

Scab Legislation of the British Tories

J. T. Murphy

THE long expected trade union legislation has arrived. Following quickly upon the attacks on the unemployed workers through the Blanesburgh Report and the projected legislation for crippling the Boards of Guardians, and handing the administration of Poor Law Relief over to the Tory County Councils, the Trade Union Bill completes the frontal attack upon the working class.

The moment has been most opportunely chosen. After the Government had succeeded in crippling the trade unions through the complete bankruptcy of the trade union and Labour leadership in the General Strike, it recognised that the way was clear to embody its class gains in legislative measures which would be difficult to remove. It had already reduced the Labour opposition in Parliament to a nominal opposition, but suspended the launching of its legislative enactments pending the complete acquiescence of the Labour leadership in its foreign policy.

After the declaration of the Government concerning its China policy in December the Labour Party leadership endorsed it with very few reservations which were only of a sentimental pacifist character serving as a smoke screen for the Government's real intentions. When the Government issued its note to Soviet Russia it met with very little opposition from the Labour Party leadership. Indeed, that leadership said that the note should have been sent earlier and should have been stronger, whilst the leading front bench members engaged in a most vitriolic attack upon the Soviet Union in the columns of the bourgeois press. Whilst the Government observed that there was a strong mass opposition it felt convinced that the leadership of the trade unions and the Labour Party still had a powerful grip upon the apparatus and could withstand the mass pressure from within these organisations.

The Campaign for a Split

Indeed, during the months since the termination of the miners' struggle the Government has been witness to the development of the offensive against the revolutionaries in the Labour movement; to a vigorous application of the Liverpool Resolutions against the Communists; to the splitting of the Labour Party itself by the expulsion of local Labour Parties which refused to apply those decisions; to the endorsement of the General Council's betrayal of the miners by the special conference of the Trade Union Executives; to the General Council itself adopting an expulsion policy towards the Minority Movement; to the fact that, however strong the feeling amongst the rank and file of the Labour movement against the policy of the leadership with regard to intervention in China, not a single boat had been held up, nor a single strike effected in any munition factory. In these circumstances it had every reason to believe that the introduction of its legislation at this juncture would play the role of side-tracking attention from its imperialist policy in relation to the Chinese

Revolution and would keep the Labour movement occupied with what it would be pleased to call its own "domestic affairs."

But the Government has made miscalculations before. It underestimated the working class after the General Strike. It is not too much to hope, indeed, we are convinced that it has underestimated them on this occasion. Its truculence and impudence to the working class cannot help but rouse the anger and hatred of the workers. It has gone so far in its proposals that the most liberal exponents have got to denounce the proposals as the most blatant class legislation that has been introduced during many generations.

In its anxiety to prevent the recurrence of the General Strike the Government has found it necessary to attempt to restrict all mass activities and to push trade unionism back to the early years of the nineteenth century. Clause 1 of the new Trade Union Bill prohibits strikes "having any object besides the furtherance of a trade dispute within the trade or industry in which the strikers are engaged, if it is designed or calculated to coerce the Government, or intimidate the community, or any substantial portion of the community." Agitation for or organisation of such strikes can be punished up to two years imprisonment. No money can be spent in furtherance or support of such strikes. In its efforts to prevent the recurrence of the general strike the Government is most hopelessly confused in its attempts to define an industry or trade. It has found, as even the Labour people will find who attempt to set limits to strike action, the impossibility of setting these limits without completely repudiating all strike action. The Government attempted no such definitions, but has blundered ahead in such a way that its actual proposals, in the hands of the courts, brings every strike within their province and prohibits them all. It has discovered that there is no boundary between the interests of one worker and another; that because of this fact any strike has within it the potentialities of a general strike. Fearful of the general strike and its potentialities it has most logically hit back at every strike. This is the logical position of all those who attempt to repudiate the general strike, and already it must be observed that the Labour opposition leaders have given sufficient material in the denunciation of the general strike to provide the Tories with all their shots when debating this issue. Let the Labour leaders take notice that if they attempt to do what the Tories have failed to do, in the definition of trade and industry frontiers, they will be made to look ridiculous.

Protection of Scabbing

Clause 2 of the Bill prohibits unions taking disciplinary action against any members who blackleg during what the courts may define as an "illegal strike." It says that "there shall be no expulsion or fine or deprivation of rights to benefit, or any other disability, enforced against a man who refuses to take part in an

Scab Legislation of Tories—continued

illegal strike." If he is punished in any such way the courts can order him to be compensated from the union funds instead of being reinstated. This amounts to the legal protection of blacklegging.

