and 'natural justice'. Common law increasingly asserted the legal authority of this programme. What did it represent? Based in commodity production the bourgeois

'common law' asserted the predominance of moveable and alienable property (ie goods) over fixed and inalienable property (ie land). They insisted on equality and freedom of the individual as the basis of contract without which trade and commerce would have been impossible. At each and every stage the 'common law' developed through the clash of interests between rival exploiting classes.

Once the bourgeoisie was enthroned in the courts of justice and the working class become numerous, then this same 'common law' was used against the working class. After all, the freedom of the individual boss to exploit his/her workers is fundamentally in conflict with the freedom of workers to organise resistance to this exploitation. As Lord Denning remarked in 1978 on "the right to strike", "I would declare at once that there is no such right known to the law."

Throughout legal history the courts have used 'common law' to crush or restrict workers' organisation and activity. Under the banner of 'common law' legislative gains of workers have been attacked, even nullified. In 1875 the pressure of action forced Parliament to make union immune from being prosecuted for criminal conspiracy. So the 'common law' of civil conspiracy was used instead!

## ■ NOT ELECTED ■

This legal war against the labour movement has reached a new stage with the miners' strike. The success of court cases declaring the strike unofficial has revealed that in the eyes of the judges the democratic constitutions and procedures of each and every trade union count for nothing. The freedom of one paid scab with a union card to cripple the ability of the union to defend its members is now the 'common law' of the land. 'Equity' is above workers democracy.

It is not just the content of 'common law' that serves the class interests of the bosses. So does the very process by which it is put together. It is thoroughly undemocratic and reactionary. No one elects a magistrate. They are vetted and chosen social 'worthies'; that is bosses, their wives and trade union traitors like Bill Sirs.

Of the 300 or so top High Court judges, 80% went to public school, and Oxbridge. They are the flesh and blood of the bosses. They are completely removed from the social experience of those they try. None of these are elected either. The Lord Chancellor (a member of the Tory cabinet) chooses them in consultation with Thatcher!

In short, they are immune from social pressure, they are the confidants of top politicians and their job is to conduct a relentless war against progressive legislation, cripple effective trade unionism and even break up the trade union from within through their decisions.

To date a majority of the NUM's executive have defied the law and ignored its rulings.

In the end, however, refusal to comply with the laws is insufficient. Recognising which class the laws defend we must mobilise to destroy those laws with the power of the class that suffers their sting. In current conditions this can mean nothing less than a general strike. □

## FIGHT FOR A GENERAL STRIKE!

► Continued from front page

factory, depot, dock in the country. The case for action should be put positively. The links between the NUM's struggle and other struggles must be made. The NUM must promise, through a commitment to forming action councils, that it will support a developing strike wave. If one or other section of workers could, by these moves, be won to action, it would spur on militants in every industry. New recruits to the strike in the shape of new sections of workers would in turn reinvigorate the NUM's ranks. The offensive could be renewed.

At the same time the NUM should demand of all unions supporting the NUM to recognise that what is at stake in the new battle with the courts is the defence of trade unionism itself. The leaders of the "left" unions-Buckton, Knapp and co. must act now. If they do not the NUM leadership should denounce them and go directly to rank and file rail workers to repeat the appeal.

On top of all this we must force the TUC to act. The miners are now facing a direct political onslaught. We cannot afford to allow the leadership of the labour movement to sit atop the money, resources and members that could repel that onslaught. By fighting for industrial action now we can force the leaders either to act with us or

to come clean on their secret sabotage.

But industrial action of some sections is not enough. We must demand that the TUC call an indefinite all out general strike now until the miners win total victory and the anti-union laws and anti-union judgements are smashed.

Even if they were forced to call a general strike the TUC leaders would still try to sabotage it.

Our job would be to stop them. In fighting for a general strike we must make sure we build cross union rank and file bodies- action councils- to run and control the strike. Any settlement should be under the control of these bodies. The NUM must also ensure that it does not surrender negotiating rights with the NCB to the TUC. This happened in 1926 and it proved fatal. So would it today. We can put paid to any potential treachery if we build for strike action now in the teeth of TUC opposition. Then we can force the whole TUC out into the open. A TUC called general strike controlled by the rank and file and in which the TUC have no negotiating rights in relation to the miners would enable us to tie the traitors down.

If we do not force them out into the open- and to do this the NUM leaders must be ready to denounce them- then Willis, Basnett and Buckton will cook up deals behind the scenes that leave the miners standing alone. They did it last week. They will do it again. The NUM leadership must not be complicit in these deals. They must openly condemn the TUC's backstabbing and inaction.

The situation is critical. The labour movement faces a historic choice. It can stand by and let the NUM go down to defeat at the hands of the NCB, the Tories, their police, courts, receivers and sequestrators. Or it can rally its forces call its leaders to order and march onto the battlefield. It must take the latter course. We cannot give Thatcher victory. We know the misery she has already caused millions. She must do no more. The miners are fighting her with their backs to the wall. They must be helped, now.

**RALLY TO THE MINERS!  
DEFEND TRADE UNIONISM!  
FOR A GENERAL STRIKE!  
VICTORY TO THE MINERS!**

# workers power

## SUBSCRIBE!

NAME.....

ADDRESS.....

Send £4.00 to the address below to receive 10 issues of the paper.

Make cheques or POs payable to WORKERS POWER, and send to:  
Workers Power, BCM 7750,  
London WC1N 3XX