Clause 3 prohibits picketing in all forms. It says that "it is unlawful for one or more persons to attend at or near a house, or place, where the person resides or works, or happens to be, for the purpose of obtaining or communicating information or inducing any one to leave work, if they attend in such numbers or otherwise as to be calculated to intimidate any person." The Bill defines intimidation as "apprehension of injury," not only of material or physical injury but of boycott or loss of any kind or exposure to hatred, ridicule or contempt. It must be observed that the employers cannot only scoff at the workers, boycott the workers, dismiss the workers, combine against the workers and put them in the courts. They are entirely immune from any persecution under this Act whether they combine on a large or small scale, whether they lock out the workers in hundreds or thousands, or ten of thousands, whether they rig the markets or take any other line of class action against the workers—they are immune.

Finance and Civil Servants

Clause 4 of the Act alters the method of the collecting of the political levy. Instead of a man sending in a written declaration of his unwillingness to contribute even after a ballot majority is declared in favour of political levy, a man has now, according to this Act, to send in a special form declaring his desire to so contribute. This Clause aims at crippling the Labour Party financially. The Government knows full well that the Labour Party is primarily dependent upon the trade unions for funds and, therefore, it proposes to prohibit the unions participating in political activities as a corollary to the fettering of all mass actions. This Bill will have the effect of transforming the Labour Party from a body composed of mass affiliations to a party composed of individual subscribers to their policy.

Clause 5 prohibits civil servants from being members of the trade unions which include other than civil servants, and disaffiliates the postmen, civil servants, etc., from affiliation to the Trades Union Congress and Labour Party. At one blow it will split many thousands of workers from the Trades Union Congress and Labour Party and bring them under the state military discipline, which means that higher civil servants can participate in politics but the rank and file will be subject to the same conditions as the rank and file of the army.

We are thus faced in this legislative offensive against the working class of Great Britain with one of the heaviest attacks ever made upon the Labour movement. And Labour is already in difficulties with regard to mobilising an opposition. The Blanesburgh Report, for example, was signed by Bondfield and Hodges of the Labour Party, whilst the proposed Poor Law legislation has met with very faint-hearted opposition. On these measures the Labour Party and the General Council of the Trades Union Congress have been singularly inactive. Nay worse, while the offensive was de-

veloping against the unemployed workers the General Council broke up the Joint Committee of the General Council and the National Unemployed Workers' Committee Movement. Whatever criticism has been made on any phase of the legislation has been criticism based upon liberalism and not a class answer to a class attack.

The Trade Union Bill, however, has had a much deeper effect so far as activity is concerned. A special conference of Trade Union Executives was held, uselessly, on April 29th, and it is proposed to launch a tremendous campaign of agitation against the Bill. But it is necessary to observe that the class attack of the Government does not inspire a class answer from the labour leaders. Citrine, for example, the secretary of the Trades Union Congress bewails the fact that the trade unions have not found their "rightful place in the body politic." And as if to show that the role of trade unionism is that of a good boy in capitalist society he quotes approvingly the testimony of Lord Balfour in 1906. In the April number of the "Labour Magazine" he quotes him as follows:—"The general effect of trade union organisation has been beneficial and it has greatly diminished terrorism. I believe that years ago labour disputes were far more prolific in this deplorable sense of personal terrorism than are the organised efforts of the trade unions led by able and responsible persons." (For example, such as Citrine!) Bevin describes the Bill as "contrary to the British sense of equity and fair play," and as interfering with "our efforts to meet the employers on equal ground."

MacDonald, prior to his trip to America to attend to the much overlooked necessity for him "to make provision for an income," declares "the issues involved (by this Bill) include all those sentiments of equity, of good feeling, and a sense of common kinship which must be preserved if democracy is to work smoothly and rationally. And I hope that neither friend nor foe will misunderstand the meaning of the conflict."

Very Bold Words

The I.L.P. issues a "call to arms" (loud laughter, imagine the I.L.P. in arms!) It says "Toryism has thrown down the gauntlet, all the hardly won rights of Labour are in danger. If capitalism has its way the workers will be robbed of their right to strike, spoiled of their funds, thwarted of their imminent political triumph. . . Labour takes up the gage of battle. We take our stand on the inalienable rights of all workers to withhold their labour when conditions demand. We defend Labour's claim to manage its own affairs, to control its own funds, to spend them as it likes. This is no kid glove business. There is no question of turning a bad Bill into a good one. . . Sectional differences must disappear. Labour must stand absolutely united, determined to defeat this iniquitous measure, determined to bring this hated Government to the ground."

I am confident that these bold, bold words don't mean anything. It is doubtful, very, very doubtful indeed if the I.L.P. will consider its appeal for the "abolition of sectionalism" to mean that it will cease its campaign for the expulsion of the Communist Party from the Labour Party, or if when it calls for "unity of action" it will agree to a united front with the Com-

Scab Legislation of Tories—continued

Communist Party "to bring this hated Government to the ground." Its talk of uniting all forces against the Bill is so much blather. Even on the question of war on the Chinese revolution it refused to associate with the Communists, who wanted action to stop troops going to China, refused even joint campaigns for this purpose in spite of its boasted opposition to war. However, much it may hate the Government, however much it hates war, it apparently hates the Communists more. We question the sincerity of its declarations. If it were in the least sincere in its demand for the cessation of sectionalism it would insist that its members on the General Council of the Trades Union Congress, and in the trade union bureaucracy in general, shall cease the attack upon the Minority Movement. If its warlike manifesto meant anything at all the I.L.P. would take its stand immediately and decisively on the class war front. But this it will not do. It will use many phrases of class war, but offer concretely nothing but liberalism in the face of the latest attack. This was its fate in the General Strike. This was its fate in the 7 months' miners' struggle. This is the fate even on the question of war and the imperialist intervention against the Chinese Revolution.

Have Denounced Strikes

What this will mean as the struggle proceeds is clear already. The I.L.P. is the leader of the Labour Party and it must not be forgotten that the Government has not yet said all it has to say on the Bill. Therefore, we can say with certainty that so long as the I.L.P. and the Labour Party leaders and the trade union bureaucracy approach the issues raised by this Bill from a liberal angle, and seek to make the trade unions a recognised constitutional part of capitalistic society instead of an instrument for the fight against society, for the conquest of capitalist society, the Government spokesmen can strip their arguments to pieces. Any attempt to defend the right to strike which precludes the sympathetic strike and the general strike, inevitably entangles the Labour Party in the same dilemma as the Tories.

In this regard we cannot forget that all the leaders of the Labour Party including the leading members of the Independent Labour Party have denounced strikes. MacDonald, Snowden, Clynes, Thomas, Henderson—everyone of these have made sufficient public statements and written sufficient denunciations of the General Strike and strikes in general, that their own arguments will inevitably be used to justify the Government's proposal. When that attack comes the Government will denounce the defenders of strike action as supporters of the Communists and declare that their aim is to stop the spread of Communism, to preserve the constitution, etc. In their anxiety to defend the constitution the Labour Party leaders will attack the Communists too, and in their anxiety to prove that they are not Communists the Government will trick them and the workers will lose because the Communists and the interests of the workers are inseparable.

Instead of a real opposition to the class attack of the Government, the great danger which lies before the British working-class movement is not only that this

agitation may be utilised as a diversion from the war plans of the Government, but that the fight will be a sham fight instead of a real one. This will be no real fight if it does not concentrate all forces upon bringing down the Government, if it does not unite the campaign against the trade union legislation with a fight against the Government's imperialist war on China. When the special trade union conference deals only with propaganda against this Bill and does not utilise its opportunities to mobilise action in defence of the Chinese Revolution then it is necessary to say quite clearly that the British Reformist Labour leadership is once more betraying the interests of the working class.

Unity or Expulsion?

If the Trades Union Congress and the Labour Party and the I.L.P. do not in the face of this attack of the Government drop their splitting tactics in relation to the Communist Party and the Minority Movement then all their talk of working-class unity is so much cant. If the I.L.P. and the Labour Party mean business when they talk of united action they will instruct their members to drop the expulsion policy in relation to the Communists. If the General Council means anything in its appeal for unity and the closing of the ranks in the face of the common enemy, then it will drop its policy of expulsion and isolation of the Minority Movement.

The Communist Party and the Minority Movement are not in the least uncertain in their policy on this legislation. They anticipated the legislation, they warned the workers of its coming, they sought to prepare the workers for action against it; they have shown the fundamental unity of this attack upon the British workers with the Government's attack upon the Chinese Revolution. In all their publications and in the scores of conferences they have convened these issues have been made clear. They have warned the workers of the dangers of the liberalising of the Labour Party. They have warned the workers of Liberal criticism of the Tory policy in relation to the war on China. They now seek to mobilise the workers on these issues on the basis of class resistance and again they will prove the only consistent custodians of the interests of the workers. They will fight not only to bring the Government down but to show also that until it is superseded by a class government of workers, prepared to give the final answer to the class suppression of the bourgeoisie, there will be and can be no end to the degradations which the bourgeoisie will impose upon the workers.

**The Report of the
Eighth Congress
of the C.P.G.B.**

*is now on sale at the
COMMUNIST BOOKSHOP*

Price 6d.

Post free 7d.